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NIGERIA: STATEMENT BY AMNESTY INTERNATIONAL'S SECRETARY GENERAL,
PIERRE SANE, ON HIS VISIT TO NIGERIA

Dear ladies and gentlemen,

I have just ended a visit of 10 days to Nigeria – my first for several years. The Chairman and Executive Secretary of Amnesty International's Nigerian Section – Simeon Aina and Eke Ubiji – have travelled with me and other members of our international movement to Abuja, Kaduna, Port Harcourt and Lagos to meet Amnesty International members. We have also been talking to government, other non-governmental human rights groups and former prisoners of conscience. During the visit, members of the Amnesty International delegation also carried out research into areas of concern to the organization and held a workshop on campaigning against the death penalty with local members and representatives of other human rights groups.

We have come at a time when Nigerians are becoming accustomed to living in a more open society than they have enjoyed in recent years under military rule but when they are also experiencing high levels of inter-communal conflict and are increasingly concerned for their security in several parts of the country. There is much public concern about the apparent failures of the police and criminal justice system to bring criminals to justice. Many citizens have experience of violent crime and are increasingly turning to vigilante and self-protection groups in an attempt to safeguard their communities.

In Odi, in Bayelsa State, we received information about at least six men – and possibly many more – who were reportedly killed by soldiers in an attack on the town in November 1999. They reportedly included elders held responsible for the murders of policemen by an armed group in the area. Large numbers of homes and properties in Odi were destroyed by the military over several days, and hundreds were forced to flee. We have also heard reports of other deaths and assaults against members of local communities in the Niger Delta which have been denied by the authorities but which have remained without independent investigation.

We have been concerned to hear from a number of sources on this visit that in many cases armed robbery suspects have not been prosecuted but have been killed either by ordinary citizens or vigilante groups taking the law into their own hands or by the police. Police anti-robbery squads are widely believed either to release armed robbery suspects uncharged if they

are under the protection of powerful criminal bosses or to kill them rather than attempt to bring them to justice through the courts.

Local human rights groups, who played a key role in the defence of human rights under one of the most repressive periods of military rule in the mid-1990s, are needed as much if not more than before to keep human rights in the forefront of Nigerian public life. In our meetings with government and representatives of the international community, we have stressed the need for continuing support for such civil society groups at this time of transition.

In meetings with Amnesty International members in Nigeria, and non-governmental human rights groups, human rights concerns were raised about a wide range of issues, including the following:

- the high percentage of unconvicted prisoners held in harsh conditions in overcrowded police cells and under-resourced prisons;
- the high mortality rates in Nigeria's prisons and the need for a formal monitoring system to safeguard against torture and ill-treatment in both police and prison custody;
- widespread concern that police have routinely carried out extrajudicial killings of armed robbery and other criminal suspects;
- the need for Nigeria to ratify the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment and the Rome treaty establishing the International Criminal Court;
- human rights concerns raised by the implementation of *Sharia* in criminal cases;
- the activities of armed vigilante groups which, while wanted by many communities who feel under threat, are also feared by others because of abuses and harassment.

In a meeting with our delegation, President Olusegun Obasanjo acknowledged that a return to civilian government does not necessarily bring an end to all human rights violations and that serious abuses continue. He expressed his appreciation of the efforts of Amnesty International members and others who campaigned for his release while he was imprisoned as a prisoner of conscience from 1995 to 1998.

The President reaffirmed his commitment to abolishing the death penalty but expressed concern that moves towards that goal should not be hurried. Nigeria has executed more than 2,500 prisoners in the last 30 years, most of them for armed robbery and after trials by special tribunal in which they were denied rights of appeal. Amnesty International believes that the recently-announced review of the administration of justice must include a review of the use of the death penalty. The fallibility of all justice systems means that there will always be instances where it is imposed unjustly and innocent people are executed.

We welcomed the fact that there have been no executions since the return to civilian government in May 1999 and that other death sentences have been commuted. However, hundreds of prisoners are believed to remain under sentence of death and could still be executed. We urged that a moratorium or suspension of executions be instituted while the promised review of the administration of justice in Nigeria takes place.

While the President acknowledged that reports of police involvement in extrajudicial killings, including of criminal suspects, was of concern, he defended the role of the military who have been accused of involvement in extrajudicial executions and excessive use of force in the

Niger Delta. In particular, in relation to the allegations of killings in Odi, he cited the number of security officers killed by members of an armed group in the area.

We welcomed the government's plans to reform the administration of justice in Nigeria, particularly with regard to the large percentage of prisoners awaiting trial in Nigeria's overcrowded prisons, and to involve non-governmental human rights organizations in the process of reform. Severe beatings and ill-treatment of criminal suspects by the police reportedly remain routine, and the review of the criminal justice system should address the lack of any safeguards against torture and ill-treatment – such as the monitoring and enforcement of regulations requiring record-keeping of detainees, medical examination of detainees and access to lawyers and families.

We have had meetings with the Governor of Kaduna State and the Deputy Governor of Rivers State, in which they both spoke about the priority given to maintaining security and preventing inter-communal conflict in their areas. In Kaduna State, the Governor explained the procedures for ensuring vigilante groups in local communities were accountable to the local authorities. In Rivers State the Deputy Governor said that the civilian administration was committed to openness and the rule of law, and said that police and military had specific instructions not to harass local communities.

We met representatives of the National Human Rights Commission and the Human Rights Violations Investigation Commission. The National Human Rights Commission intends to complete the drafting of a National Action Plan on human rights by the end of the year. The 1993 Vienna World Conference on Human Rights recommended that governments adopt such a plan as a blueprint for the government's policies on human rights. The Commission also said that non-governmental human rights groups would be consulted about the plan but that the progress of this and other projects was hampered by lack of funding.

The delegation has also heard concerns about the lack of progress of the Human Rights Violations Investigation Commission from human rights groups and petitioners who have received little feedback to complaints submitted in 1999 or progress reports on the plans and activities of the Commission. The Commission reportedly also lacks sufficient resources from government.

Government officials and human rights commissions all stated their intentions to meet and work with local communities – and with non-governmental human rights groups – to end communal tensions.

In a meeting with officials of the Secretariat of the Economic Community of West African States (ECOWAS), we heard of moves within ECOWAS to giving higher priority to monitoring human rights violations as a key part of its work on conflict resolution in the West Africa sub-region and to training peace-keeping forces in human rights and humanitarian law.

To conclude, we believe that this government, which has shown that it has a fundamental commitment to human rights and freedoms, should articulate its vision of the place of human rights in government policy in the coming years. While welcoming the more open environment in which human rights defenders can operate, we believe that the government needs to formulate and publicize a program of action on human rights to demonstrate its commitment in the long-term to the establishment of a human rights culture in Nigeria.

If killings and other serious abuses by the security forces are not subject to independent investigation, even in cases where officials have acknowledged that excessive force was used, then the perception will remain that the security forces enjoy the same impunity as under military governments. Institutional reforms and safeguards need to be established to ensure that human rights violations are prevented in future. The Nigerian government should work closely with legislators and human rights defenders in Nigeria to devise a human rights policy which would form the basis for future government reforms and a program specifying the necessary steps required to fulfil that policy.

As a human rights organization working at both the international and local level, Amnesty International wants to be involved in working with both governmental and non-governmental human rights organizations in Nigeria towards this aim.