

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	365
Land:	Nigeria
Kilde:	Amnesty International
Titel:	Boko Haram: Civilians continue to be at risk of human rights abuses by Boko Haram and human rights violations by state security forces
Udgivet:	24. september 2015
Optaget på baggrundsmaterialet:	23. december 2015



Boko Haram: Civilians continue to be at risk of human rights abuses by Boko Haram and human rights violations by state security forces

Written statement to the 30th session of the UN Human Rights Council (14 September – 2 October 2015)

Index: AFR 44/2428/2015
24 September 2015

BACKGROUND

The conflict between the armed group Boko Haram and government security forces of Nigeria, Cameroon, Niger and Chad has devastated the lives of hundreds of thousands of civilians. Despite recent advances by Nigerian and regional armed forces, Boko Haram fighters continue to deliberately target civilians, while its leaders evade justice. At the same time, the response from government security forces, particularly in northern Cameroon and north-east Nigeria has been marred by serious violations of human rights and international humanitarian law

Despite recent commitments by President Buhari, Nigeria has not yet taken adequate steps to thoroughly and independently investigate crimes under international law and other serious human rights violations by its forces. Similarly, serious incidents of human rights violations and possible crimes under international law have not been effectively investigated in Cameroon.

On 1 April 2015 the Human Rights Council (HRC) requested the High Commissioner for Human Rights to collect information and report on human rights abuses by Boko Haram.¹ Amnesty International recalls the High Commissioner's oral statement at the last HRC Session that expressed concerns about human rights abuses by Boko Haram and violations by Nigerian and Cameroonian security forces.² The High Commissioner's reports contribute to truth, justice and reparations to victims in affected countries. These reports are also vital to ensuring that the affected States meet their obligations under international law and the mass atrocities committed in the region remain on the international community's agenda.

In light of the ongoing crimes under international law by the parties to the conflict and the absence of justice for victims and their families, Amnesty International urges the HRC to renew its request for the Office of the High Commissioner for Human Rights (OHCHR) to continue regularly reporting to it on human rights abuses and violations committed in countries where Boko Haram operates.

¹ United National Human Rights Council Resolution S-23.1 "Atrocities committed by the terrorist group Boko Haram and its effects on human rights in the affected States." (A/HRC/RES/S-23/1).

² "Oral Update on Boko Haram at the Human Rights Council 29th Session by Zeid Ra'ad Al Hussein United Nations High Commissioner for Human Rights" 1 July 2015
http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16177&LangID=E&_sm_au=iVWWF8DDfLjFQQQP#sthash.Ws2jjVxX.dpuf. [last accessed on 23 September 2015].

BOKO HARAM'S ATTACKS AGAINST CIVILIANS IN NIGERIA

Amnesty International has documented evidence of war crimes and crimes against humanity committed by Boko Haram, including murder, torture, rape, forced marriages and the recruitment of child soldiers.³ Despite recent advances by Nigerian and regional armed forces, attacks by Boko Haram continue to be a daily feature of life in north-east Nigeria. Boko Haram attacks may have claimed the lives of at least 1,600 civilians⁴ since the start of June 2015, bringing the death toll to at least 3,500 civilians in 2015 alone.⁵

Boko Haram fighters have continued to attack towns and villages without military presence. In the raids documented by Amnesty International, Boko Haram gunmen frequently rounded up residents, shot those who tried to escape and executed men and boys. Fighters stole any supplies they needed and set fire to people's homes, shops and markets.

One of the most lethal attacks in recent months occurred on 2 July when Boko Haram fighters killed more than 120 civilians in a raid on Kukawa town, Borno State.⁶ An eyewitness told Amnesty International how Boko Haram fighters ordered residents out of their homes and assembled approximately 58 people outside the village head's house.⁷ The gunmen told the people to lie down on the street and shot them. Others were shot in their homes or as they tried to flee. Boko Haram set fire to buildings before leaving.

Bomb attacks also continue to kill and cause injury to civilians across north-east Nigeria. They have routinely targeted locations with no military objective, including markets, transport hubs, bars, restaurants and places of worship. While Boko Haram has not claimed responsibility for all of these attacks, Amnesty International believes, based on analysis of the pattern of attacks as well as information gathered from witnesses and human rights defenders, that the bombings fit the group's methods and targets. Since the start of June 2015 Amnesty International has documented 14 bomb attacks in Nigeria, which killed at least 222 people.

According to eyewitnesses, Boko Haram used young women and girls as suicide bombers in many of the incidents. Such accounts corroborate testimony received by Amnesty International that Boko Haram has trained women and girls in the use of explosives.

Cities in Borno and Yobe States have suffered regular bomb attacks. In Maiduguri, Borno State a bomb at an abattoir killed at least 12 people on 2 June.⁸ Bomb attacks at Maiduguri's Baga road motor park on 3 and 22 June killed at least 16 civilians.⁹ On 31 July, a bomb on a motorised tricycle exploded in traffic near Gamboru market, Maiduguri at around 6:30 am. At least four people were killed in the explosion.¹⁰ At least 75 people were killed in

³ Amnesty International "'Our job is to shoot, slaughter and kill' Boko Haram's reign of terror in north-east Nigeria" 14 April 2014 (AFR 44/1360/2015) available from <https://www.amnesty.org/en/documents/afr44/1360/2015/en/>. [last accessed on 23 September 2015].

⁴ The version submitted to the UN Human Rights Council erroneously states this figure as 1,200 civilians.

⁵ These figures are based on Amnesty International's analysis of credible media sources and data collected by human rights defenders, think tanks and academic institutions. See also the Armed Conflict Location and Event Data Project available from <http://www.acleddata.com/data/realtime-data-2015/> [last accessed on 1 September 2015] and the Council on Foreign Relations "Nigeria Security Tracker" available from <http://www.cfr.org/nigeria/nigeria-security-tracker/p29483>. [last accessed on 1 September 2015].

⁶ Amnesty International interviews with three eyewitnesses, July 2015.

⁷ Amnesty International interview with an eyewitness, July 2015.

⁸ Amnesty International interviews with an eyewitness and a human rights defender who counted the number of dead bodies after the explosion, June 2015.

⁹ Amnesty International interviews with two eyewitnesses and two interviews with a human rights defender who counted the number of dead bodies after the explosion, June 2015.

¹⁰ Amnesty International interviews with two eyewitnesses and a human rights defender who counted the number of dead bodies after the explosion, July 2015.

four explosions at a mosque and viewing centre near Ajilari Cross, Maiduguri, on 20 September.¹¹ At least 19 people were killed by two explosions at onion market in Monguno, Borno State, also on 20 September.¹²

In Damaturu, Yobe State a bomb killed at least five worshippers celebrating the end of Ramadan on 17 July.¹³ At least 17 people died in an explosion as they queued to enter Damaturu main market on 26 July.¹⁴ On 25 August, a bomb at the central bus station killed at least five civilians. On 5 July, a bomb killed at least eight worshippers inside the Redeemed Church in Potikum, Yobe State.¹⁵

Bomb attacks in other Nigerian cities have spread fear beyond the states most affected by the conflict. On 5 July, two attacks in Jos, Plateau State killed at least 40 people. Two gunmen shot at worshippers in the Yantaya mosque during evening prayers and a bomb exploded inside an open air restaurant.¹⁶ Amnesty International spoke to an eyewitness to a bomb at the central market in Gombe City, Gombe State on 16 July.¹⁷ According to media reports the explosion killed around 50 people. Amnesty International was not able to confirm the death toll. On 22 July, at least 21 people died in a bomb attack on the Dadin Kowa bus station, Gombe City.¹⁸

BOKO HARAM'S ATTACKS AGAINST CIVILIANS IN CAMEROON

Amnesty International has also documented crimes under international law and human rights abuses by Boko Haram in northern Cameroon.¹⁹ Amnesty International documented raids by Boko Haram on the towns of Amchide on 15 October 2014 and Bia on 17 April 2015. In the attack on Amchide at least 30 civilians were killed, many as a result of deliberate targeting, as well as indiscriminate fire by Boko Haram fighters. Boko Haram also destroyed civilian property including a school, a church, a mosque and a health centre. When Boko Haram gunmen attacked Bia town, they deliberately targeted civilians, killing dozens, and methodically set fire to houses, destroying at least 150.

There have also been suicide bomb attacks in the Far North region of Cameroon.

On 22 July 2015, at least 13 civilians were killed and more than 30 wounded after two young female suicide bombers detonated their explosives almost simultaneously at the central market and in the nearby district of Barmare in the city of Maroua. A few days later, on 25 July 2015 at least 20 people were killed and more than 80 wounded after another young female suicide bomber detonated her explosives in a crowded bar in the popular district of Pont Vert in Maroua. Dozens more have been killed in other suicide attacks in Fotoko and Kerawa.

Media reports suggest that at least 380 civilians may have been killed in Cameroon by Boko Haram since January 2014, including more than 150 since 1 June 2015.

¹¹ Amnesty International Interviews with two eyewitnesses and two medical staff who counted the number of bodies brought to their hospitals, September 2015.

¹² Amnesty International interviews with two eyewitnesses, September 2015.

¹³ Amnesty International interviews with a doctor who treated those injured in the attack and a human rights defender who spoke with an eyewitness, July 2015.

¹⁴ Amnesty International interviews with a doctor who treated those injured, a human rights defender and a resident who both spoke with eyewitnesses, July 2015.

¹⁵ Amnesty International interview with a human rights defender who heard the explosion and immediately went to the scene and was able to count the bodies of those killed.

¹⁶ Amnesty International interviews with a human rights defender who spoke with eyewitnesses and with someone who attended the mass burial the next day, July 2015.

¹⁷ Amnesty International interviews with an eyewitness and a human rights defender, July 2015.

¹⁸ Amnesty International interview with an eyewitness, July 2015.

¹⁹ Amnesty International "Human rights under fire: Attacks and violations in Cameroon's struggle with Boko Haram" 16 September 2015 (AFR 17/1991/2015) <https://www.amnesty.org/en/documents/afr17/1991/2015/en/> [last accessed on 23 September 2015].

LACK OF ACCOUNTABILITY FOR VIOLATIONS COMMITTED BY NIGERIAN SECURITY FORCES

In the course of security operations against Boko Haram, Nigerian military forces have committed serious human rights violations, war crimes and acts which may constitute crimes against humanity. On 3 June 2015, Amnesty International released a report that documented shocking levels of deaths in military custody, extrajudicial executions, torture, unlawful detention and arbitrary arrests by the military.²⁰ The report named current and former military officers who should be investigated for their potential individual and command responsibility for these crimes.

In response to the report, Nigeria's President, Muhammadu Buhari, pledged to investigate these crimes, in accordance with Nigeria's obligations under national and international law, and to bring them to an end. However, Amnesty International is not aware of any action taken in the last three months to initiate these investigations. The conflict's thousands of victims, as well as their relatives, continue to wait for justice.

The President has retired two officers named in the report. However, Amnesty International believes that some other officers named in the report remain in active military service.

The Nigerian military publically stated that it has 'convincingly refuted' the evidence documented by Amnesty International. The organisation is not aware of the outcome of investigations, if any, by the Nigerian military into its evidence and calls on the military to make the outcome of any internal investigations public. In any case, investigations conducted by the military would not be sufficiently independent or impartial to meet Nigeria's obligations under international law. Amnesty International continues to call for an independent, impartial and effective investigation.

VIOLATIONS BY CAMEROONIAN SECURITY FORCES

Amnesty International has documented crimes under international law and human rights violations committed by Cameroon's state security forces, including mass arbitrary arrests, extrajudicial killings, excessive use of force, enforced disappearances, deaths in custody and inhumane and degrading treatment.²¹ These violations reached their peak between October 2014 and March 2015, corresponding to a peak in the intensity of Boko Haram attacks.

Since 2014, Cameroonian security forces have arrested over 1,000 people suspected of supporting Boko Haram. Most were arrested in mass "cordon-and-search" operations where security forces rounded up dozens, sometimes, hundreds of men. Amnesty International has documented mass arrests of suspected Boko Haram members in the city of Maroua, and in the villages of Magdeme, Doublé, and Guirvidig.

On 20 December 2014, Cameroonian security forces arrested detained 84 children and at least 43 men during a cordon-and-search operation in the town of Guirvidig. Several suspects were beaten during the operation, constituting excessive use of force. The 84 children were detained for just over six months until 1 July 2015, during which time no charges were brought against them and they were denied access to their families. The men remain in detention at Maroua Prison.

On 27 December 2014, Cameroonian security forces sealed off the adjacent villages of Magdeme and Doublé. The security forces arbitrarily arrested over 200 people, unlawfully killed at least nine people, including a young girl, and destroyed at least 70 buildings. Those arrested were taken to Mora where the children were released and men were beaten by security forces. The remaining detainees were driven to the Gendarmerie Headquarters of Maroua where at least 25 people – though perhaps significantly more – died in custody on their first night in detention, while the whereabouts of at least 130 others remain unaccounted for.

²⁰ Amnesty International "Stars on their shoulders. Blood on their hands. War crimes committed by the Nigerian military" 3 June 2015 (AFR 44/1657/2015) <https://www.amnesty.org/en/documents/afr44/1657/2015/en/> [last accessed on 23 September 2015].

²¹ Amnesty International "Human rights under fire: Attacks and violations in Cameroon's struggle with Boko Haram" 16 September 2015 (AFR 17/1991/2015) <https://www.amnesty.org/en/documents/afr17/1991/2015/en/> [last accessed on 23 September 2015].

Amnesty International has documented poor detention conditions in Maroua Prison including chronic overcrowding, inadequate food, lack of drinking water, limited medical care, and deplorable hygiene and sanitation. As a result of these conditions, suspects have died in detention, with at least 40 dying between March and May 2015.

RECOMMENDATIONS

The dire human rights situation in north-east Nigeria and neighbouring countries demands the attention and action of the international community. The work of the HRC is essential in supporting the efforts of affected States to meet their obligations under international law and ultimately to ensuring that the conflict's victims can learn the truth and access justice. In this regard, Amnesty International urges the HRC to:

- Ensure that the HRC be kept regularly informed of developments on the ground, including by requesting OHCHR written reports on the violations and abuses in countries where Boko Haram is operating to the HRC's thirty-first and thirty-third sessions;
- Ensure that HRC deliberations and requests for reports explicitly address human rights violations committed by state security forces and state-sponsored militia, as well as progress made in pursuing truth, justice, reparation and guarantees of non-recurrence; and
- Urge the governments of Nigeria and Cameroon to urgently initiate thorough, independent, impartial and transparent investigations into crimes under international law by all parties to the conflict.