

NIGERIA
THE O'ODUA PEOPLE'S CONGRESS:
Fighting Violence with Violence

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I. SUMMARY

Nigeria has witnessed an increase in the activities of ethnic and regional militia, vigilantes, and other armed groups in the last few years. One of the better-known of these groups is the O'odua People's Congress (OPC), an organization active in the southwest of Nigeria which campaigns to protect the interests of the Yoruba ethnic group and seeks autonomy for the Yoruba people. The OPC is a complex organization, which has taken on several different roles as it has adapted to the changing political and security environment in Nigeria. One of several Yoruba self-determination groups, it was established in 1994 with the aim of overcoming what it alleged was the political marginalization of the Yoruba. It has since evolved in several different directions. Its activities have ranged from political agitation for Yoruba autonomy and promotion of Yoruba culture to violent confrontation with members of other ethnic groups, and, more recently, vigilantism and crime-fighting. In its two main spheres of activity—ethnic militancy and vigilantism—the OPC has been responsible for numerous human rights abuses and acts of violence, and its members have killed or injured hundreds of unarmed civilians. However, OPC members have been victims as well as perpetrators of human rights abuses. Hundreds of real or suspected OPC members have been killed by the police; many others have been arbitrarily arrested, tortured, and detained without trial for extended periods.

The most widespread killings by the OPC took place in the context of clashes between Yoruba and other ethnic groups, which reached a peak during 2000; however, violence and human rights abuses continued in 2001 and 2002. There have also been numerous individual cases in which OPC members have killed or injured people, in the course of their vigilante work and in attempts to extort money. The OPC's activities have led them into direct confrontation with the police: there have been repeated, violent clashes between the two, with casualties on both sides. OPC members have attacked police stations on many occasions, and have killed and injured several policemen.

Part self-determination organization, part vigilante group, the OPC has defied easy classification. The usual description of the OPC as an ethnic militia, while accurate, is also misleading, in that not all the acts of violence committed by its members have been ethnically motivated. Many of the conflicts in which the OPC has got involved have been among Yoruba, and consequently victims of OPC violence have included Yoruba. The contrast between, on the one hand, the clearly articulated ideological discourse and sophisticated propaganda of some OPC leaders, and on the other hand, the mindless thuggery which characterizes many of its operations, has also posed a challenge in defining appropriate reactions to the organization. In a sense, the OPC combines aspects of two distinct types of organizations which have emerged in Nigeria: those which advocate for the specific interests of their particular ethnic, regional or religious group in a broadly political context¹, and those which have taken on the task of fighting crime, without an explicit political agenda of their own.² In addition, OPC members frequently carry out acts of intimidation and violence which appear to be motivated more by a desire to rob their victims of money or possessions, than by any ideological objective.

Despite public statements by the federal government condemning ethnic and vigilante violence, little effective action has been taken to keep these groups in check or to enforce accountability; on the contrary, some of these groups have benefited from the financial and political support of influential political figures, including state government officials. Several government officials maintain close links with the OPC leadership, and OPC members have provided security arrangements at official and public functions, in the presence of government officials. Where action has been taken by the federal government to crack down on the violence, it has often resulted in further human rights violations by the police, including extrajudicial executions and arbitrary arrests. The weakness of the Nigerian police force, its apparent inability to maintain law and order, and the lack of public

¹ These include several organizations representing the interests of northerners; the interests of the Igbo ethnic group in the southeast; the Ijaw in the south; and many other groups in different parts of the country.

² These include the Bakassi Boys, a vigilante group active in the southeast, and local vigilante groups in other parts of the country. Although these groups generally do not articulate a political agenda, some, such as the Bakassi Boys, have been used by politicians to further their own ends. See Human Rights Watch/CLEEN report "The Bakassi Boys: The Legitimization of Murder and Torture," May 2002.

confidence in its effectiveness have aggravated the problem and have given many armed groups the freedom to operate according to their own rules, and to carry out serious human rights abuses with impunity.

In 1999, the federal government announced a ban on the OPC and gave the police orders to deal with the organization ruthlessly. Instructions to the police to “shoot on sight,” combined with the OPC’s defiance of the ban, provoked a heavy-handed and brutal response from the police. The police regularly raided and broke up OPC meetings; scores of OPC members were killed by the police and hundreds arrested. Few of the arrests have resulted in successful prosecution. In many cases, suspects were detained for a short period then released on bail; in others, they have remained in detention for prolonged periods awaiting trial. The actions of the Nigerian government and the police against the OPC have been in violation of Nigeria’s national and international human rights obligations.

Despite this crackdown, the OPC has continued to function, sometimes underground, but more often boldly and openly challenging the federal government’s and the police’s attempts to crush it. In some of the states where it operates in the southwest, it enjoys close relations with state government authorities and even the explicit support of governors—a support which, to some extent, may have provided it with a level of protection.

Human Rights Watch does not take a position on the legitimacy of the political demands of the OPC or other self-determination groups, but believes that the federal government’s strategy in responding to these groups has been inappropriate and counter-productive. Not only has it resulted directly in human rights violations against members of these groups, but it appears to have strengthened the determination of some of them, notably the OPC, to fight against the existing political system, often using violence with the justification that this is the only way to be heard. The weakness and corruption within the judicial system have meant that the vast majority of members of these groups responsible for violence have not been brought to justice, while many of those detained may well have been innocent. Justice has been selective, discriminatory and often arbitrary.

By early 2003, incidents of large-scale killings by the OPC have decreased, but clashes between different ethnic groups, including the Yoruba, are still taking place, and ethnic tensions have not abated. The OPC remains active and visible. Its leaders have not accepted responsibility for the serious human rights abuses committed by their members, despite the fact that the organization has a clear structure, chain of command and disciplinary procedures. The OPC continues to enjoy significant support among sectors of the population in southwestern Nigeria and among state government officials. There could be a resurgence of violence at any time, and the OPC remains poised to intervene in the event of ethnic or political crises, which remain a common feature of the Nigerian landscape.

The coming months will be especially critical. As political tensions rise leading up elections in Nigeria in April 2003, and many ethnic and social groups are voicing increasing dissatisfaction with their political and economic situation, ethnic militia such as the OPC represent a powerful force which could be unleashed with disastrous consequences. By the end of 2002, the number of cases of political violence in different parts of the country, including the southwest, has increased significantly—an alarming signal of what may lie in store for local government, state, legislative and presidential elections. Candidates for the elections at all these levels, and their supporters, have made widespread use of thugs and other armed groups to intimidate and even eliminate their opponents. The OPC, with its large following and readiness to use violence, is one of many groups which can easily be mobilized in this context.³

In late 2002, OPC leaders publicly warned against the use of political violence in the pre-election period. Media reports quoted OPC leader Frederick Fasehun as stating that the “OPC would wage war against thuggery come year 2003 election, warning politicians that are contemplating using thugs to desist from it or have their names dragged in the mud.”⁴ However, there is no guarantee that OPC rank-and-file members will feel bound by

³ See Human Rights Watch briefing paper “Nigeria at the crossroads: human rights concerns in the pre-election period,” January 2003.

⁴ See “OPC to arrest political thugs during 2003 polls, says Fasehun,” *Vanguard* (Lagos), December 13, 2002.

these words, especially when they see other groups and individuals carrying out abuses with impunity. Even the public positions of the OPC leaders themselves have been ambiguous. In December 2002, leaders of the OPC, including Frederick Fasehun, and of other self-determination groups vowed that there would be no election in Nigeria unless the government pledged to hold a “sovereign national conference.” It was not clear what means they would envisage using to disrupt or prevent the elections.

There are also deeper, underlying problems which threaten to undermine the conduct of the 2003 elections and any attempts at installing a real democracy in Nigeria. The federal government has failed to address the grievances of the many groups which complain of marginalization and discrimination, opting to either ignore them, or to try to silence them. The long-awaited reform of the Nigerian constitution, which many civil society groups have been campaigning for several years, has not yet been completed. Many Nigerians, of various political and ethnic backgrounds, feel that their voices remain unheard. The OPC has provided a vehicle for those of Yoruba ethnicity to express some of these frustrations.

In addition to creating a political environment in which open and genuine debate can take place, the federal government should take effective measures to bring to justice members of militia and other armed groups who have been responsible for acts of violence. Rather than contenting itself with blanket bans and sweeping laws to outlaw such groups, it should ensure that individual members of the OPC who carried out these crimes, as well as those who planned and organized them, are charged and tried promptly, according to due process. It should also investigate the role of state government authorities in passively or actively condoning these abuses. The federal government should also ensure that members of the police force responsible for extrajudicial executions, torture and arbitrary arrests of OPC members are brought to justice. In the pre-election period, in particular, the government should pay special attention to the risks of an escalation of political violence and the dangerous role which such groups could play if they are led to believe they can continue terrorizing the population with impunity, and if they see members of the security forces who have killed their own people evade justice too.

The information in this report is based in large part on research conducted by Human Rights Watch in Nigeria between May and September 2002; additional information has been gathered from other sources inside and outside Nigeria. Human Rights Watch researchers interviewed a wide range of people in Nigeria, including victims and eye-witnesses of OPC violence from different ethnic groups, current and former members of the OPC (including their leaders and rank-and-file members), sympathizers and critics of the OPC, police and government officials, non-governmental organizations, and other sources. This report is not aiming to provide an exhaustive account of all the incidents of OPC violence or of all human rights violations of OPC members by the police. By concentrating on a limited number of incidents which have occurred over the last two to three years, it aims to illustrate the patterns of violence and presents an overview of the different faces of the OPC, highlighting the human rights impact of both the OPC’s actions and those of the government and police. The report concentrates on events which took place since the present government of Nigeria came to power in May 1999. However, there were also many serious incidents of violence both by and against members of the OPC in previous years, which are not documented in this report.⁵

Human Rights Watch is aware that the OPC is not the only ethnic militia responsible for acts of violence, and that many of the groups with which they have been in conflict have themselves taken up arms, and killed and injured Yoruba civilians. Human Rights Watch also condemns the role of these groups in fuelling and perpetrating acts of ethnic violence. However, this report does not attempt to document those cases in detail, as its specific focus is the conduct and responsibility of the OPC and the response of the government and the security forces.

⁵ Earlier incidents have been documented by a variety of organizations, including the OPC itself, and several Nigerian human rights organizations such as the Civil Liberties Organisation (CLO) and the Committee for the Defence of Human Rights (CDHR).

II. ORIGINS AND DEVELOPMENT OF THE OPC: FROM SELF-DETERMINATION GROUP TO VIGILANTISM

The Emergence of the OPC

Nigeria's population of more than 120,000 million is composed of more than 250 ethnic groups. The Yoruba are among the largest; a 1991 government census put the number at 29 million. The current number is likely to be significantly higher, although no accurate population statistics are available in Nigeria. Their historical homeland is the southwest of the country, where they are the majority group. However, like many other ethnic groups, Yoruba have moved around the country over the years and have settled in other regions too. Before and after independence from Britain in 1960, there were conflicts among different ethnic groups in Nigeria in the competition for political control. Following the withdrawal of the British colonial authorities, the Yoruba found themselves pitted against the Hausa, in particular, the majority ethnic group in the north of Nigeria who had tended to be favored by the British under colonial rule and who dominated the political and military elite.

The OPC, which derives its name from that of Oduduwa, the ancestor of the Yoruba race, was formed in August 1994 with the primary aim of defending, protecting and promoting Yoruba interests.⁶ Some other ethnic groups, such as the Igbo and the Ijaw, had also formed their own organizations. However, under successive military governments in the 1990s, freedom of expression and association were even more severely restricted, and members of groups calling for autonomy or agitating for greater power for particular ethnic groups were arrested and harassed by the authorities, in some cases on the basis of allegations that they had carried out acts of violence. Those arrested included Frederick Fasehun, leader of the OPC, who was detained in 1996 for a year and a half.

In addition to its broad aims, the creation of the OPC was a specific reaction to the annulment of the elections of June 12, 1993, by the military government of the time, and the subsequent arrest of Moshood Abiola (a Yoruba), the candidate widely believed to have won the cancelled presidential elections, who later died of a heart attack in detention in July 1998. Outrage at the annulment of these elections, combined with the broader struggle against military repression and frustration at political and economic marginalization, acted as strong motivating factors to galvanize the disenfranchised population, particularly the youth.

The OPC professed to protect the integrity of the Yoruba people and promote Yoruba culture and heritage, including the Yoruba language. The fundamental objectives set out in its constitution include the following: "to identify with our historical and cultural origin with a view to re-living the glory of our past for the purpose of posterity; to educate and mobilize the descendants of Oduduwa for the purpose of the above; to integrate the aspirations and values of all the descendants of Oduduwa into a collective platform of an Oodua entity; to monitor the various interests of descendants of Oduduwa [...] and struggle for the protection of these interests; [...] to further the progress of Oodua civilization by protection and promoting our value, mores and the inter-generational transmission of same."⁷

The OPC advocates autonomy for the Yoruba people, although there appear to be differences of opinion as to whether it is seeking autonomy within the Nigerian federation, or aspiring to the creation of a separate republic. In its constitution, one of the aims of the OPC is "to ensure maximum self-determination of the people of Oodua."⁸ Its O'odua Bill of Rights states "The Yoruba people have hereby resolved [...] to ensure that the Yoruba people in Lagos, Oyo, Ogun, Ondo, Osun, Ekiti, Kwara and Kogi States are brought together as a distinct federating unit within the Federal Republic of Nigeria."⁹ Several OPC representatives and others close to the OPC have stated that, in practice, the organization's minimum demand is an autonomous Yoruba region within the Nigerian federation, with its own political authorities, security forces, and other institutions, but if this is not possible, they

⁶ According to its leader Frederick Fasehun, another of its main aims was to "ensure justice for all nationalities." Human Rights Watch interview with Frederick Fasehun, Lagos, May 22, 2002.

⁷ "Oodua People's Congress Constitution," Section 3: "Aims and objectives of the OPC."

⁸ According to one of its leading officials, few Yoruba realistically wish for or expect to constitute a separate republic, despite declarations to this effect in some OPC documents. Human Rights Watch telephone interview, July 2002.

⁹ "Oodua Bill of Rights" in "Oodua People's Congress (OPC) Constitution and Bill of Right."

will demand complete independence. The former National Secretary of the OPC described their campaign as leading “to the emergence of either an autonomous Southwestern region in a friendly Nigeria or an independent Oduduwa republic out of an unfriendly Nigeria.”¹⁰

One of the principal demands of the OPC and other self-determination groups, which has also been voiced by other actors in Nigerian civil society, is the organization of a “sovereign national conference,” which would bring together representatives of all ethnic and regional groups to discuss their situation within Nigeria’s federal structure and weigh their various demands, with a view to reaching some kind of consensus on the future of that federal structure. To date, the demand for a national conference has been resisted by the federal government, presumably for fear that it would encourage demands on the parts of various groups for a greater share of the nation’s resources, or even autonomy or secession which could eventually lead to the disintegration of the federation. Federal government officials would obviously be reluctant to relinquish the significant financial benefits they have derived from the current federal structure.

In its various demands, the OPC has claimed to represent majority public opinion within the Yoruba community. One of the founding members of the OPC told Human Rights Watch: “We represent people and we must tell the government what people want.”¹¹ Generally, few Yoruba publicly contradict or criticize the OPC, but it is not clear whether this is because they agree with or support the OPC, or because they are afraid of the consequences of speaking out against them.

Among the founding members of the OPC was Dr. Frederick Fasehun, a medical doctor by profession, who became first its convenor, then its national coordinator.¹² Its founding or leading members also included a number of other highly skilled professionals and intellectuals, including several activists involved in the struggle for democracy and human rights. As the organization evolved over the following years, a split emerged between elements described as “moderates,” loyal to Frederick Fasehun, who were prepared, to some extent, to engage with mainstream politicians and the existing political processes; and a more radical, militant wing, led by the younger Gani Adams, a carpenter by training, who were less willing to compromise and objected to the OPC playing any part in Nigeria’s program of political transition. From the start, the OPC had taken a strong position on refusing to participate in the political system. Its constitution states: “The OPC being a non-political organization would not canvas for any political post under any political dispensation.”¹³

By early 1999, the divisions had become so serious that the OPC split into two factions, one led by Fasehun, the other led by Adams. Tensions escalated and there were several violent clashes between members of the two factions in 1999 and 2000, resulting in killings, injuries, and attacks on property, including an attack on Fasehun’s clinic in Mushin, Lagos, by members of the Gani Adams faction. Fasehun was branded as a traitor by the Gani Adams faction; there were allegations that he had been involved in corruption and had accepted money from senior federal politicians and others, and that he had helped the police track down Gani Adams and his supporters. At one time, Fasehun had even requested police protection against further attacks on him by Gani Adams’ supporters—an ironic situation as he himself had had confrontations with the police and been arrested on several occasions.¹⁴

When Human Rights Watch interviewed the leaders of the two factions in May 2002, both Frederick Fasehun and Gani Adams played down their differences and sought to present a semblance of unity. While there have been fewer open clashes between the two factions in recent months, it is clear that divisions persist, despite several attempts at reconciliation by members of both factions, by Yoruba elders, and by other respected figures in the Yoruba community. In practice, in 2003, there are two parallel structures. For example, at the local

¹⁰ “OPC is for Yoruba Autonomy,” interview with Kayode Ogundamisi in *Law Enforcement Review*, July-September 2000, magazine of the Centre for Law Enforcement Education (CLEEN).

¹¹ Human Rights Watch interview, Lagos, September 2, 2002.

¹² Frederick Fasehun was a presidential aspirant for the now defunct Social Democratic Party, in 1991.

¹³ Section 4, “The Character of the OPC,” OPC Constitution.

¹⁴ The information in this paragraph is based on Human Rights Watch interviews with a range of sources in Nigeria, including the OPC leaders of both factions and police officials, between May and September 2002.

government level, there are two OPC chairmen, one for each faction. OPC members from the Gani Adams faction often wear T-shirts or caps proclaiming “OPC Gani Adams faction” or bearing a picture of Gani Adams. Gani Adams told Human Rights Watch: “Effectively there are two OPCs. But relations are OK now. They are no longer confrontational.”¹⁵ Frederick Fasehun said that after the split, “there were stringent conditions for return: they [the Gani Adams faction] had to be prepared to obey the [OPC’s] original rules and regulations [...] We now have regular contact with Gani Adams but he has not been re-absorbed yet as a person, so he has no official position.”¹⁶ Yet Gani Adams continued to call himself president of the OPC.

Other Yoruba Self-determination Groups

Yoruba self-determination groups have existed in the southwest of Nigeria for several years. Some were formed before the OPC, others since. The O’odua Youth Movement (OYM), for example, predated the OPC; some of its members went on to form the OPC. Prior to its internal split into two factions, some disaffected members of the OPC had already broken away in 1997 to form a separate organization, the O’odua Liberation Movement (OLM). Believing that the OPC lacked political direction and had become too confrontational, the OLM attempted to articulate a clearer ideological agenda and encourage more constructive relations between its members and even with its allies among northerners. More recently, two other groups have been formed: the O’odua Republic Front (ORF) and the Federation for Yoruba Culture and Consciousness (FYCC); the FYCC was formed in October 2001 by disillusioned members of the Gani Adams faction, including Kunle Adesokan, Gani Adams’s former secretary and a founding member of the OPC.

In more recent years, the OPC and a number of other groups have come together to form a network of Yoruba self-determination organizations. The first coalition was formed in January 2000, and 2002 saw the official creation of the Coalition of O’odua Self-Determination Groups (COSEG). COSEG has attempted to bring together the various organizations which are sometimes willing to work in concert with each other, but have also shown fundamental differences in approach and tactics. A Yoruba human rights activist described Yoruba self-determination groups as falling into three categories: those who concentrate on intellectual and political development and articulate their beliefs in detailed written documents; those who are more militant and aggressive; and those who argue over the centralization of power in a federalist system.¹⁷ COSEG has tried to unify these different tendencies and articulate the demands of Yoruba self-determination groups in terms which would increase their political relevance and legitimacy. It has sought to present an acceptable face for the Yoruba self-determination lobby and to discard the more violent image of the OPC by replacing it with a more developed ideology. It claims to have mediated in several potential conflicts between Yoruba and other groups, and to have resolved them peacefully. By mid-2002, COSEG included all the Yoruba self-determination groups, with the exception of the Gani Adams faction of the OPC. Frederick Fasehun was the chairman of its board of governors. COSEG had also forged links with self-determination organizations from other ethnic groups and regions, including the Ijaw, from the Niger Delta region, the Igbo, from the southeast, and groups from the Middle Belt (central Nigeria).

Structure, Composition and Membership of the OPC

The OPC claims to have more than five million members, spread over the whole of Nigeria. The greatest concentration of members are in the southwestern states commonly referred to as Yorubaland, including Lagos, Ogun, Osun, Ondo, and Oyo, as well as in Ekiti, Kwara, and Kogi. It also claims to have members in several West African countries, including Benin, Ghana, Liberia, and Sierra Leone; as well as Brazil, Germany, Jamaica, the United Kingdom, and the United States of America.

While many of the OPC leaders are professionals and people with a high level of education and political awareness, their members cover a broad range of ages and include many women. The majority of rank-and-file

¹⁵ Human Rights Watch interview with Gani Adams, Lagos, May 23, 2002.

¹⁶ Human Rights Watch interview with Frederick Fasehun, Lagos, May 22, 2002.

¹⁷ Human Rights Watch interview, Lagos, May 22, 2002.

OPC members are believed to have little or no education and include a high proportion of young, unemployed people, many from a rural background. The OPC prides itself on being a grassroots movement, with mass membership at all the local levels in the states where the Yoruba are in the majority. In fact, there is a distinction between those who are registered, card-carrying members of the OPC—thought by some OPC officials to number no more than one million—and a possibly much larger number of sympathizers, who join in OPC activities at various times. This confusion has sometimes been deliberately encouraged, either by the OPC leaders themselves so as to increase the perceived strength of the organization, or by the OPC’s opponents, in order to blame the organization for any or all abuses committed by Yoruba. At other times, for example following incidents in which the OPC has been accused of acts of violence, the OPC has sought to distance itself from this mass of supporters, claiming that it cannot be held responsible for the acts of Yoruba youth who are not members of the organization.

In practice, this confusion has meant that when investigating specific acts of violence attributed to the OPC and clashes between Yoruba and other ethnic groups, it has sometimes been difficult to ascertain the exact extent or nature of the OPC’s involvement. When witnesses or local residents describe these events, they sometimes use the term “OPC” as a shorthand for Yoruba, whereas there may have been no clear evidence of the OPC’s involvement. In other cases, it would appear that the OPC leadership may not have been involved in planning or orchestrating incidents of violence, but that their members actively joined in once the clash had erupted, and their leaders did little to restrain them. However, in cases of vigilante violence, it has usually been clear that those responsible were OPC members.

The OPC has especially drawn support from the less-educated sectors of the population by surrounding itself with myths, which have a strong appeal. The belief that OPC members have charms to protect themselves against gunfire and that they can overpower their opponents through secret, magical means has been a powerful aspect of their public image and has increased the awe which some members of the public feel towards them. Human Rights Watch researchers were told about a number of beliefs about the OPC, including the belief that OPC members are not harmed by bullets or ammunition; that the canes they carry have magical powers; that if they touch a police vehicle, it will not work; that if they throw a raw egg towards a house, the house will catch fire; that if they spray water over a house, it will be protected; or that if they wave a white handkerchief, no harm will be done. A readiness on the part of some sectors of the population to believe in these special powers and in the use of fetishes and charms has provided the OPC with an easy way to mobilize people and to give new recruits a sense of courage and confidence, however artificial, with which to fight their cause.

It would appear that people have joined the OPC for a variety of different reasons, some because they specifically identify with their political ideology and the Yoruba self-determination agenda, others because they may feel they need a form of protection against what they perceive as political, economic or social discrimination and may have been impressed by the image of the organization. Others, mainly the mass of young, unemployed men, have simply taken advantage of the organization as a channel for venting their general frustration.

According to the OPC leaders and individuals close to them, the organization has a strict hierarchical structure, chain of command, and efficient systems of communication. It has structures and executive committees at national and state levels, with the Annual National Conference at its supreme decision-making body, and the National Executive Council as its governing body. At the local level, every member is required to belong to a branch and the branches are grouped into zones, which are in turn grouped into sub-regions. There are different wings, including a women’s wing, and sections responsible for different activities. One section known as Eso (“which goes to fight”), also called “ushers” in the Gani Adams faction, is involved in vigilante activities and ensuring discipline, for example during meetings or public events.¹⁸ Another group, known as the monitoring group, “clears the road ahead for us to go to rallies.”¹⁹

¹⁸ Historically, the Yoruba term “Eso” refers to a kind of vigilante group or “people’s army” which used to protect local communities and traditional rulers from external attack, and acted as police during peace-time. Within the OPC, the Eso are expected to have spiritual capabilities and knowledge of defensive weaponry.

¹⁹ Human Rights Watch interview with an OPC member, Lagos, September 14, 2002.

The OPC has a disciplinary procedure, outlined in its constitution: members who carry out any one of a range of specified offenses may face “reprimand, payment of compensation and/or performance of useful task, suspension and expulsion.” The offenses listed range from acts that undermine the effectiveness and reputation of the organization, to corruption, sexual abuse, fighting, and “sowing religious or any other form of discrimination.” OPC representatives were not able to confirm to Human Rights Watch the precise number of members dismissed or suspended for participation in acts of violence, but said that over the years, there had been “many” dismissals, and that people “of bad character” or who joined the organization for the wrong reasons (for example, in order to take revenge or settle personal scores) were removed.²⁰ When individuals join the OPC, they are apparently asked to take an oath which includes a commitment not to take part in criminal activity. In July 2002, as part of an effort to give the OPC a new, cleaner image, Gani Adams reportedly stated in an OPC meeting that any member of the group who indulged in political thuggery would be suspended or dismissed, and that such moves were necessary as the 2003 elections draw nearer. These comments were made in the context of widely-expressed fears that ethnic militia could play a negative role in the lead-up to elections in Nigeria.²¹

Human Rights Watch researchers tried to find out whether OPC members were put through any form of training, but the answers given by OPC members were vague and contradictory. Most claimed that they did not receive any specific training, and that being a Yoruba was sufficient to qualify for membership. However, Frederick Fasehun told Human Rights Watch that members were only given an identity card after training, and that they were trained in self-defense. Some members said that they received training or education about the history and culture of the Yoruba. Others said they were taught how to relate to the police, in order to avoid confrontation. All those interviewed denied being trained in the use of weapons and denied being given weapons. Gani Adams told Human Rights Watch: “Our members are trained in conscience and determination, not in the use of weapons.”²²

Vigilantism

From around 1999, the OPC began to get involved in crime-fighting activities. It is not entirely clear what prompted this shift in direction, other than a desire to boost the organization’s popularity. Some observers have linked it to the surge in popularity experienced by self-appointed vigilante groups in other parts of the country, notably the Bakassi Boys, a vigilante group active in the southeast of Nigeria. Despite using extremely violent and brutal methods, the Bakassi Boys were hailed as heroes by many residents in the southeast and credited with dramatically reducing the rate of violent crime in their areas of operation. Their success may have partly inspired the OPC to take on a similar role in the southwest.²³ Indeed, among some sectors of the Yoruba communities, the OPC’s vigilante role succeeded in enhancing its image.

However, other ethnic groups have complained that the OPC vigilantes have been imposed on them; groups such as the Hausa, who have been at the receiving end of serious ethnic violence on the part of the OPC, have felt especially uneasy with entrusting their security to such an organization. Several Hausa in Lagos told Human Rights Watch that they felt threatened by the presence of OPC patrols and preferred to keep their distance from them. A Hausa man in Ogun State said: “We don’t talk to them. We ignore them. We fear them as they have weapons. Some of our people don’t like to hear the name OPC.”²⁴ An Igbo man in Lagos said: “The OPC are around. They haven’t killed people recently, but they patrol at night with vehicles. They still hold monthly

²⁰ Human Rights Watch interview, Lagos, September 2, 2002.

²¹ “OPC reads riot act to members,” *P.M. News* (Lagos), July 25, 2002. The article also mentioned that Gani Adams had recently dismissed the Oyo State coordinator of the OPC and two other members; the reasons were not specified.

²² Human Rights Watch interview with Gani Adams, Lagos, May 23, 2002.

²³ The Bakassi Boys, actively supported by the governors of several southeastern states, have committed hundreds of serious human rights abuses, including extrajudicial killings, mutilations, torture, and illegal detentions. For further details, see Human Rights Watch/CLEEN report “The Bakassi Boys: The Legitimization of Murder and Torture,” May 2002.

²⁴ Human Rights Watch interview, Sagamu, Ogun State, September 2, 2002.

meetings [...] We feel uncomfortable with OPC as they are only looking after Yoruba interests in a selfish way. They are hostile towards other tribes.”²⁵

Underlying all these vigilante groups’ ability to operate freely and without accountability is the fundamental inability of the national police force to perform its law enforcement functions effectively, and the consequent lack of public confidence in the police. For many years, the Nigerian police has suffered from a severe lack of resources, insufficient or inadequate training, poor pay and conditions, and widespread corruption. This has resulted in the perception on the part of the general public that it is futile to report crimes to the police, or expect any remedial action from them. All too often, the police are more likely to be involved in crime, corruption, and human rights violations themselves than to have the will or ability to solve these problems. Meanwhile, the rate of violent crime has continued to soar across Nigeria, leaving the population in a state of permanent insecurity—a situation which many cite as justification for taking the law into their own hands. Vigilante groups have been formed in many parts of Nigeria, although, according to Nigerians from different parts of the country, the local patrols and other community-based groups have usually not been responsible for the kind of extreme violence associated with the OPC or the Bakassi Boys.

In 2001 and 2002, the federal government and the inspector-general of police announced a series of measures to reform and improve the conduct of the police force. Regrettably, some of these measures, such as Operation Fire-for-Fire, introduced in early 2002 in an attempt to deter criminals, have resulted in yet further human rights violations by the police, particularly extrajudicial executions, and will do little to restore public confidence in the institution. The results of other broader reforms, including some which are supported by foreign government assistance, can only be assessed in the longer term.²⁶

The OPC, like other vigilante groups before and since, cashed in on this public disillusion with the police and concerns about persistent insecurity and rising crime. Proclaiming that it had magical powers and charms to overpower criminals and protect its members against conventional weapons, it built up a reputation as a fearless and bold force, more daring and, in the eyes of some, more effective than the police. A specific section of the OPC began to take charge of security and vigilante activities. When they caught suspected criminals, they often handed out instant justice, killing them summarily on the spot. Such cases were particularly common in 2000 and 2001.

The decision to take on vigilante work does not appear to have been clearly formalized within the OPC, and there are contradictions between the statements of OPC leaders and the day-to-day reality. According to Gani Adams, “only about two or three per cent of members are involved in vigilante activities. It is voluntary but some give token money. The OPC is against vigilantism, although some objectives tally, when defending the life and integrity of the Yoruba. Vigilantes act of their own accord. They are not ordered by the command.”²⁷ In a press interview, Frederick Fasehun said that crime-fighting was not one of the objectives of the OPC, “but when the crime wave became so high that people were living virtually in fear, the OPC took a diversion, mark my word, took a diversion, from its primary aims and objectives to assist the police to fight to secure life and property.”²⁸

However, many residents from different areas in the southwest, particularly in Lagos State, confirmed to Human Rights Watch that the OPC’s vigilante role was well-established and that it maintained an active presence, patrolling the streets and ostensibly maintaining security in the local communities. A man living in Sagamu, Ogun State, also said: “We see OPC around. They ensure security at parties, functions etc. They wear red cloth on their head with ‘OPC’ written on. They also wear white shirts with ‘OPC’ written on. They use commercial

²⁵ Human Rights Watch interview, Lagos, September 1, 2002.

²⁶ For example, the U.K. government, through its Department for International Development, has set up a seven-year program of assistance to the Nigerian justice sector, entitled Access to Justice, which includes a significant component for training and reforming the Nigerian police force.

²⁷ Human Rights Watch interview with Gani Adams, Lagos, May 23, 2002.

²⁸ See “‘OPC will unite again – Fasehun,’” *Newswatch* (Lagos), September 10, 2001.

vehicles or come on foot. They carry long guns, pistols, cutlasses and knives. They carry them openly. They walk around in groups of more than thirty, day and night.”²⁹

Involvement in vigilante activities has been an easy way for the OPC to make money. Many people interviewed by Human Rights in Lagos State said it was common practice for local residents to make a financial contribution to the OPC’s vigilante activities, not always voluntarily. A community leader in Ajegunle, in Lagos, said: “They collect twenty or fifty naira [about U.S.\$0.15 or 0.40] from bus drivers at every bus stop before allowing people to go. Ten or twenty per cent of this goes to local government, the rest is for the OPC. The local governments employ them. All local governments do this in Lagos State. The OPC leaders are very close to the local governments. Each house has to pay about 500 naira a month, some more, some less. It is supposed to be for security and their salaries. The tax is paid to the OPC directly.”³⁰

The OPC has provided security arrangements at official gatherings, including high profile events, and has been hired for parties and other social functions. Its members have reportedly been employed as guards at the private residences of some state government officials. Many people in Lagos State, in particular, told Human Rights Watch that the OPC was often seen ensuring security at public functions, effectively taking over from the police or sidelining them. These have included gatherings at which senior federal government officials have been present. The most striking example was the ceremony for the lying-in-state of former Minister of Justice and Attorney General Bola Ige³¹, held in January 2002 in Ibadan, which was attended by many government officials, including President Obasanjo. People present at the ceremony reported that the OPC had provided the security arrangements and was controlling the crowds and the traffic. The police were also deployed, but were apparently outnumbered by the OPC and were described by some as passive observers. Gani Adams was among the speakers at the ceremony and was seen leading a large number of OPC members there. In a less high profile event, a woman who attended a burial ceremony for the father of a former local government chairman in Lagos, in August 2002, described how a group of about forty young men, who she was later told were OPC, were given a separate table and provided with food and drinks. They had apparently been hired to provide security.³²

The OPC has also been called in to settle scores between private individuals and has intervened, for example, in disputes between landlords and tenants. In several cases, OPC members have been responsible for killings in this context, and their intervention in these types of disputes has sometimes sparked off wider clashes between communities, as in Alaba, in July 2000 (see below). The threat “I will call OPC to deal with you” has become a common refrain in situations of argument between individuals.

III. KILLINGS AND ABUSES BY THE OPC

The OPC has been responsible for numerous acts of violence and its members have killed or injured hundreds of people. While many of their most serious attacks were directed against Hausa, or people suspected to be northerners, their victims have also included Igbo, Ijaw and people from other ethnic groups. There have even been cases where they have attacked Yoruba, both civilians and policemen. Most of their victims have been men.

²⁹ Human Rights Watch interview, Sagamu, Ogun State, September 2, 2002.

³⁰ Human Rights Watch interview, Lagos, September 1, 2002.

³¹ Minister of Justice and Attorney General Bola Ige, a Yoruba, was shot dead in the southwestern city of Ibadan on December 23, 2001. He was the most senior government figure to be killed since President Obasanjo’s government came to power in 1999. His assassination, which occurred against a backdrop of increasing political violence in Nigeria, sent shockwaves through the country. There seems to be little doubt that it was politically motivated, although the real motive behind it has not been confirmed. A variety of explanations have been advanced. Some commentators believe it was linked to internal power-struggles in his state of Osun, between the state governor and deputy governor; Bola Ige was perceived as a supporter of the governor. In October 2002, thirteen people were formally charged with murder and conspiracy to murder. Their trial began later that month. In December 2002, the deputy governor of Osun State was also arrested in connection with the murder of Bola Ige.

³² Human Rights Watch interview, Lagos, September 7, 2002.

Numerous eye-witness testimonies gathered by Human Rights Watch confirmed that contrary to their leaders' denials, the OPC have used a variety of weapons, including fire-arms, machetes, cutlasses, knives and daggers, which they are often seen carrying openly. There have also been several cases where they have poured acid on their victims. Frequently they set fire to the corpses of those they had killed, sometimes after mutilating them. It has been difficult to confirm the sources of the weapons used by the OPC. Small arms proliferate in Nigeria and it is easy to purchase guns and other weapons. In addition, the OPC have sometimes seized weapons belonging to the police or to suspected criminals that they have apprehended during their vigilante activities.

In the cases documented below, the victims and witnesses interviewed by Human Rights Watch confirmed that the perpetrators were specifically OPC members, as opposed to other Yoruba. They had been able to identify them in a variety of ways. In some cases, the OPC explicitly identified or announced themselves as OPC. In other cases, witnesses identified them by the clothes they wore: although there is no full OPC uniform, their members typically wear a red or white cloth tied around their head, and wear charms and fetishes. Some wear T-shirts or head-bands with the words "OPC" printed on them. In some cases, they arrived in large convoys of vehicles bearing OPC banners or flags. In a few cases, the victims or witnesses recognized local individuals known to be OPC members.

Most of the incidents in which OPC members have been responsible for killings fall into one of two categories: large-scale ethnic clashes, creating many casualties, or isolated incidents in which individual OPC members have attacked or killed other individuals, for example in the course of vigilante activities or attempts at extortion or theft. In addition, there have been situations where the OPC has intervened or been used in political disputes, such as that in Owo, Ondo State, where it has ended up attacking supporters of rival political factions.

Ethnic Clashes

There has been a pattern of killings by the OPC in the context of disputes or clashes with other ethnic groups since at least 1999. Often these clashes were sparked off by a minor argument between two individuals from different ethnic groups, which typically then escalated when the Yoruba party brought in the OPC to fight their cause, while the other ethnic group retaliated by calling youths from their own community to the rescue. The incident would then rapidly degenerate into a violent ethnic conflict within hours, or sometimes within minutes. The widespread availability of small arms and traditional weapons and the readiness of youths from all sides to use them meant that community leaders were often unable to stop the violence or restore calm, despite efforts to do so.

By the time the violence reached its peak in the second half of 2000, hundreds of people had been killed, many by the OPC, others by other groups. Some of the most serious incidents are described below. A journalist commented: "Around 2000 was the worst period of OPC violence [...] The police were incapable of controlling it. The OPC could shut down a whole street [...] Every other week there were clashes."³³

These clashes had repercussions far beyond the southwestern states or the locations where they occurred. One of the immediate effects was that many Hausa—who were one of the most directly-affected groups—fled the southwest and moved back to the north; some have not returned since. A seventy-five-year-old Hausa man, whose thirty-five-year-old son was killed by the OPC in Ajegunle in October 2000 (see below), told Human Rights Watch: "My son Sahabi was killed. He was on his way home with his family. The OPC stopped them. They pushed his wife and children into the house then slaughtered him. His wife saw it happen. They cut his body into pieces with a cutlass. He had two children. The wife was traumatized. She couldn't speak for two months. She left for the north and has stayed there."³⁴

In several instances, attacks by the OPC on Hausa or northerners in the southwest were followed by reprisal attacks on Yoruba in the north. For example, following the killings in Sagamu in July 1999, violence erupted in

³³ Human Rights Watch interview, Lagos, May 27, 2002.

³⁴ Human Rights Watch interview, Ajegunle, Lagos, September 3, 2002.

the northern city of Kano, widely seen as an act of retaliation by the Hausa. Similarly, riots broke out in Minna, capital of Niger State, following the violence in Ajegunle in October 2000. The same has been true in reverse: clashes in the north between Yoruba and Hausa have had repercussions in the south and appeared to strengthen the resolve of the OPC to “fight the Yoruba cause.” This was notably the case with the explosion of violence between Christians and Muslims in the northern city of Kaduna, in which an estimated 2,000 people were killed in February and May 2000, and which was followed by violence in the southwest.

Sagamu

In mid July 1999, there was a major clash between Hausa and Yoruba in Sagamu, Ogun State. Scores of people were killed. The violence began following an argument over customs observed during the Oro festival, an annual Yoruba event which had not been disrupted by any disputes either before or since 1999. Yoruba and Hausa had agreed to respect a traditional night-time curfew usually observed during the festival. However, according to local residents, a fight erupted between the Yoruba and the Hausa after a Hausa woman was killed by a group of Yoruba because she had broken the curfew. The fighting escalated and the OPC intervened to support the Yoruba. Both sides were armed. At least sixty-eight Hausa were killed, including three boys between the ages of ten and fifteen; some were killed with guns, but the majority were killed with cutlasses. A number of Yoruba were also killed, including one of the Oro leaders. Some people were burnt inside their houses.³⁵

According to another local resident, two or three days later, the OPC came back to Sagamu in five vehicles, but there was a curfew and they were stopped by the police near the central police station. Local residents reported that there was a shoot-out and that the police killed some OPC members. Some policemen were also attacked by the OPC, including Sergeant Danda Shahibu; the OPC poured petrol over him with the intention of burning him, but he survived.

The OPC, while agreeing that both Hausa and Yoruba were killed in Sagamu, offered a different version of events. They alleged that the fighting was pre-meditated by the Hausa, and that the police in Sagamu had sided with the Hausa and provided them with ammunition. A report on the violence in Sagamu, circulated by the Gani Adams faction of the OPC, states that the OPC “is seen to have been the saviours of the town, as their members, also known as the Oodua Warriors, did battle to save the town.”³⁶

A Hausa man in Sagamu told Human Rights Watch that after the violence, “the local government gave us forms to fill in for compensation, but nothing happened. Even the Seriki’s [Hausa leader] house was burnt. The president, who came here on the Monday, promised there would be compensation, but there wasn’t. There was an investigation but nobody was arrested. The governor of Ogun promised to rebuild the Seriki’s house, but didn’t.”³⁷

According to an inside source within the OPC, the violence in Sagamu marked a turning point for the Gani Adams faction of the OPC. Fasehun and those close to him apparently had not wanted to intervene, and it was Gani Adams who decided to mobilize large numbers of OPC members as reinforcements to the Yoruba in Sagamu. This decision was popular with many rank-and-file members and resulted in a surge in membership of the Gani Adams faction.

Ketu / Mile 12 Market³⁸

On November 25 and 26, 1999, scores of people were killed when the OPC clashed with traders in Ketu / Mile 12 market in Lagos. The exact number of victims has not been confirmed, but is estimated to be more than

³⁵ Human Rights Watch interviews in Sagamu, Ogun State, September 2, 2002.

³⁶ Unsigned document entitled “Reports on Sagamu,” which claims to be based on “stories collected from witnesses, and victims of this mayhem,” Appendix I of a compilation of documents by the OPC.

³⁷ Human Rights Watch interview in Sagamu, Ogun State, September 2, 2002.

³⁸ The information and testimonies quoted in this section are from Human Rights Watch interviews conducted in Ketu/Mile 12 market and other parts of Lagos in May and June 2002.

one hundred. A senior police official who was at the scene said he saw an estimated two hundred bodies, but that others had already been buried in mass graves.

The fighting is thought to have been caused by jealousy on the part of Yoruba about the perceived dominance of the market by Hausa traders. There had also been disputes between particular individuals for control of key leadership positions within the market traders' committee. According to some of the traders, some Yoruba had been threatening to challenge this dominance and "claim back" the market from the Hausa. Consequently, many of the victims of the OPC attack were Hausa, or people of northern origin suspected to be Hausa; however, a number of Igbo and members of other ethnic groups were also attacked by the OPC. Some Hausa also attacked and killed Yoruba. Both groups were well-armed. Most of the violence took place in the market and on the roads surrounding it. However, witnesses reported that there were also house to house searches, in which the OPC targeted Hausas and Igbos. Market traders who witnessed the violence confirmed that large numbers of OPC members were involved (some estimated as many as 1,000) and that many of those carrying out the attacks were wearing vests with "OPC" written on them. They carried a range of weapons, including guns, machetes and daggers; some were wearing charms. Some traders believed that OPC members had been drafted in from other areas.

A woman who had been trading in the market for five years said she had never witnessed anything like it: "People were shouting: 'OPC! OPC!' We started hearing gunshots. I had to find my way out of the market. [...] The expressway [the main road which runs along the market] was blocked by the OPC. This expressway was turned into a killing zone. For days a lot of dead bodies littered this road. [...] Many traders lost their lives and even some customers that were unfortunate to come to the market at that time."

A representative of the Perishable Foodstuffs Market Association told Human Rights Watch that sixty-eight Hausa traders had been killed in the food market alone; thirty of them were women. The Hausa traders sent a list of the victims they had counted to the Lagos State Governor; dated December 3, 1999, it lists sixty-eight people confirmed dead, including four blind men killed at a mosque; eleven unnamed people burnt at Ketu bus-stop; twenty-four people missing (who were never found), including nine schoolchildren; and details of buildings and property that were burnt or looted.

A Hausa trader described how the OPC were specifically targeting Hausa and Igbo in and around the market. Some northerners who were not even Hausa were among those they attacked:

On 25 November, a young man, Mohammed, was knifed in the belly. He was rushed to hospital and was lucky to survive. They [the OPC] beat a lot of our members who started chasing them out. We went to the main road. The road was blocked. They were stopping all vehicles. They would offload any Hausa or Igbo, kill them and set them on fire. I saw them stopping vehicles. They were a very big group, maybe thousands. Some had OPC uniforms. Other Yoruba also joined in. They were asking people who were passing: 'What is your state [of origin]? What is your tribe?' They stopped a northerner who sells provisions. He is not a Hausa; he is from the Zabruma tribe, from Kebbi State. His name is Bako; he is about thirty or thirty-five years old. They asked him which state he was from. He said Kebbi. They said: 'Kill him. He's a Hausa man. He's from their states.' They cut him in several places. He managed to run away as the OPC heard the police siren and fled. I saw him face to face. He looked like he could have been attacked with knives or bottles; they used bottles a lot. He swore he would never return to Lagos.

An Igbo trader in the yam market narrowly survived being burnt to death:

That day, at about 9 a.m., we came to the market as usual [...] People said they were seeing movements they didn't understand, in the yam depot. We asked them not to panic. Some leaders went to report the movements to the police at Ketu. [...]

We heard noises, like whistles. Then we heard the main road was blocked. People were running, burning. They were looting yams and vehicles. There was no killing in the depot but there was killing and burning in lots of houses along the road. The next day, we saw corpses [...]

At about 4.30 p.m., I was trying to leave to go home. I was trapped by a group who identified me as Igbo. They said the Igbos were supporting the Hausas, therefore I should be killed. I was thoroughly beaten. They put a tyre around my neck and brought petrol. About ten or twelve people attacked me. They had bottles and sticks and beat me. Some were young and some were middle-aged. [...] It was a miracle they didn't set me on fire. I don't know what happened. Someone pulled me from the ground by the arm and said: "Run! Run!" An *okada* [motorcycle taxi] appeared from nowhere and told me to sit and we drove off. I was hospitalized for one or two days.

The attack of November 25-26 took place in the context of increasing tension in different parts of Lagos and followed a series of other attacks and incidents of intimidation involving the OPC. A trader at Ketu/Mile 12 market mentioned that some days before the attack on the market, about forty or fifty people wearing OPC uniforms had come to the market and threatened some of the traders: "They attacked Hausa and Igbo boys here. They kicked several of them with their boots. People started running away, shouting 'OPC is in the market!' The OPC were telling Hausas and Igbos: 'We're giving you fourteen days to leave this place.' They said the place should be controlled by Yoruba. It was a warning, but they didn't kill anybody that day. [...] There were also attacks in other places around. It started from the Tin Can Port. We first heard they had attacked Igbos and others there, including labour leaders. Then it happened at Sagamu, then here. This was all one or two weeks before."

Witnesses of the violence at Ketu/Mile 12 market on November 25-26 described how the security forces had failed to stop the attacks, and only intervened after many people had been killed. A trader told Human Rights Watch: "Eventually the police and army were deployed, after the crisis had lasted for several hours. The police were here while the OPC was busy killing people outside. The military were brought in later." Another said: "The police came after two days and dragged them away. They were not present during the crisis." He also deplored the lack of action on the part of the government: "We have a list of the victims [killed in the food market]. We recorded everything. We sent the list to the federal government but nothing happened. There was no investigation." Another said: "The fight lasted for two days before the police took control of the situation. The market was closed for several weeks and when we resumed business, all our goods had been either destroyed or rotten. I lost all my goods to the crisis. I saw a lot of dead bodies. I know a lot of traders that were killed. [...] I think the government is encouraging these OPC people because the way they carry out their mission suggests that they are not afraid of the law."

Some OPC representatives denied any involvement at all in the violence at Ketu/Mile 12, describing it as "an intra-market issue which did not involve us and in which we have not involved ourselves in any way."³⁹ Others denied that the OPC had initiated the fighting but admitted that it had been present; however, they claimed that many people had been killed before the OPC arrived on the scene. As usual they denied having any weapons other than traditional charms, and claimed that the police had supplied the Hausa with guns. They stressed that the Hausa had also been responsible for violence and mentioned an incident in which a group of Hausa men had allegedly killed several Yoruba schoolchildren at the Baptist primary school. Human Rights Watch tried to cross-check this information but was not able to confirm that these killings had actually occurred. A senior school official at the Baptist school confirmed to Human Rights Watch that a group of Hausa had tried to break into the school, but denied that any children had been killed. She indicated that the media reports which had also mentioned the incident at that time had been based on false information.

³⁹ OPC press release, November 27, 1999.

*Alaba Market*⁴⁰

In mid July 2000, a private dispute between a landlord and a tenant escalated out of control and several people were killed in the large Alaba electronics market in Lagos, as OPC members clashed with Igbo traders. The incident began when a Yoruba landlord, who had lost patience with a court case to resolve a dispute with his tenant, called in the OPC to deal with the problem instead. The tenant, an Igbo trader called Ike who dealt in electronic goods in Alaba market, returned from work one day to find his landlord and a group of OPC members waiting for him. On instruction from the landlord who pointed him out to the OPC, the OPC members attacked him, accusing him of being a criminal. Despite his denials, they beat him into a coma, allegedly in the presence of the landlord who did not respond to his pleas for help, even when the OPC set him on fire; he later died from his injuries.⁴¹

Some of the victim's neighbors, wanting to avenge Ike's death, set fire to the landlord's building. The market traders, the majority of whom are Igbo, also mobilized to protest the death of their colleague. According to one of the traders' representatives, when they went to complain to the Baale [local Yoruba leader], OPC members were assembled there and attacked them. Several traders were injured. The traders ran back to the market and tension escalated. The OPC members apparently sought reinforcements and within a short time had invaded parts of the market. They smashed many of the buses owned by the Igbos and barricaded the roads. The traders decided to fight back after they discovered the body of another Igbo man who had been macheted to death by the OPC at a nearby petrol station; he was apparently found dead, clutching a Bible. As the traders tried to defend themselves, and some of them took up arms, the OPC extended the attack to other Igbo residents in the area. The police, who were called to the scene by the chairman of the electronics market association, were initially unable to stop the violence and had to send for reinforcements. Eventually, the paramilitary mobile police brought the situation under control.

The fighting in Alaba market lasted for at least two days. Trading was suspended, although the police advised against closing the market completely to avoid a further escalation. One trader, who was present at the height of the violence, described it as "a big fight. The traders were at the Alaba end of the road while the OPC were at the Ajamgbadi end. The battle was fought at Sabo Onigba between St Patrick and Chemist bus stop. [...] I was watching from a safe distance. When the battle became so fierce, we hid in the shops because it was unsafe to venture out. Some traders were killed outside the market and their bodies dumped in the canal. [...] In the night, the OPC went from house to house searching for Igbos. Some were killed while others sustained serious injuries at the hands of the OPC."

The participation of the OPC was confirmed by several eye-witnesses. One trader told Human Rights Watch that they were wearing OPC vests and carrying charms, and saw a truck full of OPC members. Another said: "I knew it was OPC members that fought with the traders. They were wearing their white vests and white handkerchieves." Other Yoruba youths, who may not have been OPC members, also became involved in the fighting; some of them were armed with knives, stones, and sticks.

It has been difficult to confirm the exact number of deaths in Alaba market. Several traders told Human Rights Watch that they knew of at least four Igbo traders who had been killed in just one part of the market and several others injured. It is likely that there were other victims in other parts of the market. A number of Yoruba were also killed when the Igbos retaliated. One trader mentioned that at least four Yoruba were killed, including the local OPC leader: "When I saw how the OPC leader was killed and burnt, I became scared. I decided to rush

⁴⁰ The information and testimonies quoted in this section are from Human Rights Watch interviews conducted in Alaba and other parts of Lagos in June, July and September 2002, unless otherwise stated.

⁴¹ According to some reports, before the incident, the landlord had told the OPC that Ike was a criminal and had given them his photograph so that they could identify him. See "Human rights abuses by vigilantes" by Okechukwu Nwanguma, in an article on vigilantes and policing in Nigeria, in *Law Enforcement Review* (Lagos), July-September 2000, magazine of the Centre for Law Enforcement Education (CLEEN).

home. I ran into a roadblock mounted by OPC members. They asked us to raise our hands, they searched us and found nothing and passed us on. That same day, about four Igbo traders were killed in a house at Ajamgbadi.”

There was also a clash between the OPC and the mobile police who were called after the civilian police had been unable to restore order. The mobile police commander who led the operation confirmed to Human Rights Watch that both the OPC and some of the Alaba community were armed. He said that as he and his colleagues were talking to the OPC to try to calm the situation down, three OPC buses arrived and opened fire on them. He and a police inspector were both injured.

Some local residents and traders believe that the incident between the landlord and the tenant was just the trigger for the expression of a deeper, underlying tension in the area, particularly feelings of jealousy between the local Yoruba community and the predominantly Igbo traders in Alaba. In addition, according to a local resident, the day before the tenant, Ike, was killed, the OPC had killed five other Igbo men. Apparently they too had been killed because they owed rent to their landlord, who had called the OPC in to deal with them. The man who related the incident to Human Rights Watch did not see them being killed, but saw the dead bodies of four of them, three in a compound and a fourth in the gutter; they had apparently died from gunshot wounds. He also saw around thirty OPC members patrolling the area, in two buses; they were easily recognizable by the red bands they wore on their heads and their black T-shirts.

Whatever the real cause of the violence in Alaba, one of its direct effects was to increase ethnic polarization in the area. A market traders’ representative told Human Rights Watch: “It was after this crisis that we initiated another association, the Alaba United Traders’ Association, for the Igbo traders alone. The former association had comprised every trader in Alaba, irrespective of tribal affiliation. [...] It was a good thing that peace was restored because at a time, we were thinking of acquiring arms and even declaring the Alaba area a Biafran territory.”⁴² However, he added that a prominent Yoruba leader had come to apologize to the traders.

*Ajgunle*⁴³

*“We get on all right with the Yoruba here. Our only problem is with the OPC.”
- Hausa community leader in Ajgunle, September 2002*

There were two waves of clashes in Ajgunle, an area of Lagos. The first occurred in around September-October 1999, when Yoruba clashed with Ijaw, in what was seen as the aftermath of earlier, violent confrontations between Ijaw and Ilaje (a sub-group of the Yoruba) in Ondo State. Human Rights Watch did not carry out an in-depth investigation into these clashes, but spoke to some local residents of Ajgunle, who said that more than forty people were killed, most of them men. The victims included both Ijaw and Yoruba. Some were killed with machetes, others were burnt, others were shot dead. The report of the tribunal of inquiry set up by the state government into civil disturbances in Lagos State (see Section VII, 2 below) stated that the fighting did not appear to involve the entire Yoruba community in the area, but was more specifically “fighting between OPC members and Ijaw boys.”

The second clash occurred about one year later, in October 2000, this time between Yoruba and Hausa. It was one of the most serious incidents of violence involving the OPC. More than 250 people were killed and at least as many were injured as Yoruba and Hausa fought each other for several days, from October 15 to 19, 2000; thousands of people were displaced by the violence. While both Yoruba and Hausa took up arms and participated in the killings, the majority of the victims were from the Hausa community. Almost all the victims were men, of different ages. According to the Nigerian Red Cross, which provided assistance to those wounded in the clashes,

⁴² Biafra was the independent republic proclaimed in 1967 in the Igbo areas of eastern Nigeria following the end of the First Republic by two military coups in 1966. The ensuing civil war, known as the Biafran war, claimed between 500,000 and two million lives before it came to an end with a federal victory in 1970.

⁴³ The information and testimonies quoted in this section are from Human Rights Watch interviews conducted in Ajgunle and other parts of Lagos in August and September 2002, unless otherwise stated.

most of the injuries were caused by gun-shots, machete cuts, and clubbing. A foreign journalist who covered the incident said some of the bodies had been decapitated; many of them had been burnt after being killed. He said he saw at least one hundred OPC members, many of them carrying long sword-like knives.

The incident which triggered the violence was a minor dispute between Hausa and Yoruba which occurred after a man accused of stealing some goods was taken by a group of Yoruba to the Hausa community. The Hausa apparently refused to hand over the alleged thief to them, the Yoruba protested, and a fight broke out. Within a short time, the Yoruba had called in the OPC, and the killing spree began. All those interviewed by Human Rights Watch, with the exception of some OPC members, confirmed that the OPC had been central to the violence and that the killings were ethnically motivated. One man who was present during the violence heard OPC members saying: “We have to punish Hausa people here.”

A Hausa man who sold meat in Ajegunle explained what happened after the argument over the allegedly stolen goods:

The Hausa men beat up the Yoruba boys [...] The OPC went to regroup, this time armed with guns, charms and machetes. They attacked and killed a lot of Hausa men. Later they extended the killing to us here. [...] They killed sixteen of my colleagues there. They were macheted, shot and burnt here. Those killed included Ali, Musa, Umoru, Bello, Buba, Sani, Mallam Audu, Adamu and his brother, another Adamu, Hassan, and Musa Mohammed.

There was no doubt that the killing was done by OPC. From my hiding place I could see them together with other Yoruba men and boys. The OPC was leading the group. They had white bandanas tied on their heads. Some were carrying guns, machetes, and charms. [...] At the Hausa Line they killed so many people, but the Hausa people also killed some. The people the OPC killed were all lined up on the road. It was a gory sight. There were too many to be counted. [...]

Another Hausa man, who was injured in the violence, also saw several people being killed:

It was on Monday that the OPC came. They tried to burn a shop. I ran into the shop to help the owner remove his goods. I was shot in the chest, in the leg and in the armpit. It was three OPC who did it; all three had guns. One was shooting while the others were standing guard. They also shot three other people, including Dikko. The OPC were wearing red cloth on their heads and dark colored T-shirts. There was general confusion and I couldn't get any treatment. The bullets stayed inside me until two months ago [almost two years later]. Someone gave me some money for treatment and two of the bullets were removed, but one is still there.

I saw five men being killed, in different places. Tsoho [aged fifty or sixty] was killed along Mensah Street. He was shot dead by five OPC. It was on 16 October, the day the mosque was burnt. Abu [aged seventy-three] was also killed on Monday on the street on the way to the mosque. He was also shot by five OPC. Shehu [about sixty-five] tried to assist Abu and was shot by the same OPC group. Gambo [aged about fifty-two] was slaughtered with knives in his house in Alakara. His wife and children aged eleven and seven were there. His wife told us. We rushed there and found his dead body. Bagobari [aged forty-seven] was killed on Sunday on Tolu Street. He was coming home from work. About seven OPC, all with guns, shooting, trapped him near the local mosque. They were shooting at random and he died.

An Igbo baker who witnessed the violence explained how the OPC specifically sought out and targeted Hausa residents of the area. He described how the OPC led the operation: “The people that carried out the killings were OPC members. But they were joined by other Yoruba youths. The OPC were in front but a large mob made up of area boys were following behind and helping to apprehend the Hausa. The OPC were not in

uniform but some of them had red or white ribbon tied on their heads. They were also carrying guns, charms and machetes.” He told Human Rights Watch that he saw them kill at least ten people before he had to turn away:

That morning, some OPC men, around ten of them, came to the street. They looked around but they didn’t see any Hausa man. They left. Later, one man went to call them back and showed them where the Hausa men were hiding. They swooped on them and slaughtered them all. They were caught unawares. We were watching them here from our balcony.

They went from house to house bringing the Hausa men out and killing them. They made a bonfire down there in the street. They were bringing out their properties and throwing them into the bonfire. Any Hausa man caught was killed and thrown into the bonfire. It was a terrible experience. I have never seen anything like that. They were killed by cutting their necks with a long knife or by shooting them in the head.

There was one man who sells suya [grilled meat] down there; his name is Mallam Audu. They shot him but the bullet did not penetrate his body, neither could their machetes. They had to strangle him and then club him to death. His body was also thrown into the fire.

[...] Some kind-hearted individuals were hiding the Hausa men because they are our neighbors. One Hausa man ran into my house. I never knew him before. I hid him for three days. It was on the fourth day that we [residents of Ajegunle] invited the navy to come and evacuate them. It was then that all the Hausa men in hiding started coming out.

A Hausa community leader narrowly escaped death after he and a large group of other Hausa were rounded up by the OPC:

On 15 October 2000, at about 7.15 p.m., I met roadblocks manned by people with cutlasses, axes, bottles, pistols, and double-barrel guns. I was in my car. They asked me to stop. There were about thirteen or fifteen of them. They said: “We are OPC.” They had a red scarf on their head but no other uniform at that time. They brought me out, took my key, took my car and parked it. They took me to the waterside. There I found many of my own people, more than forty held there, all men. The OPC put firewood. One said: “These are the people we caught. We want to lecture them, then burn them.” Another OPC leader said: “Don’t kill them here, take them away.” They took us to another house. They surrounded us there. They were armed with guns, cutlasses and axes. Another OPC leader came in and checked inside. He said that there were not enough of us, only about forty, and he wanted there to be more than one hundred. He gave orders to his members to find others.

There were about seven OPC commanders giving orders. The younger boys, about ten of them, had guns and cutlasses. The older ones stood by and gave commands in the Yoruba language, which I could understand. For example, when they had stopped me in my car, they said: “Take the key from him. Park the car. Take him to slaughter.”

Then I don’t know what happened. We heard gunfire and shooting outside. I told my people: “I’m going outside. I will pray and try to escape.” I came out with my arms up in surrender. Others followed me in the same way. We passed safely by the place where the OPC were shooting because they were not watching us.

I saw many people killed and burnt vehicles. I saw around seventeen bodies just lying everywhere. I don’t know who they were. They were all men, no women.

I reached my house and asked my people what had happened before. They said three OPC had carried a Calabar man who had stolen an iron. They left him with his people there and went back.

Then they returned with three buses full of OPC with guns, cutlasses, bottles and sticks. [...] The OPC came looking for the Calabar man. They shot one Hausa man who said he didn't know where he was. Another Hausa man who talked was also shot. We saw that if someone talks, they will get shot. We reported the problem to our leader. The leader went to see what was going on. Meanwhile they had killed another four people. The leader brought the six bodies back.

The OPC went to the main road and stopped people from coming back. They had three buses on the main road. They shot a Hausa boy and left him in the gutter.

On the Sunday, on the roads around here, the OPC was stopping buses and saying: "Where are the Hausa inside? Bring them out, kill them and burn them!" This was happening on the roads from Alaba Suru to Ijora Badia and from Mile 2 to Orile Bus stop, and at Ijora under the bridge where the Hausas do business.

[...] On Thursday, they put dead bodies on a tipper lorry and drove off. All the bodies were together, maybe about one hundred of them. The lorry came only once but it was full.

Some people were killed inside their houses. Some were slaughtered. They put three people in my car and two underneath and burned them. An Igbo man was taken away in front of me. I don't know what happened to him but they burned his car. Just here, more than thirty northerners were killed. Even more people were killed on the roads.

Victims and witnesses of the violence confirmed that the OPC members involved in the violence seemed well organized and that some of them, believed to be their leaders, were giving instructions to others—as illustrated by the testimony above. Another witness said he was sure those who were carrying out the killings were OPC members and described how they operated: "They said 'O'odua!' as a signal to others and 'Shoot! Shoot!' I knew of two commanders. I saw them openly in communication with each other." Another man said: "One big OPC was giving orders: 'Pack everything away! Put fire!'" Another man, who was shot in the head as the OPC opened fire at random, said: "I saw about thirty OPC with guns, stick, pieces of iron, broken bottles. They wore red on their head with their symbol. They were just shouting 'Kill them!' and other things which I didn't understand. There were many senior ones among them."

The police failed completely to stop the violence in Ajegunle. All those interviewed by Human Rights Watch confirmed that the police did not intervene at any stage of the killings. The military only intervened on the third or fourth day, after they were called by local residents and community leaders, who had to pay the soldiers themselves to be evacuated to the barracks for safety. A Hausa community leader described how they desperately begged the police for help on several successive days, in vain:

We called the DPO [Divisional Police Officer]. He said he had not received orders to help us. We tried the other DPO in Trinity; he said he had no orders either. We tried the Area B Commander, who had no orders either. We called the Lagos State Commissioner who said he had no orders either.

From the barracks we had to pay ourselves for the police and the mobile police to come. We hired them. We took trucks and trailers and loaded our people on and took them to the barracks for safety. [...] On Wednesday morning, the police were given the order to come here, but they feared the OPC. The OPC were still here.

Thousands of people, the majority of them Hausa, who had been evacuated to the barracks, remained there for one or two weeks until they were sure the violence had ended. While they were there, the OPC looted or burnt their property which was lying in their empty houses.

Many residents of Ajegunle testified to the commission of inquiry set up by the Lagos state government to investigate the violence. They provided detailed information on the number of victims and extent of the damage. For example, a list compiled by the committee chairman of the local Hausa community includes the names of more than one hundred people who were shot dead between October 15 and 19 in the areas known as Hausa Line (Taiwo Street) and Achakpo scrap market, and many others whose property was destroyed. Residents told Human Rights Watch that the government had promised compensation to those affected by the violence. Two years later, none of those interviewed by Human Rights Watch were aware of any compensation having been paid.

*Idi-Araba*⁴⁴

One of the more recent incidents of ethnic violence involving the OPC took place in Idi-Araba and surrounding areas in Mushin, Lagos, on February 2 to 4, 2002. Clashes between Hausa and Yoruba claimed more than seventy lives. Human Rights Watch spoke to many residents of the area and eye-witnesses of the violence, including members of the Hausa and Yoruba communities, and people from other ethnic groups who found themselves trapped by the violence. Most of them confirmed that OPC members had participated in the violence; however, Human Rights Watch has not been able to ascertain whether the violence was planned in advance by the OPC, or whether OPC members or supporters joined in to support the Yoruba once the fighting between Yoruba and Hausa had already started. A journalist who covered the crisis told Human Rights Watch: “The OPC galvanized people. They just provided the leadership and the others followed. The OPC was like a vanguard. It started off with a minor disagreement which escalated into an ethnic conflict. Many of the people involved didn’t even know what had sparked it off until later.”

The incident which apparently sparked off the fighting on February 2 was an argument which developed after a Hausa man defecated in an area not intended as public toilet, close to where the OPC was holding a meeting. Some Yoruba (who may or may not have been OPC members) challenged the man and asked him to pay for use of the area as a toilet. The man refused and a fight ensued. He reported the problem to his community. A larger group of Hausa then returned with him to the scene and a fight broke out between them and the Yoruba. According to the leader of the local Hausa community, the OPC then came back in a big group, armed with guns, and started fighting the Hausa, who were also armed. The situation escalated and the fighting lasted for two days.

According to residents of the area, the police did not have any visible presence until the evening of the second day. There were reports that several people were then shot dead by the police. Eventually, the military were also sent in to quell the violence and it was they, and not the police, who finally restored order.⁴⁵ By that time, scores of people had been killed, both Hausa and Yoruba; more than a hundred others had been seriously injured; hundreds of houses and public buildings had been burnt to the ground. Most of the victims were adult men, but there were also several teenagers among them, and several women. The majority of deaths and injuries were inflicted with machetes; some people were also burnt to death. Some people were killed in their houses, others as they were trying to flee, yet others were shot at point-blank range or stabbed where they stood. The victims included both Hausa and Yoruba, but the evidence collected by Human Rights Watch indicates that a higher number of those killed were Hausa.

The same journalist told Human Rights Watch what he witnessed:

I went there on successive days. I saw fresh corpses and burnt corpses. In my presence, Yoruba were attacking the Hausa area with guns, machetes and other weapons, and petrol bombs. There were also attacks and killings by Hausa against Yoruba. They were using the same weapons, guns, machetes etc. [...] But most of the attackers were Yoruba. They also attacked some non-

⁴⁴ The information and testimonies quoted in this section are from Human Rights Watch interviews conducted in Idi-Araba and other parts of Lagos in May 2002, unless otherwise stated.

⁴⁵ A military presence was retained in the area for at least three months afterwards, to guard against any possible resurgence of violence.

Hausa, people from minority groups in the north who were presumed to be Hausa. They were attacked because they were northerners, but they didn't even speak Hausa. Some Igbo were also attacked and their shops were looted.

A Hausa man described what he saw:

I saw the bodies of between thirty and fifty Hausa killed, but I believe there were more. Some of the bodies were rotting and smelling. They were mostly men and about four women. Three women and some men had been burnt. We couldn't identify the faces. One woman had been cut with an axe. She bled to death as there was no one to rescue her. Most of the others were killed with gunshots.

The police had not been given orders to shoot. They were telling people to go back. The police were watching while the OPC were killing people. In some places, there was a shoot-out between the OPC and the police [...].

A young Hausa man described to Human Rights Watch how his twenty-three-year-old brother, Alhassan Uba, was killed:

My brother was a shoemaker. He was killed in the crisis. I was sitting outside our house with him, at about noon. We heard a crisis had started around Mushin but we didn't know what was happening. We went to see. We got to the main road. People were running and shouting "OPC! OPC!" We said: "there's no OPC here." Then we saw OPC with guns. They were shooting in the air, not at people. They wouldn't answer when we asked what was happening. We were just told that a Hausa man had defecated in an area which is not a public toilet and refused to give them money. They took the money by force. He called his friends who came with guns. Then we don't know what happened. The main crisis was in Mushin, behind Idi-Araba.

They shot my brother in the neck, in front of me, in the street, on Saturday. He fell down. He died in five minutes. We rushed him to hospital and reported it to the police.

We knew they were OPC because they use different guns, traditional guns. They have marks on their arms and on their chest like a tattoo. They wear a red handkerchief on their head. One was caught with his ID card. This is the first time the OPC came here. We were standing looking at them, and they just shot my brother.

Another young man described how his own nineteen-year-old brother, Abubakar, and another friend were killed:

On Saturday night, at about 11 or 11.30 p.m., we were trying to escape with our family. Someone told me my junior brother had been shot by the OPC. There were eye-witnesses there. They told me the OPC came and shot him in the leg as he was trying to run. He was shot along Ajegunle Street, no.6. I rushed there and brought him to the Hausa leader and called the doctor. But he died before the doctor could come. He died at about midnight.

Another very close friend, Kabiru Inusa, aged twenty-eight, was also killed by OPC. He was shot right in front of me, at about 2.30 a.m. on Saturday night, in the street. When they started shooting, we tried to duck. They shot him in the chest. He fell on the road. I called people to pick him up. He died on the way to the hospital.

An older man, Alhaji Adamu Gwara, was killed and burned. They shot him first, then they burned him and his two storey house. By the time we arrived, he was already burnt to ashes. This was at about 1.30 on Sunday night.

On Monday evening, the crisis stopped. The police and soldiers were here [...]. The police were present but took no action. Some even ran away. The OPC were shooting in front of the police. The police said they couldn't risk their lives. They ran away when the crisis was at its worst. The soldiers stopped the violence.

A man originally from the east of Nigeria, who was not involved in any way in the dispute between Yoruba and Hausa, observed some of the fighting in Ishaga Close, a predominantly Yoruba area adjoining Idi-Araba:

The crisis started on 2 February at about 2 p.m. I was here, talking with people in my house. We saw people running and we realized there was an ethnic crisis between Hausa and Yoruba. I had to run away and stay with a friend. On 3 February, I came back here to check the situation. I saw most houses burnt in Idi-Araba. I saw smoke rising. I was trying to collect my belongings but I couldn't get through. The next morning, I still couldn't get through. I spoke to some Yoruba and explained I wasn't a Hausa. They let me get my clothes. I heard gunshots and shouting. I heard people being killed [...] I saw Hausa burning houses, but the previous day, Yoruba were also burning houses. [...] Hausa invaded the area and burned it. Both Hausa and Yoruba were burning then looting. They had guns, battle-axes and daggers hanging from their hips [...] I saw the burnt corpse of a man in front of the house. I saw about five or six corpses in Ishaga Close, but it was worse elsewhere. Most were burnt on Saturday and Sunday. The victims I saw were Hausa men. On Sunday morning, I saw a Hausa man being slaughtered with a dagger. He fell down, they put a tyre on him and set him on fire. The attackers were Yoruba. But on Monday, the attackers were Hausa.

Thousands of people were displaced by the fighting in Idi-Araba; 2,500 were evacuated by the Red Cross alone, while many others left spontaneously, in the general panic. The violence had a lasting impact in Idi-Araba, an area where previously, Yoruba and Hausa had enjoyed good relations; there were many mixed marriages, and past disagreements had generally been resolved peacefully. When Human Rights Watch visited the area three months after the violence, the fear and shock were still palpable. Many residents were genuinely shocked by the violence. A Hausa man whose thirty-one-year-old brother was killed said: "We knew Yoruba people well. We grew up together with the OPC people. People were killing us within us." His brother, who had been close to the Yoruba, was shot by the OPC when he was trying to intervene to prevent the violence. "They shot him when he went to talk to them. One party wanted to accept his mediation but the other didn't. I advised him to leave. He moved away. Someone called him. He turned round and was shot in the chest."

The violence in Idi-Araba came at a particularly tragic time for the residents of Lagos—only days after a series of massive explosions at a munitions depot at Ikeja military cantonment had killed hundreds of people and displaced thousands, at the end of January.

Other Incidents of Ethnic Violence

There have been several other incidents in which OPC members attacked people on the basis of their ethnicity, particularly Hausas, other northerners, and people suspected of being sympathetic to the Hausas. A Hausa trader in Lagos told Human Rights Watch how, during violent clashes at the Agege abattoir on the outskirts of Lagos, in late 2000, the OPC had targeted anyone suspected of being a Hausa: "They killed Alhaji Zubairu, a father of three from Kogi State. They asked him where he was from. He said Kogi. They said he was a Hausa man, and killed him. Actually he was a northerner, but not a Hausa."⁴⁶

An Igbo man witnessed an OPC operation in around January 2001 in which Hausas were specifically targeted. Apparently the incident was sparked off by a minor dispute between a Hausa man and a Yoruba man;

⁴⁶ Human Rights Watch interview, Lagos, May 25, 2002.

the dispute escalated, the Yoruba man killed the Hausa man, then the Hausas retaliated and killed the Yoruba man. The Yoruba people then mobilized the OPC to come to their aid:⁴⁷

We were in the office that day and heard an uproar. We all came out. We saw people in a group holding matchets [machetes] and dangerous weapons. They were OPC, wearing uniforms. They were stopping commercial vehicles at Surualaba. They looked at every face. Anyone suspected of being a northerner was brought down and the vehicle asked to continue. They asked the person to speak their own language [Yoruba] or Igbo. If they failed, they cut their heads with matchets. They cut them, then set them ablaze with fuel. That day, they were targeting Hausa. They also attacked beggars (who include many Hausa) and burned them. If a person doesn't want to die, they use their guns [...]

The OPC killed Hausa for two days in that place. There were corpses littered all around. I saw more than thirty-six dead. There must be more as I didn't walk all the way. The victims included men, women, and the people who help the beggars.

After two days, the state government mobilized the police, the navy and the army. They arrested people. The military threw a grenade into a lorry-load of OPC people advancing. All the OPC members inside died. The lorry was burnt at Okokomaiko, about three miles away. That was the final blow, so they stopped.

Hausas were not the only targets of the OPC. In some cases, the OPC attacked people from other ethnic groups with whom they had had disputes, including Igbos; in other cases, they would simply attack anyone who was not a Yoruba. An Igbo man from the Yaba area of Lagos told Human Rights Watch about his experience following a clash between Igbo traders and Yoruba youths, in December 2001:⁴⁸

I was coming home from work, after 7 p.m. I ran into a group of OPC at Ebute Metta. They had clubs and machetes. They were in uniforms, white gowns with red cloth on their foreheads. They included men and women. They asked me which tribe I was from. I told them I am a child of God. They said: "he is not Yoruba, he must be Igbo." They said I should follow them. I said: "for what?"

I ran into a house for safety. The owner of the house told me what had happened. Earlier that day, some Igbo traders had fought area boys.⁴⁹ The Igbos had refused to pay the area boys and a fight ensued. The Igbos defeated the area boys, who were Yoruba. The area boys went to invite the OPC. Therefore, if you don't speak Yoruba, you must be Igbo. The owner of the house said I should stay there that night.

Later I decided to go home, with some others. We started walking. All the vehicles were parked. There was complete confusion. We ran into another roadblock formed by the OPC. There were about 120 of them, including women who wore baggy trousers. They come like locusts, chanting war songs [...] They were beating any person who didn't speak Yoruba, using knives, arrows, local instruments, locally-made guns, and juju [charms]. This time they caught all of us. They let go those who could speak Yoruba. I could not speak Yoruba. They flogged me with canes. I was pleading with them. Some were asking me for money. Some said the Igbos had beaten one of theirs into a coma and they wanted revenge. One of them put his hand in my pocket and took all my money and ID card. By luck, a bus was passing by. I thought it was a chance to escape. I

⁴⁷ Human Rights Watch interview, Lagos, May 26, 2002.

⁴⁸ Human Rights Watch interview, Lagos, May 26, 2002.

⁴⁹ A term used to describe local, usually unemployed youths who try to extort money from passers-by and engage in harassment, intimidation, and other petty crime.

wriggled out of them and jumped onto the vehicle, injuring myself against the iron seats. The bus drove off. My injuries meant that I didn't work for three days.

There is no point reporting it to the police. They are helpless.

In an incident which attracted much publicity at the time, the Fasehun faction of the OPC succeeded in almost paralyzing the ports of Apapa Wharf and Tin Can Port in Lagos in September 1999, following clashes with dockworkers. Some reports alleged that the Yoruba had been protesting against perceived domination of key positions in the ports held by Igbo, and brought in the OPC to strengthen their position; other alleged that it was an internal dispute between individuals fighting for control of influential positions in the dockworkers' union. The OPC launched a major operation in the ports, as did the police who were then called to restore order. There were violent clashes between the police and the OPC. Several people were killed, including a number of OPC members shot by the police.⁵⁰

Vigilante Violence and Other Cases of Killings of Civilians

Separately from the well-organized operations involving large numbers of OPC members, such as those illustrated above, individual OPC members have been responsible for killing and injuring a number of people, sometimes in the course of their vigilante activities, sometimes in an attempt to extort money or possessions from residents of the areas in which they operate, sometimes when they intervened in private disputes. During 1999 and 2000, the OPC became notorious for its brutal treatment of alleged criminals. There were frequent reports of OPC members apprehending people they suspected of being robbers, beating them, killing them and burning or mutilating them in public. In many cases, it was not clear on the basis of what evidence, if any, they apprehended these people. Civilians may of course apprehend persons engaged in criminal activity and turn them over to the authorities; however, OPC members who beat, murder or otherwise physically harm any persons in their custody should be criminally prosecuted.

In late December 1999, the Gani Adams faction of the OPC launched an operation in Akala, an area of Mushin in Lagos well-known for drug-dealing. Many media reports portrayed it as an attempt by the OPC to cleanse the area of criminals. In reality, the OPC entered the area to avenge an attack on one its female members by an alleged criminal in Akala. The OPC claimed that the woman was deliberately targeted and killed because she was wearing an OPC vest. There was a major clash between the OPC and Akala youths, many of whom are Yoruba and had previously supported the OPC. The OPC burned down many parts of the area and killed several people. The Akala youths also destroyed buildings and property. In January 2000, there was further violence in Akala, in which the Gani Adams faction of the OPC was reported to have killed at least four people and injured several others.

In one case, Dele, a man in his twenties who was a part-time worker for the African Petroleum oil company, was killed by the OPC as he was going to visit his girlfriend one evening, at Ijora Estate, in Apapa local government, Lagos, in the second half of 2000. Earlier, a group of thieves had been in the area, some of whom had been wearing suits. Dele, who happened to be wearing a suit, was stopped by the OPC who suspected him of being one of the thieves. He showed them his identity documents, but they refused to believe him. The OPC members asked him to give them the name of the person he was visiting. He gave his girlfriend's English name, but she was generally known by her Yoruba name, so after asking some residents, the OPC members claimed there was no one there by that name. They accused him of lying, beat him to death, then set him ablaze. His body was left there for two days.⁵¹

⁵⁰ Human Rights Watch did not carry out an in-depth investigation into this incident, but it was widely publicized at the time in the Nigerian media and other reports. See for example "Eight killed as OPC seizes Lagos ports," *Guardian* (Lagos), September 10, 1999.

⁵¹ Human Rights Watch interview, Ajegunle, Lagos, September 7, 2002.

A resident of Idi-Araba in the Mushin area of Lagos told Human Rights Watch that the OPC had begun operating there in early 2001: “They used to go people’s houses. They accused a Hausa man of buying stolen property. He wasn’t in when they went there, so they took all his belongings out and burned them. They went around killing people, cutting their heads and burning people in public. Once I saw a dead body of a Hausa man at the junction of Idi-Araba bus-stop. He was an armed robber who had been burnt alive. I saw him roasted with his bones sticking out. The body was on the street with the flames still burning. He had been left there. On Adekunle Street in Idi-Araba, a Yoruba boy was accused of being an armed robber. They chopped off his head and put it on a pillar. These two cases were within a few days of each other, later in 2001.”⁵²

Residents of Idimu, in Lagos, told Human Rights Watch how the OPC had killed an alleged criminal and two other people in December 2000. A local shoemaker described the scene:⁵³

I saw the killing of a man by OPC members. Everybody knew this man in this area as a “419 man” [involved in fraud and extortion]. The killing took place around the Idimu motor park. It was a Saturday morning. I saw his body on fire. There were OPC members milling around his body. A crowd gathered and was watching the spectacle. I saw about twelve OPC members at the scene. They had tied red ribbons on their head. Some of them had guns and matchets on them. They were also wearing charms. [...] The police did not intervene despite the fact that a police post was not far off.

Another local resident explained the background to the incident:⁵⁴

I was in the council motor garage when I saw some people making great effort to wrestle a man and bundle him into a van on charges that he participated in a robbery a few days earlier and was even placed on a wanted list of the police. Some people intervened on behalf of the suspected criminal and he was let off the hook by his attackers who were his fellow motor park touts.

The next day as I was passing the same way I saw a crowd gathered near the motor park. On getting closer, I saw three people who had been killed and set on fire. The crowd were watching. On inquiry I was told that one of them was the man who was saved from his attackers the previous day. According to them the OPC arrested them in their house the previous night and burned them. They put car tyres on their necks, poured fuel on their bodies and set them on fire. Their bodies were left there at the refuse dump near the council motor park for a few days before being taken away.

The local Baale (Yoruba community leader) in Idimu claimed that nobody had ever reported any case against the OPC to him, nor had he received any complaints about arrests or torture by the OPC.⁵⁵

In around October 2000, in one of the most serious cases of OPC vigilante violence documented by Human Rights Watch, the OPC apprehended and killed between seven and twelve people suspected of being armed robbers, in Ojo local government, Lagos. After killing them, they set their bodies on fire opposite the military barracks at Ojo cantonment. A local barber described what happened:⁵⁶

Here used to be a very notorious area for crime. There are lots of bad boys in this area. They used to terrorize people. The OPC started organizing and planning how to dislodge them. The OPC were then recruiting a lot of Yoruba people. They even approached me several times to join them but I declined because I do not believe in fetish things [magical powers].

⁵² Human Rights Watch interview, Idi-Araba, Lagos, May 25, 2002.

⁵³ Human Rights Watch interview, Lagos, June 30, 2002.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Human Rights Watch interview, Lagos, September 17, 2002.

It was when the OPC started threatening those suspected criminals that they [the criminals] decided to strike first. They went to the Baale's house who was known to be sympathetic to the OPC, on October 4, 2000. The Baale was not at home but his pregnant wife was there. They killed the Baale's wife. The following day, the OPC went on rampage. They were going from house to house, bringing out suspected criminals. I saw them kill one man about 200 meters from my shop. The boy's nickname is Osas. He was killed at Kareem street. They shot him with a local gun. They placed a used tyre around his neck and set him ablaze. His body was buried the following day at a shallow grave by residents. He was known as a criminal by all the residents. [...]

Some people who had suspected links with criminals were asked to pack out of the area within twenty-four hours. Other OPC groups from other areas came to join them. There were over thirty of them that day. They had guns, machetes, different charms. I knew most of them here because I grew up in this area. There were some of those that wanted to recruit me into the OPC. They went up to Okoko and environs to arrest suspected criminals. They later brought them in front of the barracks and burned them. I saw them bringing a lot of people. Most of them had been badly tortured and were bleeding. There were over twenty people that were arrested that day.

They killed between seven and twelve people there. There was so much confusion and tension that day. There were several groups of OPC boys patrolling the area. I had to leave when I saw some of the people they arrested. A lot of them had been badly tortured. They were bleeding badly. I saw the corpse of Osas. It lay on the street for two days. They burned him with tyres.

I understand that the commandant of the barracks intervened and stopped the further burning of criminals in the area.

What the OPC now does since that day is to arrest a criminal, beat him almost to the point of death and hand him over to the police. Most of them die afterwards.

Another local resident was among the people who were rounded up by the OPC on that day, on the basis that they were suspected criminals:⁵⁷

I had gone to visit my relations [...]. It was around 9 or 10 a.m. Suddenly a group of people, about twelve in number, stormed the room and ordered us to march out. They did not introduce themselves but I knew that they were OPC men. There were about three women among them. They were armed with machetes, guns and dangerous-looking charms. They were led by a woman who went ahead to screen us. The screening consisted of placing charms on us and asking us several questions like what is our work, where do we live, how many criminal activities have we participated in, etc. They wanted to take us away but we refused to follow them, insisting that we are law abiding citizens doing our legitimate business.

By then, words had reached the leaders of the market who came and testified to our innocence. They proceeded to test us with their charms. They place the charms on you and murmur some incantations. They eventually marched us inside. They left with six people, whom they arrested from another part of the market—four boys and two girls. I knew only one of the boys. His name is Tony [...] Nobody has ever seen him since then. I presume he was among those that were killed in front of Ojo barracks that day.

Throughout that day about four different sets of OPC men came to that area to conduct a search. They were like policemen on patrol; they were coming in buses. I saw one or two with an OPC

⁵⁷ Ibid.

ID card pinned on their shirts. They later released those two girls but they were severely tortured with acid. They poured acid on their bodies and allowed them to go. One of the girls eventually died of the injury. The other one survived.

Another man confirmed this information and explained that the OPC had already raided the area a few months earlier:⁵⁸

The first time I had encountered the OPC was around June 2002. The OPC had arrested one boy, Akeem, who had gone to rob somewhere at Ijanikin. They arrested a lot of people, at random. About twenty-two people including myself were arrested. They accused us of being robbers. During the operation, two people were shot on the knee by the OPC, another had a slight bullet wound on his head, while another person had a machete cut on his face. We were packed in several vehicles. We were first taken to Ojo Police Station and then to Panti. We were detained at Panti for several days. I was later bailed along with six others. The remaining fifteen stayed on for several months. I understand that some of them were taken to Ikoyi Prison and are still there.⁵⁹

Then some months later, around October or November, they came back to raid this place. They came in several vehicles. They had charms, guns, machetes and some of them had a white polo with the name of Gani Adams written on it. Others had white cloths tied on their head.

They took away several people including Tony Mental, Oga Peter, who was later released, and two girls. One of the girls' name is Abija. They bathed the girls with acid and released them. They also shot one man, Mediga, on the leg.

All the people who were arrested were taken to the barracks area. I later went there to see what was happening. I saw a lot of OPC boys, over thirty of them. I saw that they had cut off the heads of some of their victims. I saw at least three heads on the ground. They were displaying the heads. The crowd were standing very far from the scene and watching. The Baale of that area was also there with the OPC. There were at least nine dead bodies there, most of them beheaded. They later demolished some of the wooden shops around and made a bonfire and burned the bodies. They also threw some *okada* motorcycle inside the fire. It was a big fire.

It was while this was going on that the OPC caught one soldier, gave him a serious beating including several times on the head. The beating of the soldier prompted the intervention of the commandant of the army barracks who appealed to the OPC to stop the burning. The following day, the leadership of OPC came to inspect the area. They were about six including some elderly people. [...] They were behaving like generals who came to inspect a conquered territory. The Baale was even there.

Often those picked up by the OPC in the course of their vigilante work did not even know why they were targeted. The OPC night patrol teams, in particular, would often arrest people arbitrarily. A driver from the Efik ethnic group (from the east of Nigeria) was stopped by a group of OPC members on patrol in Maryland, Lagos, on July 2, 2002. It appears that they suspected him of being a criminal simply because he was out late at night.⁶⁰

I was coming home from work when I was stopped by a group of men at Oworonshoki. It was around 11 p.m. They did not introduce themselves but I knew they were OPC members. They were armed with guns, charms and sticks. They asked me where I was coming from and I told

⁵⁸ Ibid.

⁵⁹ This was one of the rare cases where the OPC cooperated with the police. Witnesses described how the police were raiding some areas and the OPC raiding others. According to local residents, it had not been planned as a joint operation, but the police and the OPC spontaneously agreed to work together.

⁶⁰ Human Rights Watch interview, Lagos, August 2002.

them I was coming from work. I even showed them my identity card but they did not believe me. They asked me to lie down on the bare floor. They took me to the Baale's house and put me in a goods container. I was all alone there till the next morning. [...] The container was very dark and lacked ventilation. I could not sleep throughout the night.

They collected my name and my house address. They went to my house to verify the veracity of my statement. They thereafter released me. I was traumatized by the experience. I had to resign from my job because of the incident. I could not afford to leave work at that time of the evening and risk such fate again.

Another man, who lived in the Idimu area of Lagos, was stopped by the OPC in similar circumstances, purely on the basis that he was out late in the evening.⁶¹

I see them often in the area, especially in the night. I've had previous encounter with them. I was coming back from work one night, in around September 2000, when I was accosted by a group of young men between the ages of twenty-five and thirty-five. They were wearing charms and carrying guns and cutlasses. They stopped me and asked me where I was coming from. It appeared they were not interested in my answer as they ordered me to sit on the bare ground for more than thirty minutes before I was identified by a passer-by and then allowed to go. [...] They did not tell me my offence for detaining me.

Two Igbo men in their thirties, Silas Onyebuchi Ihenacho and Kingsley Izuchukwu Anaso, were shot dead on October 9, 2000, in Isolo, Lagos, by OPC members who accused them of being armed robbers. According to an investigation by the Civil Liberties Organisation (CLO), residents of Ire-Akari Estate, in Isolo, including the two victims who were staying there, heard gunfire and came out to find out what was happening. They were told that there had been a clash between the OPC and armed robbers. Silas Onyebuchi Ihenacho and Kingsley Izuchukwu then ran into a group of OPC members, who were wearing red bands on their arms and forehead, who accused them of being armed robbers. Despite interventions by local residents who confirmed they were not criminals, the OPC members shot and stabbed the two men, then took their bodies to other locations where they set them ablaze. The sister of one of the victims who tried to intervene on their behalf was also attacked and stripped, but managed to escape. Another man who had come to visit the same family was also attacked by the OPC, but was saved when the police arrived. It was reported that the chairman of the local landlords' association, who was present at the time, had pointed out the victims to the OPC alleging that they were armed robbers.⁶²

A cabinet-maker, who also worked as an *okada* (motorcycle taxi) driver in Lagos, remained seriously injured and unable to work almost a year after being attacked by OPC members.⁶³

On Sunday 15 September 2001, at 10 p.m., I was coming back from the garage. The OPC stopped me. There were seven of them, all young men. Some of them wore blue and red uniforms. They had guns, no other weapons. They told me to put my hands up and searched me. They took 500 naira. They asked for the key of my *okada*. Just as I was handing them the key, they shot me in the right side of my right leg, with a local cartridge gun. They carried my *okada* away. The boy who shot me said: 'If you get up, I will give you another bullet to die.' They shot me at the place where I used to park my machine, near the church bus-stop. I told them who I was and where I lived, but they refused to check. Then they carried me to the police station [...] They left me there and ran away. The police came to meet me. They asked who brought me there. I said the OPC, but they had already gone. The police went after them and after fifteen minutes, they caught five of them and two rifles. They detained them, but the OPC denied what

⁶¹ Human Rights Watch interview, Lagos, June 30, 2002.

⁶² See "OPC: a spate of ethnically motivated killings," a Human Rights Call by the Civil Liberties Organisation, October 11, 2000.

⁶³ Human Rights Watch interview, Lagos, May 28, 2002.

had happened. The one who had shot me had escaped. The police asked the five to get him. They then arrested him and released the five. He was taken to court. He was detained for one month, then was granted bail.

I was in hospital from September till mid January. The bullet is still inside the leg. I can't bend my leg and I can't walk. I have to use a crutch. I can't work. I'm still living with fear. I had to pay for the whole hospital treatment myself. The doctor said I won't be able to bend my leg again. I'm pursuing the case through the court. The one who shot me confessed, but said it was a mistake.

The OPC are always based around the bus-stop. They are used to ensure security. I even used to contribute money myself. Everyone does. It is twenty naira per room. They guard the area at night.

In some cases, the police managed to intervene to save people who had been arbitrarily arrested by the OPC. For example in one case, a landlady near Ikotun in Lagos had hired the OPC to arrest her two Igbo tenants. At about 1 a.m., the police intercepted a vehicle carrying the two tenants, who had been stripped naked and had their arms tied behind their backs. The landlady was also in the vehicle, along with eight OPC members. The police found six guns and sixteen cartridges in the vehicle, as well as two gallons of petrol and several tyres. The tenants said they were being taken to an unknown destination to be burnt. There is little doubt that they would have been killed if the police had not intervened. Another group of OPC were alerted to the police's intervention and attacked the police from behind; there was a shoot-out. Eventually the tenants were set free and the landlady was charged. It is not known whether the OPC members were also charged.⁶⁴

In other cases, the OPC appeared to stop people with the principal aim of extorting money. In a typical case, an *okada* driver was shot dead in Surelere, Lagos, in March 2002, because he refused to hand over money to people believed to be OPC members. According to his colleagues, groups of OPC members would normally appear in the evening, at around 10 p.m., armed with guns and cutlasses, under the pretext of guarding the area. They would often extort money from the *okada* drivers. In this instance, they ordered the driver to stop but he refused to do so. He drove off and dropped his passenger; when he returned, the OPC shot him dead.⁶⁵

On October 11, 2002, in one of the most recent cases of OPC violence, a group of OPC members reported to belong to the "Ajagura group", a section of the Fasehun faction, attacked students of the Lagos State Polytechnic at their Isolo campus, killing at least one and seriously injuring between ten and fifteen.⁶⁶ As in so many other cases, the incident which sparked off the violence was a trivial argument between four students and a bus driver over a bus fare. The driver was asking them to pay twenty naira, while the students were prepared to pay only ten naira. According to the students, as they could not agree on the fare, the driver called on a group of youths in the bus garage to beat up the students; at least one student was seriously injured, while three others were taken to the police station.

While the students were waiting for the police to release their three colleagues, they saw a large number of OPC members advancing towards their campus at Isolo. According to eye-witnesses, the OPC then started shooting indiscriminately into the campus. A student leader told Human Rights Watch: "The OPC rushed at us. They overpowered the police and started shooting indiscriminately in front of the school gate. A few students who wanted to resist were overpowered by the firepower of the OPC. They equally used charms on us [...]" Some of the students apparently recognized some of the assailants as OPC members. Others described them as

⁶⁴ Human Rights Watch interview, Lagos, September 3, 2002.

⁶⁵ Human Rights Watch interview, Lagos, June 22, 2002.

⁶⁶ The information on this case is based on Human Rights Watch interviews in Lagos, October 16-18, 2002. See also statement issued by the Students' Union Government, entitled "The account of the October 11th attack on the students of Lagos State Polytechnic."

wearing white singlets and white handkerchieves. They said there were about twenty OPC members, who came to the campus on foot after parking their vehicle outside.

An eyewitness, who was not a student, claimed that some of the students involved in the initial argument with the bus driver had also beaten up the bus conductor and driver during the dispute over the bus fare.⁶⁷ However, his account about the OPC attack on the campus confirmed that of the students:

Later in the evening at about 6 p.m., the touts [youths from the bus garage] mobilized the OPC against the students. I was standing in front of the campus when the OPC arrived. There were many of them. I saw that they had locally made guns with red cloths tied on them and had charms on them. There was no doubt that they were OPC members. They started shooting right inside the campus. We all took to our heels including the police. I ran inside the campus. The OPC came right inside the campus just after the basketball court. They were shooting into the school campus. I saw some students shot dead. I saw others bleeding from bullet wounds. I saw one student that was hit on the leg. At least ten students were injured by gunshots.

One student, Ezendu Stephen Okechukwu, died on the spot; between ten and fifteen others, all of them male, were injured and were taken to hospital. One of them, Shelle Akinwunmi Dipo, sustained about seven bullet wounds.

The student leaders contacted both Frederick Fasehun and Gani Adams about the incident. Gani Adams denied any knowledge of the Ajagura faction of the OPC. Frederick Fasehun acknowledged that they used to be part of his faction, but claimed that they had been expelled and were no longer part of the organization. The police confirmed that there had been a fight at Isolo garage, but denied any knowledge of an attack by the OPC.

Killings of Policemen

The OPC have attacked and burned several police stations, sometimes in protest at the arrests of their members, and killed and injured policemen. OPC-police violence was particularly fierce in the period immediately preceding and following the 1999 elections. As the OPC protested against the elections, they burned down several police stations, particularly in Lagos and Ogun states. According to the CLO, in 1999 at least ten police stations were attacked by the OPC, including those in Okota, Alakara, Mushin, Area B, Apapa, Apapa Wharf, Sango, Ifo, Isolo, and Idiroko.⁶⁸ OPC attacks against police stations and against policemen have continued sporadically since then, resulting in deaths and serious injuries. According to police sources, between 2000 and 2001, about eighteen policemen were either injured or died as OPC members poured acid on them; such cases were also common in 1999. The victims included police Inspector Gabriel Makanjuola and Sergeant Philip Achor, who had acid thrown on them during an attack by OPC members on January 3, 2000, at Iyana-paja bridge in Lagos, and Assistant Superintendent of Police Akpan Ekwere, who was hospitalized for two months after acid was poured all over his body during a clash with OPC members near Bariga police station, on 1 September 1999.⁶⁹

One of the notorious cases of killings of policemen by the OPC was that of Amao Afolabi, Divisional Police Officer (DPO) of Bariga police station, in Lagos, on January 9, 2000. DPO Amao was himself a Yoruba and had been a sympathizer of the OPC. This case illustrates how in some situations, the OPC's hostility towards the police has taken precedence over ethnic solidarity or blinded them to the individual identity of those they were attacking. According to senior police sources who were closely involved in investigating the case, the problem began when the police arrested a man found in possession of three guns, which he claimed he had hired from the

⁶⁷ Student violence is common in Nigeria, where student groups known as "cults" regularly engage in fighting each other, sometimes with fatal consequences.

⁶⁸ See Okechukwu Nwanguma, "The rise of ethnic militias," in *Liberty*, a publication of the Civil Liberties Organisation, September 2000.

⁶⁹ A press release of eleven pages issued by Mike Okiro, then Commissioner of Police for Lagos State, details many such cases in which policemen were killed or injured by the OPC and police stations attacked during 1999 and 2000.

OPC headquarters in Bariga. The OPC learned that the man had denounced them and went to talk to DPO Amao, with whom they enjoyed good relations. DPO Amao indicated that the man would be charged with illegal possession of weapons. The OPC came to see him again the following day. That day, in an unrelated incident, the Gani Adams faction of the OPC was holding a meeting near the Somolu area. As the meeting broke up, there was a clash between the OPC and the police; some OPC members poured acid on a police vehicle and abducted a mobile policeman, who was never found. At around the same time, DPO Amao and a police team, accompanied by the man they had arrested, were traveling in a vehicle to search for other suspected criminals who had been denounced by the man they had arrested. At Odusi Junction, in Bariga, a policeman in DPO Amao's team noticed an OPC bus coming in the opposite direction. He alerted DPO Amao, who told him not to worry because he was friendly with them. As DPO Amao stepped out of his vehicle to talk to the OPC, they abducted him. He was just able to alert the police on his walkie-talkie, shouting that he had been abducted.

The police sent a team to search for him throughout the night. Eventually, a man who had been present when the police had clashed with the OPC after the meeting led them to the place where he claimed DPO Amao had been killed, at Third Mainland Bridge. They saw fresh blood there. The man who led the police there told them Amao had been butchered and the pieces of his body thrown into the lagoon. Later, an OPC leader independently led the police to the same spot. Apparently the OPC had taken Amao out of the bus in which they had been traveling when they abducted him, put him first in one vehicle, then another vehicle, then they killed him. His body was never found. According to the police, several people were charged with his murder but had not yet been tried by late 2002.⁷⁰

OPC representatives have denied responsibility for the killing of DPO Amao, some claiming that he was killed by armed robbers, others claiming that he was killed by colleagues within the police force. The OPC produced its own account of the incident, entitled "How Amao was killed by the police/armed robbers."⁷¹

DPO Amao was not the only Yoruba policeman to be killed by the OPC. A senior police official told Human Rights Watch that the majority of policemen killed or injured by the OPC were Yoruba. Among them was Sergeant Afolabi Samuel, who was killed along with Inspector James Ebiloma on July 16, 2000, in Alafia Street, in Mushin, Lagos, by OPC members believed to be from the Gani Adams faction. The police had first been tipped off to the presence of large numbers of OPC members after they received a call about a group of people calling themselves "OPC police", who were apparently wearing black T-shirts and trousers similar to those worn by the Mobile Police. The police found about one thousand OPC members gathered at Agege and used tear-gas to disperse them. The police then received a second call informing them that about fourteen buses full of armed men had gathered at Ikotun garage. When the police arrived there, they met the OPC convoy and there was a shoot-out between the police and the OPC. On the way back, the OPC ambushed the police at Mushin, and killed Sergeant Afolabi Samuel and Inspector James Ebiloma. They fired at the policemen and attacked them with machetes and axes. Sgt Afolabi apparently refused to fire back, on the basis that the OPC were "his people" (meaning Yoruba).⁷²

On August 12, 2000, police corporal Bayo Tijani and his brother-in-law Kenneth Okafor were killed by OPC members in Ojo, Lagos. They were reportedly killed in a restaurant by a group of six men wearing white handkerchieves tied around their necks, who announced themselves as OPC and fired shots into the restaurant. They apparently targeted Bayo Tijani first because they saw from his identity card that he was a policeman. They fired several shots at him, then at his brother-in-law, and left their bodies lying by the side of the road.⁷³

On April 10, 2001, a thirty-five year-old policeman, Corporal Akpa Agbafun, was killed by OPC members on his way to work in Mushin, in Lagos. This attack did not take place in the context of a clash between the

⁷⁰ Human Rights Watch interviews, Lagos, September 2002.

⁷¹ This is included in an OPC press statement dated April 27, 2000, which covers a number of different incidents.

⁷² Human Rights Watch interview, Lagos, September 3, 2002.

⁷³ See "OPC: a spate of ethnically motivated killings," a Human Rights Call by the Civil Liberties Organisation, October 11, 2000.

police and the OPC or any other outbreak of violence. The victim was singled out and killed purely on account of being a policeman.

Corporal Akpa Agbafun was attacked shortly after 7 a.m. He had just left his home in Mushin to go to work at the Trinity Police Station. Crowds suddenly gathered in the street near his home and neighbors said that the OPC were there, shooting. They said a man had been attacked and left in the gutter; people gathered round and identified him. The police were alerted and went to the scene. When his wife also arrived, Corporal Akpa Agbafun was still alive, lying less than 100 meters from his house. The OPC members had poured acid over him and his skin was peeling off all over his body. He was rushed to Ikeja hospital. From there, he was able to tell the police and his family what had happened:

According to him [Akpa Agbafun], the OPC members identified him as a policeman as he was on his *okada* bike between Ewelam and Church Street, Mushin. The OPC stopped the bike and one of them said: "That man is a policeman." They asked him for his identity card, but he told them that he is not with it. They searched him and found his ID card. They then shot him on his left arm and bathed him with acid. He pretended as if he was dead. When they [the OPC] left, he heard the voice of a local boy and managed to call him and tell him to go and inform his wife.⁷⁴

At about 4 p.m. the same afternoon, he was transferred to the general hospital in Lagos, but died later that evening, at about 7 p.m.

Eye-witnesses left no doubt that those who attacked Corporal Akpa Agbafun were OPC members. They were reportedly wearing their uniforms and headbands. They also confirmed that there had been no incident or crisis between the OPC and the police on that day prior to the attack. As of June 2002, no one had been arrested or prosecuted for the death of Corporal Akpa Agbafun.

IV. CONFLICTS OVER TRADITIONAL LEADERSHIP TITLES

In Kwara and Ondo states, the OPC has become deeply involved in often violent conflicts over the control of traditional leadership titles.⁷⁵

In Ilorin, the capital of Kwara State, considered by some Yoruba to be one of their historical towns, the OPC has intervened on the side of local groups who have wanted to oust the current Fulani traditional ruler (or emir) and replace him with a Yoruba ruler (or oba). The two sides in this dispute are broadly aligned with the pro-northern and the pro-Yoruba/southern factions of Ilorin politics, with the OPC naturally siding with the latter. Battles over this traditional leadership position in Ilorin have been fierce and sometimes violent. On October 14, 2000, there was a serious shoot-out between the police and the OPC, as the police intercepted a large OPC convoy of about thirty vehicles traveling with their lights and sirens on; some likened the OPC's arrival in Ilorin on that day to "a kind of invasion." The OPC were apparently planning a meeting or rally, but panic spread after it was rumored that they were intending to install a Yoruba ruler by force. The OPC were armed but were caught unawares. Several OPC members were killed and many arrested by the police; a number of policemen were also injured. In a newspaper interview a few days after the clash, Abdulkareem Olola Kasumu, leader of the Kwara State chapter of the OPC, stated: "The struggle is justified. It is long overdue and would not stop until its aims and objectives are achieved. [...] Ilorin is a Yoruba town by all historical and sociological standards."⁷⁶ Gani

⁷⁴ Human Rights Watch interview, Mushin, Lagos, June 26, 2002.

⁷⁵ Many ethnic groups and communities in Nigeria have traditional leaders or chiefs, who are chosen according to different traditions in different parts of the country. They have various responsibilities, including settling local disputes and representing their community in different fora. Traditional leaders are recognized by the Nigerian government (as they were by the British colonial authorities) and operate in parallel with elected local, state and federal government structures. Traditional leaders can have considerable influence, especially at the local level.

⁷⁶ See "We shall reclaim Ilorin, it's ours", Olola Kasumu, in *Vanguard on Sunday* (Lagos), quoted in Phone News (electronic news service), October 22, 2000.

Adams, while claiming that it was members of the Fasehun faction who had clashed with the police in Ilorin, stated: "On my side, we are just waiting for the appropriate time, Ilorin belongs to Yorubaland. They must have an Oba there."⁷⁷

In the town of Owo, in Ondo State, the OPC has been used as a tool in a longstanding local dispute between supporters and opponents of the traditional leader, known as the Olowo. Since 1999, controversy has surrounded the appointment of the current Olowo of Owo, and the dispute has taken on a political dimension as the Ondo State governor has explicitly taken sides. The Olowo's opponents, who include the state governor Adebayo Adefarati and the OPC, claim that he was not elected according to the correct procedure and therefore refuse to recognize him as the rightful holder of that office. Various attempts have been made to dislodge him from the position, including by violent means. In turn the Olowo's supporters have fought back, in some cases reportedly assisted by the police. The dispute reached a bloody climax in January 2002, when dozens of OPC members were killed in a clash between the OPC and a combination of police and supporters of the Olowo, known as the palace boys. All the main protagonists in the dispute, as well as most of the victims of the violence, are Yoruba.

This particular conflict in Owo began in 1999. In February 1999, Victor Folagbade Olagbegi III was installed as the Olowo of Owo. Later that year, the Ondo State governor and his supporters claimed that he had not been properly appointed and should vacate his position. The Olowo took the case to court on the basis that he had been threatened. The dispute escalated and in 2000, the OPC became involved in several violent incidents connected with the disputed leadership.

On April 24, 2000, thugs believed to include OPC members attacked a delegation of religious leaders who were visiting the Olowo's palace. They threw stones and missiles at the delegation, but no one was killed. Three days later, the Ondo State governor invited the religious leaders to his office and rebuked them; he asked them why they had gone to offer their homage to the Olowo since he (the governor) did not recognize him as the rightful owner of that title. Some of those present in the meeting said that the governor warned them to keep away from the palace and threatened to flush out the Olowo.⁷⁸

On May 15, 2000, supporters of the Olowo, including Prince Ganiyu Omoloja, who was representing the Olowo, and Chief Alajawo Asobe, secretary of the council of senior Olowos, were attacked by the OPC in Akure, the state capital, in front of the High Court near the state government office. One of the victims said: "About fifty of them attacked us with cutlasses and guns. We were injured and rushed to hospital where I spent two weeks. They came in two mass transit buses which belong to the state. 'OPC' was written on their vehicles and banner and 'Gani Adams' was written on their T-shirts. They were shouting: 'Kill him! Kill him!'"⁷⁹

On June 5, 2000, a group of armed men who included OPC members entered Owo and attacked three different locations. An eye-witness said: "I saw the OPC myself attacking that day. They had OPC written on their heads. They came in three eighteen-seater buses, one luxury bus and one station wagon, all full. They had sophisticated weapons." They attacked the Olowo's palace and shot dead three people there: a woman, a Hausa security guard, Musa Kafanchan, and another member of the palace. They also killed a female cleaner with a knife; it was reported that they used her blood to write "OPC" on the floor of one of the rooms. They then moved to a house opposite the palace, killed two people including an Igbo man, and burned down the house. Finally, they went to Ijebu, to the house of Chief Michael Fadare, a retired civil servant who was perceived to be close to the Olowo, and killed him, his wife, their two adult children and the daughter of a security guard. They shot them dead in their house then burned their bodies. It appeared that these three attacks, all carried out on the same day, had been carefully coordinated. Several people were arrested and charged in connection with these killings. They were later released following a reported intervention by the governor asking for the charges to be withdrawn.⁸⁰

⁷⁷ See "I'm a free man," in *The News*, October 25, 2000, quoted in Phone News (electronic news service), October 26, 2000.

⁷⁸ Human Rights Watch interviews, Owo, Ondo State, September 4, 2002.

⁷⁹ Ibid.

⁸⁰ Ibid.

Following these events, the supporters of the Olowo reinforced their own security. The number of “palace boys,” who had previously just been a small number of bodyguards based at the Olowo’s palace, was increased; sources among the Olowo’s supporters claimed they were increased to about twenty or thirty, although other sources have alleged that they were more numerous and that they began acting like thugs themselves. The Olowo’s supporters claimed that the palace boys were not armed; however, the police and other sources have disputed this.

Between 1999 and 2001 there were also several attacks by the OPC on the police station in Owo. As the controversy over the Olowo’s appointment continued, some government supporters reportedly tried to put pressure on the police to intervene to assist them to oust the Olowo, but when they failed to do so, accused the police of taking sides and obstructing them.

On January 12, 2002, a large convoy of OPC members, led by Gani Adams, arrived in Owo on their way back from the burial ceremony for former Minister of Justice and Attorney General Bola Ige. The OPC claimed they were stopping to buy fuel when they were attacked by the police. Supporters of the Olowo claimed that the OPC were planning to attack the Olowo’s palace. There are credible accounts which claim that the shoot-out occurred at the palace, rather than on the road beyond the palace, as the OPC had claimed. Whatever the truth, the OPC convoy was ambushed and between thirty and forty-five OPC members were killed by the police, probably assisted by the palace boys. There were no fatalities on the side of the police or the palace boys, although some palace boys were injured. An Igbo man in a nearby shop was also killed by a stray bullet.

A close supporter of the Olowo gave his account of the story:⁸¹

We heard gunshots. The OPC came in more than eighteen buses. They surrounded the place [the palace]. They had arranged their movements and were posted in different places. It was very well organized. They came with charms, cutlasses, guns, axes, and acid. The OPC at the gate started firing first. Some had come inside. The MOPOL [mobile police] were here and challenged them. There was a very serious shoot-out, for more than five hours, from about 9 a.m. to about 2 p.m. Three MOPOL were already guarding the palace. They called for reinforcements. They arrested eight OPC and killed some. No police were killed or anyone else.

Gani Adams issued his own detailed version of these events, denying any intention on the part of the OPC to attack the palace:⁸²

[...] Our members had no any intention of causing any trouble at Owo as the whole world had been made to believe. Our convoy of about thirty-five minibuses and seven cars had gone well past the Owo palace up to a kilometer when from the last three vehicles, members were spotted running out of their vans and heading towards other members shouting that some members had been shot. I quickly came out of my car to assess the extent of damage. I trekked back to meet the on-rushing members. Here I discovered that we already had some casualties, and I ordered that all vehicles should turn back and make a retreat while appealing to the members to be calm cool and collected and shun any counter attack for the interest of the Yoruba nation. But from the opposite direction towards Ikare Junction, four police personnel carriers emerged with mobile policemen shooting sporadically at our members. Suddenly, we had been sandwiched in between the palace boys and the mobile policemen.

The statement then lists the names of twenty-six OPC members who were either missing, killed or unaccounted for, according to the OPC’s investigations at the time; the final death toll is thought to be even higher. The statement then goes on to describe the role of the police in the incident: “The complicity of the

⁸¹ Human Rights Watch interview, Owo, Ondo State, September 5, 2002.

⁸² Press statement by Gani Adams on the Owo incident, “The Carnage at Owo,” January 20, 2002.

mobile police needed be mentioned and with the light-speed they emerged from the opposite direction, I am convinced the attack was premeditated. Investigation revealed that we were billed to be attacked even whether we went through express or the main town [...]” In the same statement, Gani Adams claims: “The OPC does not dabble into matters related to the selection or election of traditional rulers.”

Since then, and throughout 2002, the situation in Owo has become further complicated as the palace boys themselves have split into two factions and become increasingly violent. A breakaway faction, known as the Ehinogbe boys, has joined forces with the OPC and is believed to include some OPC members, as well as other opponents of the Olowo. A police source told Human Rights Watch: “The Ehinogbe boys’ behavior is reminiscent of the OPC. We believe they’re working with the OPC. The OPC was sent away from the town, but they came back. They are based in Ehinogbe now. They are not operating as OPC per se, but are working in concert with the Ehinogbe boys.”⁸³ There have been repeated clashes between these different groups, as recently as September 2002.

On July 17, 2002, S.O. Yussuf Elegberenban, the chairman of the caretaker local government council in Owo, was arrested by the police. Caretaker committees were set up in local government areas in Nigeria in 2002 to ensure a transition between the expiry of the tenure of local government chairmen under the 1999 constitution and new elections which had not yet been scheduled. Most of their chairmen were selected by the state governors. S.O. Yussuf, who, according to local residents, was hand-picked for the position by the state governor, had reportedly been supporting OPC members, the Ehinogbe boys, and other armed elements opposed to the Olowo; some of his critics alleged that he was doing so on the instructions of the state governor. The police stated that when they arrested him, they found a range of weapons and ammunition in his house, as well as military and mobile police uniforms. He and about ten other men believed to include both Ehinogbe boys and OPC members were arrested and transferred to Abuja, where they were still detained in September 2002.

In December 2002, further clashes between the OPC and the police were reported in Owo. Several OPC members and policemen were injured, and around forty OPC members from the Gani Adams faction were arrested.⁸⁴ Human Rights Watch has not been able to confirm whether or how these clashes were related to the earlier disputes over the chieftaincy in Owo.

When Human Rights Watch met the Secretary to the Ondo State government in September 2002, he denied any knowledge of OPC killings in Owo in 2000, despite the fact that much of this information had been in the public domain for a long time. He described allegations that the state government may have been behind some of the violence in Owo as propaganda by government opponents, or supporters of the Olowo. Regarding the January 2002 clash between the OPC and the police, he gave a vague account of the incident which more or less replicated the OPC’s version of events. He said: “We didn’t know the OPC were passing through Ondo State. We received a report that they were attacked at a fuel station.” Concerning the dispute over the current Olowo’s right to the chieftaincy title, he repeated the OPC position. “The chiefs who support the Olowo cause trouble here. As far as the government is concerned, there is no Olowo as he was not properly installed [...] The chieftaincy is a state affair, not a federal affair, but the federal government has taken an unusual interest in the matter, sending the police to impose the Olowo on the people. They have been sending in the police to occupy. They have made it impossible for peace to reign here.”⁸⁵

Human Rights Watch takes no position on the matter of the chieftaincy in Owo and acknowledges that the conflict over the appointment of the Olowo has been characterized by propaganda and heated statements by both sides. However, the state government has a responsibility to ensure security in the area and should avoid taking

⁸³ Human Rights Watch interview, Owo, Ondo State, September 5, 2002.

⁸⁴ See “OPC, police clash in Owo,” *This Day* (Lagos), December 12, 2002, and “Police arrest 41 members of OPC in Owo,” *Vanguard* (Lagos), December 11, 2002.

⁸⁵ Human Rights Watch interview with Chief Wunmi Adegbonmire, Secretary to the Ondo State government, Akure, Ondo State, September 5, 2002. The Nigerian police is a federal institution, answerable to federal, not state level authorities. This comment by the secretary to the state government is therefore accusing the federal government of taking sides in the dispute, in favor of the Olowo.

sides in the dispute in any manner likely to increase tension or lead to further violence. Government authorities, in conjunction with the police and the judiciary, should take steps to identify and prosecute those individuals responsible for orchestrating and carrying out the violence in Owo, regardless of whether they support or oppose the current Olowo.

V. THE RESPONSE OF THE OPC TO ALLEGATIONS OF VIOLENCE

OPC leaders from both the Frederick Fasehun and Gani Adams factions have consistently denied that their members use violence, despite numerous eye-witness testimonies to the contrary. Gani Adams told Human Rights Watch: “The OPC is not a violent organization. It was formed to protect the integrity of the Yoruba [...] We believe we must fight against injustice. There have been injustices since independence. [...] My own struggle is purely political and cultural.”⁸⁶ In a January 2000 interview with a journalist who asked him what message he had for the families who had lost their children to OPC-inspired violence, Gani Adams said: “The OPC has never insinuated or provoked any act of violence.”⁸⁷ Human Rights Watch researchers who spoke to Gani Adams, Frederick Fasehun, and other current or former leading members of the OPC raised a number of specific incidents with them, including some of the most serious cases mentioned in this report, in which the OPC killed and injured members of other ethnic groups. The leaders repeatedly denied that the OPC had been involved in instigating the violence. They claimed that the OPC were often unjustly blamed for violence carried out by people who have nothing to do with the organization, apart from the fact that they may be Yoruba. They complained that the OPC had been demonized and that any violence linked to Yoruba was automatically pinned on the OPC.

In a small number of cases brought to their attention, they admitted that the OPC was involved, but attempted to justify it on the grounds of self-defense. Frederick Fasehun confirmed to Human Rights Watch that the OPC had been involved in the clashes in Sagamu in 1999, but denied that it had had anything to do with those in Ketu/Mile 12 or Ajegunle. On the other hand, a former senior member of the OPC admitted that the OPC had been involved in Ketu/Mile 12, but not in Ajegunle. He described the October 2000 clashes in Ajegunle as a fight between Hausa and Yoruba: “We [the OPC] were not concerned at all [...] There was no official OPC involvement at any stage, but there could have been unofficial involvement. It was unlike Ketu, which was an OPC instruction. Ajegunle was like Idi-Araba: there was no official OPC involvement at all.” However, he went on to say that the OPC could have been involved in Ajegunle if they had been directly attacked, and may have reacted in self-defense.⁸⁸

In some cases where the OPC’s involvement has been well-established, each faction has resorted to blaming the other, thus disowning responsibility. For example, Frederick Fasehun said: “They [Gani Adams and his supporters] shouldn’t have kept the OPC name. They were no longer members of OPC, therefore the rules may not apply. Some of their members could have been involved in clashes.”⁸⁹ Likewise, Gani Adams blamed some of the violence in Ajegunle in 2000 on the Fasehun faction.⁹⁰ However, one of the founding members of the OPC contradicted these statements by claiming that even though the two factions were often at each other’s throats, they buried their differences and communicated whenever there was a crisis.⁹¹

Both factions of the OPC have consistently denied carrying and using firearms or other weapons, insisting that they use only traditional “magical” means to overpower their opponents. Gani Adams told Human Rights Watch: “Our members never carry arms, except vigilantes who carry guns to defend themselves against armed robbers. Other OPC members don’t have arms but defend themselves with African mechanisms.”⁹² Frederick

⁸⁶ Human Rights Watch interview with Gani Adams, Lagos, May 23, 2002.

⁸⁷ Interview with Gani Adams in *The News*, (Lagos) January 31, 2000.

⁸⁸ Human Rights Watch interview, Lagos, September 2, 2002.

⁸⁹ Human Rights Watch interview with Frederick Fasehun, Lagos, May 22, 2002.

⁹⁰ Human Rights Watch interview with Gani Adams, Lagos, May 23, 2002.

⁹¹ Human Rights Watch interview, Lagos, September 2, 2002.

⁹² Human Rights Watch interview with Gani Adams, Lagos, May 23, 2002.

Fasehun claimed that OPC members do not carry arms at all, but are taught to disarm without using weapons.⁹³ Another founding member claimed that the OPC did not even need to carry weapons, as the name of the organization alone was a sufficient threat or deterrent, and that people were afraid of the OPC because of their charms.

Most of the lower-ranking OPC members interviewed by Human Rights Watch also denied that the organization used violence or that its members were given arms. However, some told us that they had decided to leave the OPC after becoming disillusioned with its use of violence, particularly the Gani Adams faction. A businesswoman from Lagos who had been an OPC member for several years initially joined the Gani Adams faction, then moved to the Fasehun faction. She told Human Rights Watch: “Gani Adams was too violent. We want the OPC for peace [...] Gani Adams doesn’t talk. He just fights. We should try to settle problems first.”⁹⁴ However, Gani Adams still retains a significant following among rank-and-file members, many of whom consider that the Fasehun faction has “sold out.”

Several people close to the OPC told Human Rights Watch that the organization has an efficient system of internal communication, including in situations of crisis, through the use of mobile phones, e-mail, and other means to reach their leaders at national and local levels. The impression they gave was that the leadership was always fully informed of developments, and that there is a tight chain of command. This is in contradiction with some of the statements by the OPC leaders seeking to deny or disown acts of violence by their members, or claiming that members at the local level may have been acting spontaneously, without consultation. If the communication is as efficient and tight as some of them claim, this would mean that the OPC leaders either knew or ought to have known about and thus should be held directly responsible for the acts of violence perpetrated by their members.

Despite its persistent denials and refusal to accept responsibility for the actions of its members, the OPC leadership has shown itself sensitive to criticism in other ways. It has developed extensive propaganda and unlike many other militia and vigilante groups in Nigeria, has gone to great lengths to produce written materials which set out its side of the story. Most of the time, this has consisted in blaming its opponents (whether militia of other ethnic groups, or the police) for any outbreak of violence. When Human Rights Watch met Gani Adams and several of his close associates, they gave us several weighty reports, which include their own descriptions of specific incidents of violence, all of which absolve the OPC of any responsibility or participation in criminal acts.⁹⁵

Some of these accounts use explicitly hostile language, particularly towards the Hausa. One of them, a report entitled “Strangers on the rampage,” compiled by the Gani Adams faction, details a series of alleged killings of Yoruba by Hausa and by police, claiming collusion between the two and describing the police as the instruments of oppression. The report repeatedly refers to the Hausas as strangers. In the first page, it refers to “the Hausa/Fulani – the strangers and their host, the Yoruba,” with the following footnote: “Stranger: a foreigner, one whose home is elsewhere.”⁹⁶ In a press release dated December 3, 2000, signed by the then national secretary general of the OPC, Kunle Adesokan, the OPC stated: “For the avoidance of any doubt the Oodua People’s Congress is able and ready to counter any act of aggression from any part of the country especially the North since the sing-song from the north in recent time had been that of war instead of our repeated demand for a roundtable conference of all ethnic nationalities as a panacea to the imminent disintegration of the present

⁹³ Human Rights Watch interview with Frederick Fasehun, Lagos, May 22, 2002.

⁹⁴ Human Rights Watch interview, Lagos, September 14, 2002.

⁹⁵ While some of these reports can be described as little more than propaganda, others contain detailed accounts of specific cases of human rights abuses against OPC members. Human Rights Watch has not been able to verify them all.

⁹⁶ This terminology is loaded in the Nigerian context, where much of the violence between different ethnic communities across the country has been caused by competition and struggles between those who see themselves as “indigenes,” or original inhabitants of an area, and “settlers” or strangers, many of whom have also lived in the area for several generations. The term “settler” has often been abused by those who consider themselves “indigenes” to deny rights to people from other ethnic groups, not only in the southwest but in many parts of Nigeria. For a fuller explanation, see Human Rights Watch report “Jos: A city torn apart,” December 2001.

contraption called Nigeria. We equally wish to inform the Northern leaders that North and South are naturally in the opposite direction with enough provision for everybody's need. We are not interested in things that do not belong to us but we shall recover with interest things that belong to us by any means possible." Antagonism towards the Hausa has remained a common thread in the discourse of the OPC and some other Yoruba self-determination groups, reflecting continuing frustration at the perceived dominance of northerners over previous decades—a feeling expressed by many groups in Nigeria. However, in some areas of the southwest, Yoruba and Hausa local communities have lived together peacefully for many years.

Statements by other OPC representatives have given the impression that they are slightly embarrassed or apologetic about the organization's violent image, while at the same time refusing to condemn the violence outright. A senior OPC member told Human Rights Watch: "Most incidents of violence were spontaneous. It would be disastrous if the violence were organized at a higher level [...] No [OPC] leader would go and tell people to carry out violence, because it causes more problems for them. They wouldn't say 'go and attack.' But if a rank-and-file member reported an attack and if the police were not doing anything about it, then people would want to react and we would tell them 'your fate is in your own hands.'"97 Another former OPC leader said: "The crises may not have been ordered from the top but people reacted. OPC leaders won't instruct their members to be violent, but they shouldn't allow themselves to be molested. They don't intervene but act in self-defense. This doesn't destroy the central command."98

In a discussion about the February 2002 violence in Idi-Araba, a former OPC member told Human Rights Watch: "My duty is to protect my brother and to fight to defend the Yoruba. The duty of the OPC is to intervene whenever there is a clash between Yoruba and any other group, especially if the other group has the upper hand, as they have the police on their side. The OPC is the force of the Yoruba. The Yoruba rely on them. The Hausa [in Idi-Araba] had guns and daggers and swords. When it got very bad, the message reached the OPC secretariat. The decision was taken at that level to protect the Yoruba there. Normally the members report to the secretariat who then give the go-ahead, but sometimes they start on their own if they can't get hold of the secretariat."99

OPC leaders have also claimed that groups of youths who were not OPC members have sometimes pretended to be OPC members and to have been acting in the name of the organization, to give themselves credibility; they have said that they cannot be held responsible for the actions of these individuals, who were not in any way related to the OPC. In December 2002, OPC leaders went as far as appealing to members of the public to contact the OPC on two special phone numbers "whenever any member of the public is being harassed and challenged unjustly by anyone who claimed to be an OPC member. The number [...] should also be used to report any misdemeanor of real OPC members in order that disciplinary measures be taken against such person as this [...] was against the constitution of the congress."100

It is indeed likely that some people have been abusing or misusing the name of the OPC to raise the profile of their actions or intimidate the population. For this reason, Human Rights Watch took special care to verify the identity of perpetrators when documenting the various incidents described in this report.

VI. HUMAN RIGHTS VIOLATIONS AGAINST REAL OR SUSPECTED OPC MEMBERS: ARBITRARY ARRESTS, PROLONGED DETENTION WITHOUT TRIAL, TORTURE AND EXTRAJUDICIAL EXECUTIONS

Since the government of President Obasanjo came to power in May 1999, hundreds and perhaps thousands of people in Nigeria have been arbitrarily arrested, detained without charge or trial, ill-treated, tortured, or extrajudicially executed by the police. Among them were many OPC members, including some of their leaders,

⁹⁷ Human Rights Watch telephone interview, July 12, 2002.

⁹⁸ Human Rights Watch interview, Lagos, September 2, 2002.

⁹⁹ Human Rights Watch interview, Lagos, September 14, 2002.

¹⁰⁰ See "OPC to arrest political thugs during 2003 polls, says Fasehun," in *Vanguard* (Lagos), December 13, 2000.

but also other individuals wrongly presumed to be OPC members. Some of the problems described below, for example prolonged pre-trial detention and torture in police custody, are widespread in Nigeria, for most categories of detainees. However, they appeared to be particularly pronounced in the case of the OPC, reflecting a determination on the part of the police, on instructions from the federal government, to suppress the organization. There has been a similar pattern of police repression against other self-determination groups in Nigeria: for example, members of the Igbo organization Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), active in the southeast, have also been victims of arbitrary arrests, ill-treatment, extrajudicial executions, and restrictions on freedom of speech, freedom of association, and freedom of assembly, including during 2002.

Human Rights Watch condemns the strategy and tactics often used by the police to respond to acts of violence by the OPC. While the OPC's involvement in serious human rights abuses and criminal activities does need to be met with a strong response by government and police authorities, the widespread arbitrary arrests, extrajudicial executions and other human rights violations are not only an inappropriate response but are continuing to fuel the cycle of violence. The government and the police's response towards to the OPC is in violation of Nigeria's obligations under both national and international law. The Nigerian Constitution guarantees the right to life, the right to respect for dignity of the person (including the right not to be subjected to torture), the right to personal liberty, and the right to peaceful assembly and association.¹⁰¹ The International Covenant for Civil and Political Rights, which Nigeria has ratified, guarantees the right to life, the right to be free from torture, the right not to be subjected to arbitrary arrest or detention, and the right of assembly. Nigeria is also a party to the (United Nations) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment.¹⁰²

The OPC has faced constant harassment by the police, in clear violation of the rights to freedom of assembly and association. The police have repeatedly disrupted their meetings and raided their premises without showing a judicial warrant and in situations where there was no indication that the OPC members present were engaged in criminal activity. Sometimes the police have claimed that they were holding meetings without permission or prior police clearance; at other times they did not provide any clear reason for the raids. An activist told Human Rights Watch that since they were required to obtain police permits to hold meetings in public places, the OPC had begun holding their meetings in other locations, such as houses of individual members or other private places. He described this as the OPC playing a cat and mouse game with the police. However, the OPC have generally remained defiant and have rarely if ever held their meetings in private. They have carried on with most of their activities in full knowledge of the likely consequences. In the words of a former OPC leader, "when we speak out what people want, we pull a trigger against ourselves."¹⁰³

Arrests and killings of OPC members by the police have also occurred when the police have intercepted, or attempted to intercept, OPC vehicles. When going to or from meetings or on other operations, the OPC typically move in large convoys of commercial vehicles, sometimes numbering as many as thirty or fifty vehicles and hundreds of members. On a practical level, the resulting traffic problems have led to confrontations between the OPC and the police. In more serious cases, the police have specifically set out to ambush these convoys in order to disrupt the OPC's activities and restrict their movements; several of these police operations have resulted in extrajudicial killings and arbitrary arrests. In some instances, however, the police have also succeeded in preventing violence by intercepting OPC convoys.

In September 2000, the police invaded Frederick Fasehun's Century Hotel in Lagos. Nobody was killed, as most of the people who were there managed to escape, but several people were injured. A woman who worked at the hotel witnessed the attack: "Many police arrived in big lorries. It was as if it was a war. They were shooting

¹⁰¹ Constitution of the Federal Republic of Nigeria, 1999, Chapter IV, sections 33, 34, 35 and 40.

¹⁰² Article 2 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment states: "Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. No exceptional circumstances whatsoever [...] may be invoked as justification of torture."

¹⁰³ Human Rights Watch interview, Lagos, September 2, 2002.

from outside. They even shot in the kitchen. They were turning over all the furniture looking for Fasehun. They said they would kill him if they found him.”¹⁰⁴ There are different explanations as to what prompted the attack. Frederick Fasehun told Human Rights Watch he believed it was linked to a meeting of ethnic nationality leaders held in Lagos the previous day, at which he had refused to sign a statement that included a call for the creation of a joint military-police patrol team for Lagos.¹⁰⁵ The police gave a different version; they said that they had not been intending to go to Fasehun’s hotel, but that some police officers and soldiers on a joint patrol had gone out of control when they recognized Frederick Fasehun’s hotel. The policemen and soldiers claimed they saw heavily-armed people in front of Fasehun’s hotel, so they opened fire and entered the hotel.¹⁰⁶

Arrests, Detention and Torture

Arrests of Rank-and-File Members

There has been a pattern of arbitrary and indiscriminate arrests of suspected OPC members by the police. Waves of arrests were especially common following the major outbreaks of violence, for example the clashes in Ketu/Mile 12 in November 1999 and Ajegunle in October 2000, and after the killing of DPO Amao in January 2000. The OPC has repeatedly claimed that its members have been targeted by the police purely on the basis of their membership of the organization, not because they were involved in any criminal offense. While there is no doubt that many OPC members have been responsible for grave human rights abuses and a range of criminal offenses, Human Rights Watch found credible evidence to support the OPC’s claim that in many cases, the arrests carried out by the police were arbitrary. These arbitrary arrests were sanctioned by and sometimes carried out on the orders of senior federal government officials. For example, at around the time of the violence in Ajegunle in October 2000, Minister for Information Jerry Gana stated publicly: “Law enforcement agencies are hereby ordered to arrest and prosecute any person who claims or presents himself as a member of the OPC and similar organizations, all of which are hereby declared illegal, unacceptable, and a serious threat to the peace and security of Nigeria.”¹⁰⁷ Many of those arrested were beaten at the time of their arrest and tortured in police custody. There have also been cases where the police have arrested, or attempted to arrest, relatives of OPC members where the individuals they were seeking were absent, and have set fire to the houses and belongings of OPC members.

In some cases, OPC members have been arrested not because they were suspected of any act of violence, but to prevent them from meeting. For example, thirty OPC members were reported to have been arrested in Akure, capital of Ondo State, in October 2000, on charges of unlawful assembly. The Ondo State commissioner of police was quoted in the media as saying that “they were arrested to checkmate further breakdown of law and order in the state because it is only OPC that we have been able to identify as a militant group in Ondo State [...] We don’t want them to exist again or make any trouble in the state because the Federal Government has banned them. It is unlawful for them to gather as members of the OPC.”¹⁰⁸

Even though many OPC members have been detained for prolonged periods, few have been successfully prosecuted. Widespread corruption within the police force has also meant that even in those cases where OPC members believed to have participated in criminal acts have been arrested, many were released after paying varying bribes to the police. Others were released on bail, or charges were dropped.

Many OPC members arrested and detained claimed that they were framed by the police and described how policemen planted weapons in front of them in order to be able to justify their arrest and eventually charge them with armed robbery. This also enabled the police to boast to the public about their “success rate” as the Nigerian media generally took the “evidence” at face value and projected the images in newspapers and on television. A former OPC member who had been arrested told Human Rights Watch: “Police parade us as armed robbers.

¹⁰⁴ Human Rights Watch interview, Lagos, May 22, 2002.

¹⁰⁵ Human Rights Watch interview with Frederick Fasehun, Lagos, May 22, 2002.

¹⁰⁶ Human Rights Watch interview, Lagos, September 3, 2002.

¹⁰⁷ See “Clampdown on Nigerian militants,” BBC News Online, October 19, 2000.

¹⁰⁸ Report quoted in Nigeria Today Online (electronic news service), October 24, 2000.

They snap us with weapons which they plant there.” Another OPC member who had been arrested said: “One time the police arrested about twenty-two people and gave them OPC black uniforms, even though most of us don’t wear uniforms. The police put cartridges, bullets, whatever they recover from armed robbers, in front of you. They show it to the media. The press don’t interview the accused. They just show it and present it to the public.” He said that his interview with Human Rights Watch was the first time he had been asked in an objective way about his experiences in the OPC and in detention.¹⁰⁹

Human Rights Watch tried repeatedly to obtain statistics on the number of OPC members detained and the charges they were facing, but neither the police nor the OPC were able to provide comprehensive, up to date information. The Lagos state police public relations officer told Human Rights Watch that between 1999 and 2001, close to 200 suspects had been arrested for a range of offenses, including arson, murder, rape, and robbery; the real number is likely to be higher. However, he went on to say that the police did not have statistics on the number of OPC members arrested or detained, as they dealt with individuals by name and by crime, not according to whether they were OPC members.

Frederick Fasehun claimed that when he was detained in Ikoyi prison in October 2000, there were 814 OPC members detained in that prison alone, and that at the time of his release at the end of November 2000, there were a total of between 2,000 and 3,000 OPC members detained. He was not able to say how many were still detained by mid 2002. When Human Rights Watch spoke to Gani Adams in May 2002, he said that around 150 members were still detained in Ikoyi prison and about fifty in Kirikiri prison (both in Lagos). He claimed that some had been detained for about two years.¹¹⁰ A report by the O’duwa Youth Movement lists 134 OPC members arrested between January 9 and February 1, 2000.¹¹¹ According to the Committee for the Defence of Human Rights (CDHR), by the end of January 2000, at least 2,000 suspected OPC members were being detained in police stations, 1,500 of them in Lagos.¹¹² A document circulated by the Gani Adams faction of the OPC lists 302 people arrested between November 1999 and February 2000, the majority of whom were arrested in November 1999 and January 2000.

Some of those arrested by the police were not even OPC members. In a letter addressed to the commissioner of police of Lagos State, the National Human Rights Commission details several cases of people who were arbitrarily arrested and wrongly accused of being OPC members following the violent clashes at Ketu/Mile 12 in November 1999. They include two men who were apparently labeled as OPC members despite the fact that neither of them were Yoruba; and several others who were picked up by the police just because they happened to be around the area, even though they were not arrested at the time or at the scene of the violence.¹¹³ In other cases, it has been reported that the police arrested relatives of OPC members because the members they were looking for could not be found at the time.

Real or suspected OPC members who were arrested systematically faced torture at the hands of the police. While police torture is a widespread and entrenched problem in Nigeria¹¹⁴, the torture directed at OPC members was often particularly brutal. It is possible that particularly during the period when the OPC was regularly

¹⁰⁹ Human Rights Watch interviews, Lagos, September 14, 2002.

¹¹⁰ Human Rights Watch interview with Gani Adams, May 23, 2002.

¹¹¹ “Obasanjo’s war on OPC,” a special report by the OYM, March 1, 2000. The report does not specify all the charges faced by those arrested, and Human Rights Watch has not been able to confirm whether, as alleged, many of these were trumped-up charges or whether there was substantial evidence against those arrested.

¹¹² See memorandum submitted by the CDHR to the Senate ad-hoc committee on the OPC and statement delivered to a press conference by Femi Falana, president of the CDHR. The CDHR is a non-governmental organization which has been active on behalf of OPC members believed to have been victims of human rights violations.

¹¹³ Letter entitled “Mile 12 riot: arrest and detention of suspects,” sent by the National Human Rights Commission to Mike Okiro, then commissioner of police for Lagos State, February 4, 2000. The National Human Rights Commission was set up by the federal government in 1996 to monitor human rights developments and advise the government on human rights policies.

¹¹⁴ See, for example, Amnesty International report “Nigeria – Security forces: serving to protect and respect human rights?” December 2002.

attacking police stations and had killed or injured policemen, some policemen may have been acting partly in revenge.

A twenty-seven-year-old student and OPC member from Oyo state was arrested twice and tortured, first in Ibadan, then in Lagos. In March 2001, he decided to leave the OPC. He told Human Rights Watch: “I left the OPC because I went through hell. I was arrested again and again. My family was suffering. I wanted to move.” He described his experiences at the hands of the police:¹¹⁵

I was first arrested on 6 May 2000, in Ibadan. [...] There were many attempts on me by state agents before but they didn't catch me. I was with my friend; we went to Sango, in Ibadan. The police stopped us beside the police station. They accused us of being armed robbers and put us in a cell. They placed cartridges and ammunition in front of us in the cell. Then they transferred us to SARS [Special Anti-Robbery Squad] in Ibadan. They asked me for a statement. I refused. They asked: “where did you get these [weapons] from? Where are you going to rob?” I spent twenty-two days in SARS; so did my friend. No one knew I was there. I had to drink my own urine so as not to drink their water. In SARS I was hanged [as described below] and beaten. They threatened to kill us. They said we were OPC and fomenting trouble in the country. [...]

Eventually my family stepped in. We went to court. They charged us with robbery, unlawful possession of firearms, disturbing the peace. We were denied bail. We were taken to Agodi prison in Ibadan. There the police kept asking me: “where did you get those arms from? What about these arms?” I said they were not mine. We spent three months there, then we were released on bail in early September. [...]

I was arrested again in Lagos in December 2000, with another friend, during an OPC meeting in Ikorodu. Ten of us were arrested. I was detained at SARS in Ikeja. I spent Christmas and New Year in there. You can see the marks on my arms where they hanged me with ropes. They tied my arms and legs behind my back. I was hanging for four hours until blood was pouring out of my ears and mouth. They dehumanize people. They said they had information that we were planning to disturb people in Ikorodu. I explained we were just holding a meeting. I was released on 10 January 2001. My friend was transferred to Kirikiri prison. He spent about seven months there. He was badly tortured. He can't move his arm.

Human Rights Watch researchers spoke to other OPC members who had been detained and tortured at SARS, including three men in their twenties who were among a group of forty-nine OPC members arrested by the police in Lagos on November 26, 2001; many of them were beaten at the time of their arrest. The police then took them to SARS, beat them again there and took all their money. Twenty-four of them were then released, and the others transferred to Ikoyi prison, where they remained until their release on April 22, 2002. The three interviewed by Human Rights Watch one month after their release said they had been badly beaten and hit with knives, nails, gun-butts, and iron bars. One of them still had serious injuries on his back from beatings with gun-butts.¹¹⁶

On January 14, 2000, nineteen men, at least five of whom admitted being OPC members, were arrested by the police in Mowo, in the Badagry area of Lagos, and charged with murder and conspiracy to murder. One of them, who was an OPC member, described in a memorandum how he was first beaten by mobile policemen who arrested him at his home: “I was attacked and beaten to a point of unconsciousness/coma, stripped naked and dragged to the main road where I was made to lie down with my face on the ground while Mobile policemen stood around me at gun point. While naked they look over my body and said ‘Bastard Yorubawa —See marks on him [a reference to the traditional marks which many Yoruba have on their bodies]—he is OPC hopeless people.’” His statement then describes how he was tortured at Panti police station the following day, when he

¹¹⁵ Human Rights Watch interview, Lagos, September 14, 2002.

¹¹⁶ Human Rights Watch interviews, Lagos, May 22, 2002.

refused to sign a statement which he had not been allowed to read. “The policeman brought out a lengthy statement of about four pages front and back, this paper he gave me to sign the bottom end of the last paper. I told him to give me the statement to read it over before appending my signature on it, he nearly took life out of me for making such request. I was beaten with iron rod, stick and handle of his pistol [...] All my pleading earned me more beatings, I later suggested that if he could not give me to read, he should, in the name of Almighty Allah read the statement to my hearing, yet he threatened to shoot me.”¹¹⁷ He suffered serious injuries as a result of the torture. He was then detained in Ikoyi prison until August 11, 2000, when he was released.

Arrests of OPC Leaders

Frederick Fasehun has been arrested and detained several times, both before and since the Obasanjo government came to power in 1999. On December 18, 1996, he was arrested, charged with treason in connection with violent attacks, and detained for a year and a half; he was released on June 26, 1998, three weeks after President Sani Abacha died. Under the current government, he and forty-one alleged OPC members were arrested in October 2000 following the violence between the OPC and Hausa in Ajegunle; they were charged with various offenses including murder, conspiracy to murder, and unlawful possession of weapons. Fasehun was detained for a month in Ikoyi prison in Lagos. On the day he was due to be released on bail, he was re-arrested and transferred to Ilorin, the capital of Kwara State, where he was detained for a further four days, then released. The charges against him were dropped. Six other, lower-level OPC members also detained in Ilorin remained in detention for another three months.¹¹⁸

After the killing of DPO Amao in January 2000, Gani Adams was declared wanted by the police, who offered a financial reward of 100,000 naira (approximately U.S.\$770) for his capture; he went underground for several months. Eventually, he was arrested in Lagos on August 22, 2001, a week after another clash between the OPC and the police in Abeokuta, Ogun State. Gani Adams and the OPC claimed that he gave himself up voluntarily; however, numerous other testimonies contradict this somewhat unlikely claim. His arrest was highly publicized and was the subject of much comment by the media and the general public.

Gani Adams told Human Rights Watch that he was tortured soon after his arrest, in the statement room at the police station, and that he was kicked and beaten with batons. He said there were about twelve policemen present. They asked him for information about riots which had occurred on specific dates, but he refused to confess to anything. He claimed the police later tried to force him to sign a statement and hit him on the mouth with a pistol. He didn't sign their statement but wrote his own statement instead.¹¹⁹

After three days in police custody, he was taken to the magistrate's court then transferred to Kirikiri prison in Lagos. After several court hearings, and about forty days in detention, he was granted bail. However, he was immediately re-arrested just as the bail order was about to be signed. He was questioned for several hours again at the Ogun State police command; the police did not mistreat him. After four days, he was transferred to Ibara prison, in Abeokuta, Ogun State. Two weeks later, in late October, he was granted bail again and released. He had been charged with about twenty offenses, including murder, armed robbery, illegal possession of arms, and the attack on Abeokuta police station.¹²⁰ According to the police, he was released because there was insufficient evidence to connect him personally with any specific offense, and the charges were dropped.

Extrajudicial Executions

The police have shot dead scores of real or suspected OPC members, in the course of their operations to crack down on the organization. Some were killed when police stormed OPC meetings, others in the context of

¹¹⁷ See Memorandum submitted on behalf of Alhaji Alani Olabode Ajose by the CDHR to the Tribunal of inquiry into civil disturbances in Lagos State, January 26, 2001.

¹¹⁸ Human Rights Watch interviews with Frederick Fasehun and other OPC members, Lagos, May 22, 2000.

¹¹⁹ Human Rights Watch interview with Gani Adams, Lagos, May 23, 2002.

¹²⁰ *Ibid.*

shoot-outs between the OPC and the police. In many cases, it appeared that the police shot at them indiscriminately and made little or no attempt to arrest them without resorting to lethal force. Many of those killed may not even have been armed at the time. According to Frederick Fasehun, “killing an OPC member became a mark of honor for the police.”¹²¹ By August 2001, the OPC had drawn up a list of eighty of its members who had been killed by the police since the government ban on the organization in 1999. The real figure is likely to be higher.

One of the most serious recent cases was the extrajudicial execution of between thirty and forty-five OPC members by the police in Owo, Ondo State, in January 2002 (see details in section IV above). On the basis of past experience of events in Owo, described above, and the particular political environment there, it is possible to conclude that the OPC members who were intercepted by the police might well have been planning an attack or other acts of violence on that day; however, in such a case, the police should have made every attempt to arrest or question them, rather than engage in a violent battle which resulted in the death of such a large number of people.

An *okada* driver described how the police killed several OPC members at a location known as Afrimedia, in Alaba, Lagos in 2001: “The mobile police were after the OPC. They came with trucks. By chance the OPC happened to come along in a convoy of four vehicles. The mobile police just opened fire on them and killed at least five, then carried their bodies away. Some OPC ran into the swamp. The police were firing after them too. They killed at least six there. The bodies stayed there rotting. The police set the OPC vehicles on fire and burned them. I saw it happen. On that day, the OPC didn’t fire at the police. They were taken by surprise.”¹²²

The OPC itself has reported a large number of other cases where its members were killed by the police, for example:

- A press release issued by the Gani Adams faction of the OPC on July 23, 2000 describes an “unprovoked” attack by the police on a large OPC rally on July 16, 2000, in Lagos. OPC members from different areas of Lagos were to converge on the OPC headquarters in Mushin. The news release states that “heavily armed and fierce-looking policemen arrived in a convoy of about twelve lorries and immediately began firing live bullets on us.” Two OPC members died and several others were injured. As the OPC members then headed towards Bariga, they were reportedly ambushed there by the police; others were attacked by the police at Idimu, where six OPC members were killed.¹²³
- On October 10, 2000, several OPC members were shot dead by the police and others arrested during a march in Lagos organized by the Fasehun faction of the OPC to protest against violence against Nigerians in Libya. According a statement released by the OPC on October 11, 2000, the protesters were making their way towards the Libyan embassy in Lagos when police near the U.S. embassy opened fire on them, killing four on the spot. The police also raided the home of Kayode Ogundamisi, the OPC National Secretary, in Alimosho, Agege, apparently in an effort to arrest him; they did not succeed in apprehending him but arrested more than thirty other OPC members. They also shot dead Moojed Aromashodun, the OPC coordinator of Alimosho local government area, who was also the deputy head of the Eso group in Alimosho and Agege.
- The OPC has alleged that in two other incidents, on February 20 and 27, 2001, the police stormed their meetings at Agbodo, Egbe, in Lagos, killing six OPC members and injuring and arresting others.

¹²¹ Human Rights Watch interview, Lagos, May 22, 2002.

¹²² Human Rights Watch interview, Alaba, Lagos, September 1, 2002.

¹²³ OPC press release, July 23, 2000. Human Rights Watch has not been able to confirm whether OPC members also used violence during these incidents.

- On August 14, 2001, two OPC members—Lanre George and one other—were reportedly shot dead when the police stormed an OPC meeting in the Mokola area of Abeokuta. Several others were wounded and more than ten were arrested.¹²⁴
- On September 14, 2001, at least two people were killed when the police opened fire on a large OPC convoy of vehicles carrying several thousand members to the court to protest at Gani Adams's arrest and detention. Two died on the spot at Ikeja roundabout; several others were seriously injured.¹²⁵

In the same way that the police have sometimes arrested relatives of OPC members in their place, there have also been reports that relatives of OPC members have been killed by the police. For example, according to the CDHR, Ganiyu Lamidi and Sikiru Oseni were killed on January 11, 2000, in Somolu, Lagos, apparently because the police could not find their mother, whom they suspected of being an OPC member.

VII. RELATIONS BETWEEN THE OPC, THE GOVERNMENT, AND THE POLICE

Relations between the OPC and the Federal Government

Relations between the federal government and the OPC have ranged from distant to overtly hostile. However, there are indications that privately, relations may be more cordial than they appear. An activist close to the OPC summed up the situation to Human Rights Watch as follows: “Obasanjo wants to crush them but also engages with them.”¹²⁶ This contradictory attitude may be motivated by two opposing but equally strong motives, both linked to the government's insecurity: the fear that the OPC may directly or indirectly pose a real threat to the federal government's hold on power, and the desire to woo the OPC to its side and secure its support in the event of any serious opposition or threat to the government from other quarters.

President Obasanjo was quick to ban the OPC after coming into power. However, the “ban”, which was announced in public statements and broadcast by the media, was never formalized into law by publication in the government Official Gazette, nor was it passed as an act of the National Assembly. Many have questioned whether it has any status at all, and whether the president has the power to ban an organization in this manner. In any case, the ban has been systematically ignored by the OPC; it was even seized upon by some OPC members, including their leaders, as a form of provocation. Combined with the brutal crackdown by the police, it appeared, paradoxically, to encourage the more violent and daring elements within the OPC. An activist described the ban as an advantage for the OPC, in that it helped weed out members who were not sufficiently committed. He described the ban as a paper-tiger statement, which Obasanjo had felt obliged to impose as he was under pressure from the international community and business interests to be seen to be dealing with the threat of ethnic militia.¹²⁷ When Human Rights Watch asked the police in Lagos whether the ban was still in force in 2002, a police representative told us: “We presume it is, but you have to ask Abuja” (meaning the federal government).

Since 1999, federal government officials have periodically reiterated their opposition to the OPC and other ethnic militia. For example, in November 2000, following the release of Frederick Fasehun, Doyin Okupe, spokesman for President Obasanjo, stated: “The government has said it has banned the OPC and as far as the government is concerned the OPC remains banned.”¹²⁸ In June 2000, Minister for Information Jerry Gana described the use of ethnic militia as dangerous and said everything possible should be done to discourage their use; his comments provoked a backlash from state government officials who were broadly supportive of the OPC, in particular the Lagos State governor (see below).

¹²⁴ Likewise, Human Rights Watch has not been able to confirm whether OPC members also used violence during this incident.

¹²⁵ Ibid.

¹²⁶ Human Rights Watch interview, Lagos, May 26, 2002.

¹²⁷ Human Rights Watch interview, Lagos, May 26, 2002.

¹²⁸ See “Nigeria: Vigilante leader freed,” BBC News online, November 17, 2000.

The OPC as an organization has always outwardly shunned direct dialogue with federal government authorities. However, it is often alleged, including by prominent OPC members themselves, that OPC leaders have been in discreet but regular contact with federal government officials believed to be sympathetic to the Yoruba cause, including some of those close to President Obasanjo. Several senior federal government officials, including two ministers (former attorney general and minister of justice Bola Ige and former minister of internal affairs Sunday Afolabi), attended a meeting called in Ife in December 2000 to reconcile the two factions of the OPC, at a time when violence had broken out between the factions. According to a former leading figure within the OPC, the federal government took a direct interest in the internal matters of the OPC “because they knew it would be easier to talk to us if we were united.”¹²⁹

In January 2000, the Senate (the higher of the two chambers of the National Assembly) set up an ad-hoc committee to inquire into the problem of OPC violence, chaired by Senator Nuhu Aliyu, a former deputy inspector general of police. The committee was mandated to identify the causes of OPC violence and make recommendations to prevent further violence. It held public hearings in Lagos and Abuja from late January to early February 2000 and received submissions from members of the public. Its report condemned both the police and the OPC. It claimed that among the cases investigated by the committee, the OPC had been involved in fifty-six incidents in the Lagos area, in which 163 civilians, seven OPC members and nine policemen had been killed. The committee criticized the police not only for failing to take prompt action on security incidents, but also for the arbitrary arrest and detention of many alleged OPC members.¹³⁰ The committee was dismissed as biased from the outset by the OPC, who called on “all citizens of the South West to disregard whatever reports this committee may come up with.”¹³¹

In April 2002, President Obasanjo submitted to the National Assembly a bill outlawing ethnic militia. Entitled the Prohibition of Certain Associations Act 2002, the bill uses vague language and fails to define precisely the organizations it is seeking to prohibit. If passed into law without fundamental changes, it would grant sweeping powers to the president to outlaw a broad range of organizations—powers which could easily be abused to repress any group perceived to be opposed to the government, whether or not they had used or advocated violence. The bill states: “The President may, by an order published in the Gazette, dissolve and proscribe any group of persons, association of individuals or quasi military groups [...] which in his opinion, is formed for the purposes of furthering the political, religious, ethnic, tribal, cultural or social interest of a group of persons or individuals contrary to the peace, order and good governance of the Federation and the provisions of this Act.” It gives powers to the police to enter “any house, building, or any place whatsoever in which the designated officer [the Inspector-General of police] has reason to believe that a meeting of a proscribed association or of persons who were or are members of the association is being held”, to “arrest any person found in the house, building or place whom he has reasonable cause to believe is or was connected with the association or meeting; search the said house, building or place; and seize all insignia, banners, books, papers, documents and other chattel of the association, which he may have reasonable cause to believe belonged to the association or to be in any way connected with the purposes of the association or meeting.”¹³²

The bill does not specifically name the OPC or any other organization. However, it has been widely assumed that the OPC would be among the organizations to be outlawed if and when the bill becomes law. Frederick Fasehun challenged the government over the bill before a federal high court in Lagos in May 2002, on several grounds including that the bill violated the right to freedom of association and freedom of assembly; he also sought an order of injunction preventing the bill from being passed into law.¹³³ By the end of 2002, the bill had been through a reading by the Senate but had not yet been passed into law.

¹²⁹ Human Rights Watch interview, Lagos, September 2, 2002.

¹³⁰ See summary of the Senate committee’s report in *The News* (Lagos), March 6, 2000.

¹³¹ OPC press statement, February 4, 2002.

¹³² Bill “for an act to provide for the prohibition etc of any group of persons, association or individuals or quasi military group and for matters related therewith.”

¹³³ See for example “Court grants Fasehun leave to challenge planned bill on militant groups,” *Vanguard* (Lagos), May 14, 2002.

During 2002, the OPC's attitude towards the federal government seemed to soften. When the National Assembly launched impeachment proceedings against President Obasanjo in September 2002, the OPC suddenly rallied to his defense and called for the impeachment proceedings to be dropped. For the OPC, the fact that it was a Yoruba president who was under attack seemed to have overshadowed the organization's earlier, vehement criticisms of the president and federal government institutions. The OPC opposed the impeachment of the president on the grounds that the move was part of the continued marginalization of the Yoruba. For example, at a rally in Lagos on October 1, 2002, Frederick Fasehun warned: "We seize this occasion to warn our co-tenants that this roaring and threats must stop. We have held our peace for over 40 years without reacting to such threats, we have endured all sorts of sufferings and deprivations [...] We do not want to kill because we are not murderers. But we want the whole world to know that OPC is an itching powder, whoever rubs it the wrong way will have himself to blame. [...] Obasanjo today rules, no one can expect him to repair in three years the damage of 30 years. It is impossible. The threats against him must stop. Enough is enough. If we see any Yoruba persons championing the cause of impeachment they shall not be allowed to return to the Yoruba nation anymore [...]"¹³⁴ Gani Adams also publicly opposed the impeachment moves, including in a press conference in Mushin, Lagos, on October 22, 2002.¹³⁵

Relations between the OPC and State Governments in the Southwest

The OPC has enjoyed a close relationship with state governors and other state government officials in the southwestern states, in which the Yoruba are the majority ethnic group. It has been a relationship of mutual benefit, with state governments and the OPC engaging with each other to further their own aims.

Officially the state governments deny having any relationship with the OPC. For example, both the attorney general and commissioner for justice of Lagos State and the special adviser on security to the Lagos State governor told Human Rights Watch that there was no relationship whatsoever between the state government and the OPC.¹³⁶ When Human Rights Watch met the Secretary to the Ondo State government, he also told us: "I am not aware of OPC activities here as the organization is banned. The state government has no direct relations with OPC. [...] The OPC doesn't have a presence in Ondo State. We don't know where they are. We have no connection with them and they have no connection with us. If the police knows where they are, they should arrest them. We read about the OPC just like everyone else. We can't say they're here or not here as we don't deal with them."¹³⁷ In practice, however, the ease with which the OPC is able to operate in their states demonstrates at the very least state governments' tacit support and tolerance of their presence.

Most of the OPC leaders also deny these links, but in practice, they have privileged and direct access to some state governors and other key state government officials. A former leading member of the OPC told Human Rights Watch: "Relations with state governments are OK. They don't cause problems for the OPC. If we have a problem, for example a wrongful arrest of one of our members, we report it to them. We contact the office of the director of state security." However, he went on to explain that the state governors could not support their cause "because they have become part of the Nigerian government."¹³⁸ A lower-ranking former OPC member summed up the ambiguous relationship between the Lagos State governor and the OPC as follows: "The relation is semi-cordial. The governor wants to get close to us but we can't get pally with any politician. The state tried to embrace the OPC. They are friendly, but not fully."¹³⁹ Another activist, when asked by Human Rights Watch

¹³⁴ "OPC protest against planned impeachment of Obasanjo," *Vanguard* (Lagos), October 2, 2002. See also "OPC mounts pro-Obasanjo procession in Lagos," *This Day* (Lagos), October 2, 2002.

¹³⁵ See "Press release: being the text of speech delivered by Mr Gani Adams, President, Oodua People's Congress at the press conference held at Olusoga Street, Mushin, Lagos, on Tuesday 22nd October 2002."

¹³⁶ Human Rights Watch interview with Prof. Yomi Osibanjo, attorney general and commissioner for justice, Lagos, June 3, 2002, and with Alexander Babatunde Panox, special adviser on security to the Lagos State governor, Lagos, September 26, 2002. A commissioner is the equivalent of a minister at the level of state governments.

¹³⁷ Human Rights Watch interview with Chief Wunmi Adegbonmire, Secretary to the Ondo State government, Akure, Ondo State, September 5, 2002.

¹³⁸ Human Rights Watch interview, Lagos, September 2, 2002.

¹³⁹ Human Rights Watch interview, September 14, 2002.

about the OPC's sources of funding, said that despite their close relations, state governments as such were not funding the organization, but its funding came from wealthy individuals, "including some in government."¹⁴⁰

The high-level contacts have worked in both directions, sometimes with a positive intent. According to a leading member of the OPC, "at the height of the violence, the [Lagos State] governor played a vital role in bringing the sides together. Whenever there is a crisis, he contacts the OPC leaders [...]"¹⁴¹ Dr Remi Anifowose, of the Department of Political Science of the University of Lagos, has commented: "There have also been conciliatory and reformatory approaches to redress the discontent of the OPC, especially by the Lagos State Government. It is noteworthy that it took the intervention of the governor of Lagos State to bring the two warring factions of the OPC to a temporary truce. Again, after each ethnic clash, Governor Tinubu [of Lagos State] has usually held reconciliatory meetings with the leaders of the affected ethnic communities and the OPC [...]"¹⁴²

On December 1, 2000, the Lagos State governor set up the Tribunal of Inquiry into Civil Disturbances in Lagos State between October 1999 and October 2000, chaired by Justice Victor Famakinwa. Unlike the Senate committee, this tribunal had very broad terms of reference, which went well beyond the specific phenomenon of OPC violence. They included inquiring into the causes of the civil disturbances; ascertaining the circumstances surrounding the incidents; determining the number and identity of casualties and the individuals or groups responsible; inquiring into "other matters incidental to the above which may assist the State Government in coming to a fair and just conclusion on the subject matter of the inquiry"; and making recommendations to prevent further violence.¹⁴³ The tribunal held public hearings and received hundreds of memoranda from members of the public.

The report produced by the tribunal and submitted to the Lagos State governor describes a number of incidents of violence in Lagos, several but not all of which involved the OPC, including the violence in Ketu/Mile 12 and Ajegunle. Of the incidents they studied, they counted a total of 261 deaths (which included 167 Hausa and seventy-nine Yoruba) and forty-two injuries (which included twenty-seven Hausa and fifteen Yoruba); however, the report states that these numbers are not exhaustive and that exact figures were difficult to obtain because many dead bodies had been removed from the scene (again, these figures refer to all the incidents they studied, not only those involving the OPC). The report lists the OPC among several groups responsible for the violence in Ajegunle in 1999 and 2000, and in Ketu and Akala in 1999. With regard to the 2000 clashes in Ajegunle, the report confirms that "OPC members and persons claiming to be OPC members were involved in the crises, although there is no conclusive evidence that their involvement was based on an organisational decision." The 1999 violence in Akala is described as "a result of the attempt by the OPC to rid the Akala Area in Mushin of hoodlums"; the operation is later referred to as OPC members embarking "on a forceful clean up of the notorious Akala Area of Mushin, which they believed to be a den of criminals."¹⁴⁴

The tribunal's report highlights some of the fundamental problems with the capacity of the police to respond to outbreaks of violence, stating that when the police did eventually intervene, they often used excessive force and "police/military personnel shot innocent members of the public indiscriminately." A section of the report describes the organization of "ethnic-based youths groupings," including Hausa, Yoruba, Igbo, and Ijaw, all of whom it concludes have been responsible for violence. Speaking about the Yoruba groups, the report states: "There was unassailable evidence before the Tribunal that OPC members who are mainly youths of Yoruba origin were actively involved in violent attacks of non-Yorubas and even some Yorubas." The report contains twenty-one recommendations for the prevention of further violence, which include investigating the allegations of

¹⁴⁰ Human Rights Watch interview, Lagos, May 26, 2002.

¹⁴¹ Human Rights Watch telephone interview, July 12, 2002.

¹⁴² See "Urban violence in Nigeria: the case of the O'odua People's Congress (OPC) militia" by Dr. Remi Anifowose, Department of Political Science, University of Lagos, a paper presented at the Faculty of Social Sciences conference on "Industrialisation, Urbanisation and Development in Nigeria, 1950-1999 and beyond," 15-16 November 2000, University of Lagos.

¹⁴³ See "Lagos State Government Report of the Tribunal of Inquiry into Civil Disturbances in Lagos State between October 1999 and October 2000 submitted to Senator Bola Ahmed Tinubu, Executive Governor of Lagos State", Volume I.

¹⁴⁴ Ibid.

killings by the OPC, Hausa groups and the police in Ajegunle and initiating prosecution if there is sufficient evidence.¹⁴⁵

While the Lagos State governor may have privately appealed to the OPC leadership on several occasions to refrain from using violence, and, according to at least one OPC leader, been “embarrassed” by some of the OPC’s actions, in public neither he nor other state government authorities in the southwest have strongly condemned the organization’s use of violence. Their relative silence on this point can be attributed in part to the strong solidarity which exists among Yoruba, and the fact that the OPC, to a large extent, is defined by its ethnic identity. According to many Yoruba observers, this solidarity is one of the main reasons why none of the state governors in the southwest—all of whom are Yoruba—feel able to denounce the OPC, even if they privately disapprove of its methods. The OPC has become a symbol of the Yoruba cause, which no Yoruba governor will explicitly oppose. The solidarity extends well beyond state governors, and explains why even ordinary Yoruba people who have been victims of OPC violence rarely speak out against them. Fear also remains a significant factor which discourages ordinary Yoruba men and women from openly criticizing the OPC.

Some governors have gone further and have attempted to use the OPC for their own purposes, either to score political points against the federal government, as in Lagos (see below), or to fight local battles, as in Ondo. It is likely that the use of the OPC for political violence could increase in the period leading up to elections in 2003, and there are credible fears that some politicians or political parties may be planning to deploy them to this end. An activist close to the OPC said some of the governors see the OPC as “bargaining power. They send them out to bark when the north threatens. Some governors used to be passive or active members of OPC before they became governors. They keep the OPC in reserve as they know they will use them one day.”¹⁴⁶ Human Rights Watch researchers visiting Ondo state in September 2002 happened to meet a large convoy of people on their way to a rally of the Alliance for Democracy (AD) in the state capital Akure; in the convoy were several vehicles bearing OPC banners.¹⁴⁷

Some state governors have spoken out publicly in favor of using the OPC to enforce law and order, pointing to the ineffectiveness of the federal police. This has led some of them into direct conflict with federal government authorities, particularly in Lagos where the state governor clashed with President Obasanjo after the president threatened to declare a state of emergency in Lagos State in January 2000. Lagos State governor Bola Tinubu publicly stated on several occasions that he agreed with using the OPC to curb crime in the absence of any police force able to do so. For example, he said: “The return of the OPC is one of the options ... Any means necessary to step down the crime wave in the state and control it will be adopted.”¹⁴⁸ Following a tough statement by Minister for Information Jerry Gana reiterating the federal government’s opposition to the use of the OPC and other ethnic militia, Bola Tinubu responded as follows: “OPC can flush out criminals in Lagos, they have done so, wonderfully, well before, and I have the capability as the chief security officer of the state to control the excesses of the group, should any of the members misbehave [...] They were doing well before they became hired thugs and it was only a few of them; they are part of our citizens anyway and we should just encourage them, they might be OPC or any other group but they are Nigerians.”¹⁴⁹ His position was broadly supported by the AD political party and by the Lagos State House of Assembly.

The governor of Oyo State, Lam Adesina, has also supported the use of the OPC to curb crime, blaming the federal government and the police for a failure to ensure security. He stated: “We have a militant group in Yoruba land called the OPC, they may have outlawed it. But if the president do nothing about all these [crimes], we will have to establish it. We are going to establish it so that our people can feel that they are actually secure.”¹⁵⁰

¹⁴⁵ Ibid.

¹⁴⁶ Human Rights Watch interview, Lagos, September 8, 2002.

¹⁴⁷ The Alliance for Democracy is the dominant political party in most of the southwestern states and draws most of its support from the Yoruba.

¹⁴⁸ “Lagos considers vigilantes to fight crime wave,” Reuters, quoting *The Vanguard*, June 14, 2001.

¹⁴⁹ “FG can’t stop me from using OPC, says Tinubu,” *This Day* (Lagos), June 22, 2001.

¹⁵⁰ “Adesina to engage OPC over crimes,” *This Day* (Lagos), January 22, 2002.

The special adviser on security to the Lagos State governor told Human Rights Watch: “The police are overwhelmed by the enormity of the crime situation in Lagos. It is therefore absolutely necessary to involve the citizens in maintaining security. Every group, be it OPC, Egbesu, or Bakassi are welcome as long as they help to maintain security in Lagos. Who will not go to the devil for protection if you can’t get protection from elsewhere?”¹⁵¹ He denied any knowledge of killings by the OPC, saying: “I am not aware that the OPC carry arms or are engaged in extrajudicial killing. Go and ask the federal government. It is their responsibility to provide security. They give licence to carry arms. So if any organization carry arms it is the federal government that should worry about that, not us.”

State governments have taken advantage of the controversy surrounding the OPC to reiterate their demands for a state police force. For several years now, a number of state governments have claimed that the centralized, federal nature of the Nigerian police force means that it is unable to police local conflicts effectively; they have also pointed out that the fact that the police is accountable to the federal government rather than the state governments creates a conflict of interest and undermines the governor’s role as chief security officer for his state. Some of them have pointed to the existence of the OPC as evidence that the current police structure does not work.

For example, the attorney general and commissioner for justice of the Lagos State government told Human Rights Watch: “I believe that the whole of problem of OPC arose because of the inefficiency of the federal police force. The crime rate in Lagos is alarmingly high. People resort to jungle justice. They had more faith in the OPC than the police. You can’t blame them. [...] As long as people’s lives and property cannot be guaranteed by the federal police, people will continue to depend on organizations like OPC. People have expressed fear that politicians will hijack the state police. I do not think it is possible, but even then, it is a small price to pay considering its benefit.” He also blamed the federal police for the failure to prosecute OPC members responsible for violence, claiming: “We have never got any advice from the police to prosecute OPC members [...] There was never any police report on OPC sent to my office.”¹⁵²

Human Rights Watch agrees that the federal police force has failed to ensure the security of the population and has been responsible for widespread and serious human rights abuses across the country. Its inability to maintain law and order effectively has been one of the factors which has given rise to vigilante groups. However, the creation of state police forces would not necessarily solve all these problems, and while it could offer some advantages, it could also lead to the emergence of new patterns of abuse. The primary reason why some state governors are not happy with the federal nature of the police force is that they are unable to exercise control over the police in their state. While in some cases their motives for seeking greater control may be well-intentioned and in the interests of security in their state, in other cases it has been clear that they have been frustrated by their inability to use and manipulate the police freely for their own purposes. The increasingly political use of vigilante groups—not only in the southwest, but also in the southeast and other parts of the country—has demonstrated that such groups can quickly exceed their original functions and become prone to manipulation by politicians. A state police force could be subject to the same kind of manipulation, with the added legitimacy of being a recognized law enforcement agency. On the other hand, Human Rights Watch recognizes that the federal police force has also been used to fight political battles and that its federal nature is not a safeguard against such abuse.

Human Rights Watch does not take a position on whether the police in Nigeria should be organized along federal or state lines. However, there is a clear need for a range of fundamental reforms, both legal and practical, to ensure that the police are held accountable for their actions; as well as adequate resources and training to ensure

¹⁵¹ Human Rights Watch interview with Alexander Babatunde Panox, special adviser on security to the Lagos State governor, Lagos, September 26, 2002.

The Egbesu Boys and the Bakassi Boys are armed groups who have taken on vigilante functions in the southern and southeastern states of Nigeria. The Egbesu Boys are drawn from the Ijaw ethnic group and are active primarily in the oil-producing area of the Niger Delta.

¹⁵² Human Rights Watch interview with Prof. Yomi Osibanjo, Attorney General and Commissioner for Justice, Lagos, June 3, 2002.

that they perform their duties effectively, without violating human rights. Whether Nigeria eventually adopts state police or maintains the current federal structure, there must be mechanisms for ensuring strict accountability and safeguards to protect against abuse and corruption by the police. Such measures would not only ensure that groups such as the OPC would have no excuse for turning to vigilante work, as the police would be performing their law and order duties more effectively, but would also go a long way towards curbing other violent acts by the OPC and other ethnic militia.

Relations between the OPC and the Police

As illustrated in this report, the relationship between the OPC and the police has been characterized by conflict, competition, violence, and abuse of human rights, on both sides. Under previous governments and during the earlier period of the Obasanjo government, there were frequent and fierce clashes between the police and the OPC, likened by some to an “all-out war.” The violence was caused in part by the defiance of the OPC and in part by the brutal tactics used by the police against them. The OPC did not succumb to police intimidation, despite losing many members. According to one Lagos-based activist, the slogan of the rank-and-file is: “I am a member of the OPC full-heartedly” and they tell the police: “do your worst.”¹⁵³ Another activist said: “The more they [the police] kill people, the more members join. The authorities see us as an obstacle. They are making us stronger.”¹⁵⁴ As mentioned above, the OPC have repeatedly attacked police stations, causing extensive damage, and have killed and injured policemen; the police in turn have carried out many extrajudicial executions of real or suspected OPC members, including in situations where they were not posing any threat to security.

When the OPC started turning into a vigilante group, this further complicated its relations with the police. In addition to the open hostility which already existed between the two, it created a kind of competition, with the OPC effectively substituting for the police. Some incidents in which OPC members claimed to be intending to hand over criminal suspects to the police have turned into ugly confrontations. However, in other situations, the police have virtually conceded to the OPC and stepped back, seemingly helplessly, while the OPC took over their functions. In a few, rare cases, the OPC have collaborated with the police and handed over suspected criminals to them.

The police, and, to an extent, the government, have faced a dilemma in deciding how to deal with the OPC. The OPC’s changing faces, its ideological agenda as distinct from its violent activities, and its internal divisions have posed significant challenges and have meant that automatic repression of the OPC in all its manifestations simply on the grounds that it is a violent organization could not easily be justified. Police officials have sometimes been forthright in their explanation of the problem: several of them complained to Human Rights Watch that the government’s ban on the OPC was not legally or practically enforceable, yet the government has at times expected them to enforce it. The Lagos State Commissioner of Police said: “The OPC is an unconstitutional organization, therefore one shouldn’t really deal with them. No law established it. There is a federal government ban, therefore we can’t contradict it, but there is no law.”¹⁵⁵

The police said that they had had to release many OPC members they had arrested, because it was not a criminal offense to be a member of the OPC; some went out of their way to stress that this demonstrated that the police were respecting freedom of association. The Police Public Relations Officer (PRO) of Lagos State told Human Rights Watch: “No OPC member has been arrested for being an OPC member, except Gani Adams. Even then, he was not arrested as OPC leader. He was accused of murder and conspiracy to murder. Being an OPC member is not an offense.”¹⁵⁶ In many cases, it appeared that the police also lacked sufficient evidence to bring criminal charges against specific individuals. This is typical of the broader failures of police investigations, common to all criminal cases, which is attributable in part to a serious lack of capacity and in part to a lack of concerted, effective action to curb violent crime through the appropriate legal channels. In addition, there have

¹⁵³ Human Rights Watch interview, Lagos, May 22, 2002.

¹⁵⁴ Human Rights Watch interview, Lagos, September 14, 2002.

¹⁵⁵ Human Rights Watch interview with Young Arebamen, Commissioner of Police, Lagos State, Lagos, September 3, 2002.

¹⁵⁶ Human Rights Watch interview with Victor Chilaka, Police PRO, Lagos, May 27, 2002.

been situations where the police have been physically overpowered by the OPC and have been unable to carry out arrests or even confront the OPC, for fear of the consequences for their own members.¹⁵⁷

Hostility between the OPC and the police continued until early 2002. Since then, there have been fewer clashes, but there remain deep mutual suspicions beneath the apparent calm. OPC leaders have gradually adopted a more conciliatory tone towards the police; they have made a concerted effort to state publicly that they want to work in cooperation with them to fight crime. For example, in December 2002, OPC leaders announced that they would arrest and hand over to the police any thugs used by politicians to carry out political violence in the run-up to the 2003 elections.¹⁵⁸

These statements may simply be aimed at improving the OPC's public image. A Lagos-based journalist described the current state of the relationship as "a kind of cold war. There is still suspicion, but the era of confrontation seems to be over."¹⁵⁹ Many observers believe that the release of Gani Adams just a few weeks after his arrest in August 2001 was instrumental in dousing tensions between the OPC and the police, and may have been motivated by a desire to avoid increasing the potential for violence, or denying the OPC any pretexts for claiming they had been provoked into violence by the arrest of their leader.¹⁶⁰ The police have denied any such motive and claimed that Gani Adams was released because of a lack of specific evidence implicating him personally in crimes committed by members of his organization. However, in December 2002, after several months of relative calm, the police carried out scores of arrests of OPC members of the Gani Adams faction in Ondo State, following a fresh clash in Owo; those arrested faced various charges including attempted murder, unlawful possession of weapons, and belonging to an unlawful society.¹⁶¹

VIII. CONCLUSIONS AND RECOMMENDATIONS

Persistent human rights violations, poverty, unemployment, and political and economic frustrations are the root causes of much of the violence which has plagued Nigeria over the years and which has continued under the government of President Obasanjo. If anything, many Nigerians have felt even more alienated and resentful as the advent of an elected, civilian government has not led to significant improvements in their plight, and the government has failed to deliver on many of its promises. Although Nigeria has seen some human rights improvements under President Obasanjo's government, notably in terms of respect for freedom of expression, serious human rights violations, including extrajudicial executions, torture, and prolonged pre-trial detention, have remained unchecked, and few of the individuals responsible for these violations have been brought to justice. In addition, thousands of people have died in inter-communal conflicts in different parts of the country.

The phenomenon of OPC violence is one symptom of these much deeper problems which affect the entire country. To a greater or lesser extent, armed groups—whether vigilantes, political thugs, or ethnic militia—have sprung up in most of Nigeria's states. The large number of unemployed, young men with little or no prospect of a successful future has created a fertile breeding ground for militia violence, and has provided a ready source of supply to those wishing to subdue their real or perceived opponents. The OPC, like many other groups, has drawn its support from this generally disenfranchised sector of the population which, combined with the easy availability of weapons, has meant that it has been able to mobilize supporters quickly, with often devastating consequences. The OPC has acted as a convenient channel for public anger, but has not taken responsibility for the manner in which this anger has been expressed or its consequences. Due in part to the amorphous nature of the OPC, the way its members merge with the broader Yoruba population, and the factional splits, OPC leaders have mostly managed to evade responsibility for the actions of their organization.

¹⁵⁷ Human Rights Watch interviews with a range of police officials, May and September 2002.

¹⁵⁸ See "OPC to arrest political thugs during 2003 polls, says Fasehun," in *Vanguard* (Lagos), December 13, 2002, and "2003-OPC cautions against use of thugs," in *ThisDay* (Lagos), December 12, 2002.

¹⁵⁹ Human Rights Watch interview, Lagos, May 18, 2002.

¹⁶⁰ Human Rights Watch interviews with human rights activists, journalists and others, Lagos, May 2002.

¹⁶¹ See "60 OPC members nabbed for attempted murder," in *Daily Trust* (Abuja), December 12, 2002, and "Police arraign 43 OPC members in Ondo," in *Vanguard* (Lagos), December 20, 2002.

Any long-term solutions being contemplated for resolving the problem of OPC violence must therefore look for ways of addressing the broader political, economic and social problems in Nigeria which enable such groups to emerge in the first place. The recommendations in this report do not attempt to solve these broader issues, but many of them, if implemented, would address at least the two fundamental issues of impunity and accountability. The recommendations below concentrate primarily on preventing human rights abuses by the OPC and by the government and police against the OPC documented in this report.

Human Rights Watch is urging the Nigerian government to pay particular attention to the risk of a further escalation of violence as the 2003 elections draw closer. Political assassinations and other acts of politically-inspired violence and intimidation have increased steadily during 2002 as politicians and would-be politicians on all sides have mobilized their supporters against their opponents.¹⁶² While the OPC has not claimed to have aspirations to become a political party or to seek political office for its members, it cannot be considered as a neutral organization in the highly-charged political atmosphere leading up to the elections. Despite its official stand of non-participation in the affairs of political parties, the organization has clearly taken a position on a number of political issues, as mentioned in this report. It should also be recalled that the OPC carried out violent protests and attacks at the time of the last elections in Nigeria, in 1999. Although the political context was different in 1999, many of the grievances expressed by the OPC, particularly concerning the unrepresentative nature of the government and the structure of the Nigerian federation, and which they evoked as justification for their violent protests in 1999, remain issues of real concern in 2002.

With specific regard to the 2003 elections, OPC leaders have sent out mixed messages. On the one hand, they have condemned political violence and promised to arrest political thugs; on the other hand, they have stated explicitly that they will not allow elections to take place if their demands for a sovereign national conference are not met. They have also warned non-Yoruba politicians not to seek political office in the southwest and have vowed that in the event of political seats being won through fraud or rigging, they would make those areas of Yorubaland “ungovernable.” Speaking to journalists in December 2002, Frederick Fasehun said: “While we welcome our visitors to realize their full political, social and commercial ambitions while living amongst us, we must let them know that they must not be desperate to seize power from their Yoruba host communities.”¹⁶³ It is clear that in an atmosphere where political violence is rife and where few are ever brought to book for these abuses, ethnic militia and other armed groups are likely to gather strength as the stakes rise: political and ethnic groupings are fighting an increasingly desperate battle as they view the forthcoming elections as a unique chance to acquire a greater share of political and economic control.

In addition to the specific recommendations below, Human Rights Watch is urging the Nigerian government to accelerate the long-awaited reform of the 1999 constitution and ensure that there is meaningful consultation with civil society and all sectors of public opinion.¹⁶⁴ Self-determination groups and other organizations advocating particular points of view have the right to be heard. By showing its commitment to genuine and open debate on the range of political and social issues facing Nigeria, and listening to the voices of ordinary Nigerians, the government would deprive groups such as the OPC and other ethnic militia of their pretexts for resorting to violence and would ensure that there was adequate space for individuals and organizations to express their views

¹⁶² See Human Rights Watch briefing paper “Nigeria at the crossroads: human rights concerns in the pre-election period,” January 2003.

¹⁶³ See “2003 elections – OPC bans non-Yoruba aspirants in southwest,” in *P.M. News*, December 13, 2002, and “Don’t seek election in south-west, OPC warns non-indigenes,” in *Daily Trust*, December 16, 2002.

¹⁶⁴ The 1999 constitution, which was promulgated under military rule but remains in force, is viewed by many Nigerians as flawed and unrepresentative. In October 1999, President Obasanjo set up a presidential technical committee to revise the constitution; the committee presented a report to the president in February 2001. Separately, in 2001, the National Assembly set up its own constitutional review committee and submitted a report in October 2002. At the time of writing, neither review process has yet been finalized. Nigerian non-governmental organizations have criticized both reviews for insufficient consultation with civil society. Under the umbrella of the Citizens’ Forum for Constitutional Reform, a coalition which has been actively campaigning for changes to the constitution, civil society groups have come together to propose an alternative model constitution.

freely and peacefully. While the violence used by ethnic militia can never be tolerated, it must also be recognized that the growth of such groups in Nigeria has been a reflection of a sense of disenfranchisement, exclusion and loss of faith in the capacity or will of the government to address these issues seriously. Human Rights Watch recognizes that Nigeria's ethnic and political tensions are not easy to resolve, but believes that the government could be doing significantly more than it has done until now to consider different constituencies' demands fairly and openly.

Recommendations:

To the Leaders of the OPC

- Leading officials of both factions of the OPC, at national and local levels of the organization, should reiterate explicitly to their membership that acts of criminal violence and human rights abuse will not be tolerated. Public statements should be backed up by action, including the immediate dismissal of any OPC members involved in violence. OPC members who are found to have participated in acts of violence should be handed over to the police. Leaders should make clear to their members that human rights violations by the federal government or the police, however serious, are never a justification for responding in kind.
- OPC leaders should take responsibility and be accountable for human rights abuses carried out by their members, especially in view of the clear structure, hierarchy, internal communication and disciplinary procedures that exist in the organization but that are not being used effectively to prevent violence. OPC leaders should publicly condemn any incident of violence in which OPC members have participated. They should also acknowledge that OPC members have engaged in serious acts of violence in the past, as a first step towards improving the image and the conduct of the organization, and cooperate with the police and judicial authorities in investigating these incidents and identifying those responsible.
- Give clear instructions to OPC members involved in vigilante work to immediately hand over to the police any suspected criminal they apprehend. Under no circumstances should OPC members dispense their own form of justice to alleged criminals, such as beatings, torture, or extrajudicial killings. Every criminal suspect has the right to be presumed innocent until proved guilty by the competent judicial authorities. While OPC members, like any citizens, can assist the police in detecting and reducing crime, such initiatives should always be carried out in cooperation with the police. The OPC has no status or right to perform the duties of a law enforcement agency in terms of punishing alleged criminals.
- Refrain from making any statements which encourage violence, hostility or intimidation towards other groups on the basis of their ethnicity or region of origin.
- Reiterate to OPC members that they should not engage in political violence or hire out their services to politicians who are seeking to recruit thugs in the period leading up to elections, or at any other time.

To the Nigerian Federal and State Governments

Human rights abuses by the OPC and other armed groups

- Investigate all cases of violence and other criminal activity in which the OPC or other armed groups are implicated. Investigations should include those persons ordering or conspiring to commit illegal acts as well as those who carried out the crimes. Those arrested must be charged and prosecuted in accordance with due process. In the case of persons who have been released on bail, clarify whether

the charges still stand; these individuals should either be tried promptly, or the charges should be formally dropped.

- The federal government should investigate the role of federal, state and local government officials in encouraging or tolerating criminal activity by the OPC in their state. Where officials participated in or assisted the OPC in criminal acts or otherwise failed to meet their legal obligations under international human rights law, the government should provide adequate compensation to victims of OPC violence.
- Governors and other government officials should strongly and publicly condemn all acts of criminal violence by the OPC and other groups and make clear that those responsible will be brought to justice. However inadequate the police force may currently be in controlling crime, state governors should not resort to using the OPC or other similar groups to replace the police, nor should they make statements encouraging the population to do so—a situation which will result in further lawlessness.
- Prevent further vigilante violence. Human Rights Watch recognizes that some types of citizens' involvement in crime control can play a useful role in contributing to local security, especially when the police force appears unable to protect the population. However, measures should be taken to ensure that any crime-fighting groups which do operate are held legally accountable for their actions and that their activities are closely monitored to prevent abuses. Such groups should always be required immediately to hand over any suspects that they detain to the police.
- Pay particular attention to the risks of an escalation of pre-election violence in the southwestern states, as elsewhere in Nigeria, and take preventive measures, including those listed above, to stop election candidates and their supporters from using the OPC and other armed groups to intimidate their opponents.

Human rights violations by federal and state authorities

- Release without delay real or suspected OPC members and their relatives who have been arbitrarily arrested in connection with incidents of violence and against whom there is no substantial evidence of participation in any criminal offense.
- Issue clear instructions to the police that the arbitrary and indiscriminate arrest of individuals merely on suspicion of being OPC members amounts to a serious human rights violation, for which those responsible will be brought to justice.
- Explicitly withdraw earlier statements by federal government officials instructing the police to “shoot on sight” OPC members. Make clear to the police that extrajudicial executions and excessive use of force will be prosecuted.
- Ensure that the OPC, like any other organization, is allowed to hold peaceful meetings in respect of the right to freedom of assembly and association.
- Instruct police officers that it is their duty to guarantee the security and protection of all sectors of the population, regardless of their ethnic or regional background or political opinions. Government officials should not undermine such instructions by hiring OPC members to take on security functions or encouraging them to replace the police.
- Respect individuals' right to express all non-violent political aspirations, and recognize that the violation of this right may encourage resort to violence. The government's response to the political claims of ethnically or regionally-based groups should differentiate between peaceful and legitimate

mobilization, on the one hand, and the manipulation of ethnic agendas and use of violence on the other.

- Encourage a political environment in which all ethnic, regional and political groups are able to express their views freely.

Police reform

- Devote urgent attention and generous resources to reforming and improving the national police force and enabling it to carry out its duties effectively. The government should provide adequate and timely payment to police officers and improve their working conditions, welfare and equipment, with a view to raising their morale. Mechanisms should be set up to eradicate corruption in the police force and bring to justice police officers responsible for human rights violations. The police should be provided with thorough training, which could be undertaken in conjunction with human rights organizations with expertise in this area, and should include practical application of human rights standards, including the U.N. Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- Promote dialogue and cooperation between the police and local communities to encourage them to work together in fighting crime. Such steps will eventually create a situation where people will no longer feel the need to turn to vigilante groups like the OPC for law enforcement and “justice.”

To the Nigerian Police

In the context of general adherence to international human rights standards:

- Refrain from carrying out arbitrary arrests of individuals simply on the basis that they may be OPC members.
- Investigate any OPC member implicated in criminal activity in accordance with international due process standards.
- Issue clear instructions to all members of the police force that torture and other ill-treatment will not be tolerated. Investigate all known reports of torture by the police and take appropriate action, including disciplinary measures and prosecution, against those responsible.
- Investigate all reported cases of extrajudicial executions of real or suspected OPC members and excessive use of force by the police, and institute judicial proceedings against members of the police found responsible. Immediately and publicly withdraw the instructions to shoot OPC members on sight and make clear to police officers at all levels of the force that extrajudicial executions constitute a serious criminal offense. If the police have reasons to believe individual OPC members have participated in criminal activity, they should make every effort to arrest them without resorting to lethal force.
- Refrain from storming or breaking up OPC meetings when there is insufficient evidence that those present are engaging in criminal activity. Such actions are in violation of the right to freedom of assembly, guaranteed in national and international law.
- In the event of a recurrence of further large-scale incidents of violence involving the OPC or other groups, the police should intervene without delay to quell the violence and arrest individuals suspected of being responsible, whichever community they may come from, without using excessive force.

To Foreign Governments and Intergovernmental Organizations

- Strongly condemn human rights abuses by and against the OPC and the tolerance of these abuses by government authorities; stress the responsibility of the federal government to prevent abuses by the OPC, in view of the unwillingness of state governments to do so. However, the federal government should ensure that the police do not carry out further human rights violations in the name of curbing OPC violence. Urge the Nigerian government to implement the recommendations above and to take action promptly to prevent an escalation of violence in the period leading up to elections.

- Governments providing assistance to Nigeria for reform of the justice sector and the security forces—especially the United Kingdom and the United States who currently have assistance programs in this area—are urged to ensure that any training or other assistance they provide includes a central human rights component. Governments that are already planning programs to facilitate reform of the Nigerian police should ensure that these include practical as well as theoretical training in human rights standards, in particular the U.N. Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. They should set up mechanisms to monitor regularly the observance of these standards and respect of human rights by those forces whom they have assisted or trained. The Nigerian police should be encouraged to develop positive relations with local communities to reduce the perceived need for vigilante groups and to increase public cooperation with the police in curbing crime.

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This report was written by Carina Tertsakian, researcher in the Africa Division of Human Rights Watch. It was edited by Bronwen Manby, Deputy Director of the Africa Division of Human Rights Watch, James Ross, Senior Legal Advisor of Human Rights Watch, and Iain Levine, Program Director of Human Rights Watch. Production and coordination assistance was provided by Jeff Scott, Associate in the Africa Division.

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