

# NIGERIA

## THE BAKASSI BOYS: The Legitimization of Murder and Torture

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## I. SUMMARY

Vigilante violence and human rights abuses by vigilante groups have become increasingly serious problems in Nigeria in recent years. Despite repeated government promises to tackle crime and to reform and expand the police force, the rate of armed robbery and other violent crime in Nigeria remains extremely high. The public maintains a profound distrust of the police, who are seen as ineffective, corrupt and often complicit in crime. In various parts of the country, especially in the large cities, people have felt so frustrated and powerless in the face of the inability of the police to ensure security that they have taken the law into their own hands and formed vigilante groups. In some states, these vigilante groups have been officially endorsed by state governments, and have been used not only to fight crime, but also to target political opponents. They have been responsible for serious human rights abuses, including scores of summary executions, torture, and arbitrary detentions for extended periods.

Among the more notorious of these vigilante groups are the Bakassi Boys, active in several states in the south-east of Nigeria. Initially created by traders to fight rampant crime in the large market towns of Aba, in Abia State, then in Onitsha, in Anambra State, the Bakassi Boys have since extended their operations across other parts of Abia, Anambra, and Imo states, with the active support of state governments. In Anambra State, they have been legally recognized, through a special law adopted in August 2000. The methods the Bakassi Boys have used to carry out their "mission" have been extremely brutal, ruthless, and arbitrary. Scores of people have been extrajudicially executed or mutilated in public by the Bakassi Boys; hundreds of others have been tortured and detained in their "cells." Few people appear to question the legality of their actions; large sections of the public, the media and some politicians have applauded them on the basis that they have "succeeded" in bringing down crime levels in the areas where they operate. Likewise, few people have challenged the Bakassi Boys' claim that all those they target are known criminals; most have preferred to turn a blind eye to the fact that many of their victims may be innocent and that even those who are guilty have a basic right to due process.

On the part of the public and politicians alike, there appears to be a general acceptance of the idea that only violence can combat violence, and an alarming tolerance of these groups, who are permitted to operate with near total impunity. Encouragement of vigilante violence is contributing to the ongoing brutalization of society and is perpetuating lawlessness and crime, while pretending to fight it. Through the actions of the Bakassi Boys, in the cities where they operate, armed robbery has been partially replaced, or displaced, by another, more insidious but equally brutal form of violence, which, furthermore, is sanctioned by the authorities. In the words of a man who was detained and tortured by the Bakassi Boys in Onitsha, "the peace we have now is the peace of a graveyard."

Researchers from Human Rights Watch and the Lagos-based Centre for Law Enforcement Education (CLEEN), a Nigerian non-governmental organization, visited the south-eastern Nigerian states of Enugu, Anambra, Imo, and Abia in October 2001 and spoke to a wide range of people there, including victims of abuses by the Bakassi Boys, human rights activists, lawyers, police authorities, and the vigilante leaders themselves. Unfortunately, the governors of the states where the Bakassi Boys are active did not grant us a meeting, despite our numerous requests to meet them. Many of the victims of torture and other abuses by the Bakassi Boys testified at great risk to themselves; some of their names are therefore withheld in this report to ensure their protection. Others, however, wanted their case to be publicized to demonstrate the brutality of the Bakassi Boys and the impunity that protects them.

Research by Human Rights Watch and CLEEN confirmed that in addition to targeting real or suspected criminals, the Bakassi Boys are increasingly being used for other purposes. Deviating from their original crime-fighting "mission," the Bakassi Boys have been called in to settle personal scores between individuals and to intimidate and attempt to eliminate perceived political opponents of state governors. They have murdered and tortured with impunity, under the protection of state authorities. In Anambra State, in particular, they have carried out grave human rights abuses with the active support of the state government and individuals close to the government, some of whom are alleged to have been personally involved in cases of unlawful detention, torture, and killing. In several cases documented by Human Rights Watch and CLEEN, there was close and regular

communication between vigilante leaders and Anambra State government officials, and evidence that the Bakassi Boys took their instructions directly from the state government. In one case, for example, the Bakassi Boys forced their way into the house of a man they abducted and later killed, announcing: “We are Bakassi Boys. It’s a government order.”<sup>1</sup> In another, a man who was abducted by the Bakassi Boys was told by one of them: “The government wants you to die.”<sup>2</sup> In some of the rare cases where members of the Bakassi Boys have been arrested, state government officials have intervened to ensure that they were released within a short time and were not tried with any criminal offence.

There are fears that in the period leading up to elections in Nigeria in 2003, the Bakassi Boys, as well as vigilante groups in other parts of the country, may increasingly become a convenient tool for politically-motivated violence and could be used by powerful local politicians to silence voices of opposition. Tensions between the police and the Bakassi Boys are also likely to increase during this period if state governors intensify the deployment of the Bakassi Boys against their opponents. The police remain a national institution, accountable to the federal government, not to state governments. Many state governors across Nigeria have been calling for the creation of state police forces—a demand that has been strongly resisted by the federal government. In the meantime, state governors in the south-east are using the Bakassi Boys as a substitute for their own police force, with the advantages of being able to deploy them and use them as they please, with no structures or mechanisms to regulate them, and no accountability.

In this critical period, it is essential that the federal government take prompt action –already long overdue—to avoid an escalation of violence and to restore respect for the established law enforcement agencies. In the longer-term, tolerance or, worse still, official, active endorsement of vigilante violence will encourage sectors of the public to continue taking the law into their own hands and will undermine any attempt to improve the conduct and effectiveness of the security forces and of the justice system as a whole.

Human Rights Watch and CLEEN believe that law enforcement duties, in any country, should be undertaken by official law enforcement agencies, and that efforts should be concentrated on ensuring that these agencies are able to work efficiently, with adequate training and resources, and without violating human rights. The existence of a clear legal framework is essential to ensure that all law enforcement agencies work within the rule of law and that they are accountable, within official structures and mechanisms, in order to prevent abuses and miscarriages of justice.

Self-appointed vigilante groups should never be a substitute for law enforcement agencies. Under certain circumstances, members of the general public may cooperate with and support the police in controlling crime. However, if there is citizen participation in schemes such as “neighborhood watches,” this participation should be regulated by law and there should be adequate procedures to ensure accountability and to prevent abuse.<sup>3</sup> Sections 12 and 14(1) of the Nigerian Criminal Procedure Act (CPA) provide for arrest by private persons. Section 12 states: “Any private person may arrest any person in a state who in his view commits an indictable offence, or whom he reasonably suspects of having committed an offence [...]”. However, section 14(1) adds: “Any private person arresting any other person without a warrant shall without unnecessary delay make over the person so arrested to a police officer, or in the absence of a police officer shall take such person to the nearest police station.” Detention and prosecution should only be undertaken by agencies officially and legally empowered to do so. If, as in the case of Nigeria, these agencies have proved themselves unable to carry out these functions effectively, the government should take measures to reform them and improve their relations with communities, to enable them to perform their tasks properly.

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<sup>1</sup> See details of the killing of Prophet Eddie Okeke in Section IV, 1, a below.

<sup>2</sup> See details of the arrest and torture of Ifeanyi Ibegbu, in Section IV, 1, c below.

<sup>3</sup> In addition to vigilante groups such as the Bakassi Boys, some local neighborhood watch groups in various parts of Nigeria have also been responsible for abuses and excesses.

The application of customary law in Nigeria provides a parallel context in which scope for vigilante action may have been interpreted differently. In the past, communities across Nigeria have had powers to enforce customary law. Although customary law, under the Traditional Rulers' Edict, is technically confined to civil rather than criminal matters, there has been a blurring of this distinction in theory and in practice, especially with regard to offences such as petty theft. The lack of clarity regarding the application of customary law, as well as varying interpretations of parallel judicial codes, has created sufficient ambiguities for vigilante action to be steadily extended.

Nigeria is a state party to the International Covenant on Civil and Political Rights (ICCPR). The extrajudicial killings and torture by the Bakassi Boys, and the tolerance of these abuses by state government authorities, are clearly in breach of articles 6 and 7 of the ICCPR. Article 6 states: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." Article 7 states: "No one shall be subjected to torture or to cruel, inhuman and degrading treatment or punishment." Nigeria is also a state party to the U.N. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, article 1 of which, in its definition of torture, refers to pain or suffering "inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity." Article 2 requires each state party to "take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction."

Similarly, the arrests and detention by the Bakassi Boys amount to a breach of article 9 of the ICCPR which states: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him. [...] Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful." The actions of the Bakassi Boys, often carried out with the support of state authorities, also disregard basic due process guarantees enshrined in article 14 of the ICCPR, which states: "Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law." Similar provisions are included both in the Nigerian constitution and in the African Charter on Human and Peoples' Rights, which has been incorporated into Nigerian domestic law.

As government officials, all state governors in Nigeria have a responsibility to ensure that human rights are protected in their states, and that law enforcement agencies, as well other groups to whom they delegate law enforcement functions, respect human rights at all times, in accordance with international standards, including the U.N. Code of Conduct for Law Enforcement Officials. Governors in those states where the Bakassi Boys operate have clearly failed to fulfill these responsibilities. Many of the recommendations in this report are addressed to both state governments and the federal government, who need to work together to investigate and prevent human rights abuses by vigilante groups. However, in view of the direct implication of state governments in the activities of the Bakassi Boys, and their obvious reluctance to take action to control them, the onus for preventing further vigilante violence in the south-east now rests primarily with the federal government. In addition to taking ultimate responsibility for these abuses which have been tolerated or sanctioned by state authorities, the federal government has to take responsibility for the longer-term consequences of allowing such a situation to develop, some of which are described in this report. Political considerations, such as not wishing to antagonize state politicians in the run-up to elections in 2003, should not prevent the government from taking the following measures as a matter of urgency.

## II. RECOMMENDATIONS

### **To the Nigerian government**

- Disarm and disband the Bakassi Boys. Ensure that no similar organization is created to replace it.
- Close down all detention centers and cells used by the Bakassi Boys.

### ***Investigation and prosecution***

- Investigate human rights abuses by the Bakassi Boys in the states of Abia, Anambra, and Imo, including the specific cases of unlawful detention, torture, and extrajudicial killings cited in this report, as well as others that have been reported. Case-files should be compiled on all known cases of human rights abuses by the Bakassi Boys and should be followed up by the police with a view to prosecution.
- Make public the results of these investigations.
- Ensure that those responsible for these abuses are brought to justice, including those who carried out the abuses, those who ordered them, and individuals who hired the services of the Bakassi Boys for purposes which led to human rights abuses.
- Investigate the broader role of state governors in ordering, encouraging or tolerating human rights abuses by vigilante groups in their state.
- Provide compensation to the victims of unlawful detention, torture and ill-treatment by the Bakassi Boys and to the relatives of those who have been killed.

### ***Prevention of further vigilante violence***

Human Rights Watch and CLEEN recognize that some types of citizens' involvement in crime control can play a useful role in contributing to local security. 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. Under no circumstances should they be allowed to detain people, "try" them or "judge" them, or administer punishments.

- Repeal laws which endorse the activities of the Bakassi Boys, in particular the law establishing the Anambra State Vigilante Services. Laws passed at the state level and laws passed at the federal level should follow the same rules, based on international standards, regarding citizen involvement in law enforcement, community policing and other related issues.
- Ensure that governors do not introduce or allow the introduction of the Bakassi Boys, or groups like them, into any other states, and publicly encourage and support those governors who have so far resisted public pressure to introduce them.
- Ensure that any force exercising government-endorsed law enforcement powers observes international standards for law enforcement, 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, and that members of that force are adequately trained in application of the above standards.
- Ensure that anyone suspected of committing a crime is arrested, the crime investigated, and where appropriate, the alleged perpetrator charged and tried within a reasonable time only by competent authorities legally empowered to carry out these functions. The presumption of innocence and the right to life and physical integrity should be respected in all cases.

- Embark on a public education campaign to raise awareness of the illegality of the operations of vigilante groups such as the Bakassi Boys and the fact that they routinely violate human rights. State publicly that individuals who hire the Bakassi Boys for their own ends will be brought to justice.

Such a campaign should be carried out in all the areas where the Bakassi Boys operate and should be conducted in consultation and, where appropriate, in collaboration with human rights organizations, lawyers and other concerned groups in the community.

- Pay particular attention to the risks of an escalation of pre-election violence in the states where the Bakassi Boys or similar vigilante groups are active, and take preventive measures, including those listed above, to stop election candidates and their supporters from using the Bakassi Boys or similar groups against their opponents. Any candidates found by a court of law or independent election commission to have used vigilante groups or ordered vigilante violence to further their political aims should be prohibited from contesting the elections.

### ***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. While restoring the public's respect and trust in the police is a longer-term goal, immediate steps can be taken to begin that process. 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.

In the states where the Bakassi Boys are active, special attention should be paid to the provision of support and encouragement to the police to enable them to carry out their functions, including arresting and prosecuting any members of the Bakassi Boys allegedly responsible for abuses and resisting political pressure from state government authorities or others to release those arrested without charge or for politically-partisan policing.

- Promote dialogue and cooperation between the police and local communities to encourage them to work together in fighting crime. Community policing forums should be created in all local and divisional police stations in Nigeria, to infuse community concerns in the determination of policing priorities. Such steps will eventually create a situation where people will no longer feel the need to turn to vigilante groups like the Bakassi Boys for law enforcement and "justice."
- The scope of contacts between the police and the citizens should be enlarged to include the delivery of more "social" functions by the police – for example providing assistance to members of the public in practical ways in the course of their day-to-day activities, instead of automatically reacting to situations in an aggressive or threatening way. This would create a favorable environment in the longer-term for public cooperation with the police in their law enforcement duties.
- Members of the public should be educated on the role and powers of the police, and of private citizens in assisting the police. The importance of public cooperation with the police should be stressed in order to promote overall individual, community and national security.
- Potential recruits to the police force should be thoroughly screened and tested during initial training before they are finally enlisted, to ensure that they possess appropriate qualities, have a clear

understanding of their role in upholding the rule of law, and are not known to have engaged in violent behavior or corruption. Refresher courses should be organized periodically for all levels of the police with a view to sharpening their professional skills and enabling them to understand changes and dynamics in the country's political, social and economic spheres which affect their work.

- The Nigeria Police Force should change its law enforcement practices and style, which currently emphasize reactive policing. Instead, proactive preventive policing strategies such as beat (foot) patrol, and problem-solving policing, in partnership with the community, should be prioritized.

#### **To foreign governments and intergovernmental organizations**

- Strongly condemn human rights abuses by the Bakassi Boys and the tolerance or encouragement of these abuses by state governments; stress the responsibility of the federal government to prevent these abuses, in view of the unwillingness of state governments to do so. 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 in the areas of reform of the justice sector and the security forces, especially the United Kingdom and the United States, are encouraged 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.

### **III. BACKGROUND<sup>4</sup>**

#### **Vigilantism in Nigeria**

Vigilantes and other self-defense groups currently operating in Nigeria have roots that reach deep into the country's history. In the pre-colonial era, some—though not all— independent local communities, especially in the south-east, maintained their own standing army to defend their territory against the threat of invasion from neighboring communities. Although there was no equivalent of a modern-day state structure at that time, some parallels can be drawn between these groups which were created by local communities for their own protection, and the more recently formed self-defense groups. Local conflicts were also fought between members of warrior cults; a clear link can be traced between these secret societies and contemporary vigilante groups in Nigeria, including the Bakassi Boys.

Even though these local armies and warrior groups were superseded by the colonial state which claimed a monopoly on the use of force, they continued operating across large parts of Nigeria. Since Nigerian independence, some of the formal political structures established under colonial rule have disintegrated, and Nigerians have adapted historical precedents to the new environment created by large-scale urbanization and breakdown of stable social structures. Local communities across Nigeria, as in many other countries in Africa and elsewhere, have created their own informal or sometimes formal structures to try to ensure the security of the population. These groups have usually been composed of individuals from the local community. They have derived their credibility, and unofficial authority, from the community in which they serve. One of the main purposes of these initiatives has been to complement the police in identifying and handing over criminal suspects

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<sup>4</sup> This section does not attempt to provide a comprehensive history of vigilantism in Nigeria. A more detailed overview and analysis of the past and present activities of vigilante groups in Nigeria can be found in various publications of CLEEN, in particular *Vigilantes and Policing in Nigeria*, by Innocent Chukwuma, in the July-September 2000 issue of *Law Enforcement Review* (the quarterly magazine of CLEEN).

to the appropriate judicial authorities. They have also sometimes tried to settle other conflicts between individuals in the community. Local leaders have on occasion abused their power and used these groups for other purposes.

Village or community guards have existed in Igbo communities in the south-east of Nigeria for many years; the roots of the more recently-formed vigilante groups can be traced back in part to these traditions. Since at least the late 1980s, local forms of vigilantism have been common in south-eastern Nigeria. Most villages have some form of watch or protection, either through organized systems of night guards or through more informal networks to monitor the local situation. Throughout the mid-1990s, state authorities, the police, and traditional rulers called upon villages to set up vigilante patrols; these often involved contests for rights and privileges and negotiations between young men and their elders, as well as the formal judicial bodies.

In more recent years, mounting frustration with the steady increase in violent crime in Nigeria, exacerbated by the inefficiency and widespread corruption of the police force, has led to the formation of a new type of vigilante group, exemplified by the Bakassi Boys.<sup>5</sup> These groups, while not entirely removed from the longstanding traditions of vigilantism in the region, differ from other forms of citizen involvement in policing in that they are usually not composed of members of the local community. They tend to be based in the large urban centers, rather than in the villages, although their operations are gradually extending into the rural communities. When they first set themselves up, they promised to deal with armed criminals ruthlessly and definitively. Within a short time, it appeared that they were no longer accountable to anybody and had become virtually impossible to control.

A combination of political, economic and social factors in Nigeria—including high unemployment, poor relations between the police and local communities, widespread corruption, and absence of confidence and trust in the state and its institutions—has meant that it has been easy to recruit people to these vigilante groups, and for these groups to flourish. The situation has been aggravated by influential political figures, including several state governors, who have sought to rely on armies of thugs who are on standby to intervene when events do not go in their favor. In general, state governments have tolerated if not encouraged these vigilante groups, and have been unwilling to take decisive action to dismantle them or call their backers to account. It is not a coincidence that groups like the Bakassi Boys emerged at a time when the political balance between federal and state governments shifted: the power of state governors has increased significantly in relation to the federal center since 1999, as increased revenue has been distributed to state and local government levels. Political posts, with the opportunities for self-enrichment and patronage that they present, became ever more highly prized and vigorously defended.

The term “vigilante” is used loosely in Nigeria to refer to a range of different groups, each with different motives. The term has been applied to groups such as the Bakassi Boys, who were initially set up with the purpose of fighting crime without an explicit political agenda, as well as to others such as the O’dua People’s Congress (OPC), a Yoruba ethnic militia active in the south-west of Nigeria. The OPC was initially created to advocate for autonomy for the Yoruba people, then extended its activities to fighting alleged criminals.<sup>6</sup> In some of the northern states of Nigeria, there are other groups, also referred to as vigilantes, which are used to monitor and enforce observance of Sharia (Islamic law); some of them have administered instant punishments to those caught violating Sharia. A variety of other armed groups, many of them formed along ethnic lines in different parts of the country, are also described as vigilantes.

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<sup>5</sup> The term “Bakassi Boys” is used in this report to refer to the main vigilante groups operating in the south-eastern cities since around 1998, including the Onitsha Traders’ Association (OTA), which preceded the Bakassi Boys in Onitsha, and the Bakassi Boys themselves. In the three main states where they currently operate, the Bakassi Boys are now officially called the Abia Vigilante Services, the Anambra Vigilante Services, and the Imo Vigilante Services, but are still commonly referred to as the Bakassi Boys.

<sup>6</sup> Unlike the Bakassi Boys, the OPC has been banned by the federal government since 1999. However, it continues to operate in the south-west of Nigeria and enjoys the support of some state government authorities, including the governor of Lagos State. The OPC has been responsible for scores of deaths and is regularly involved in violent clashes with other groups, particularly the Hausa community, as well as the police.



### **The emergence of vigilante groups in the south-eastern states**

The rise of vigilantism in its current form in the south-east of Nigeria can be traced back to the explosion of violent crime which rocked the city of Aba, in Abia State, and its surroundings in 1997 and 1998. This commercial town, which hosts the large Ariaria market, was gripped by insecurity and lawlessness as armed robbery and other forms of violent crime reached unprecedented levels. Robbery and extortion by armed gangs, the most prominent of which were known as the Mafia, became a daily routine and began to affect more than just the population of Aba, as traders from all over the country, who used to come to Aba to transact business in the Ariaria market, began staying away from the town, out of fear. Traders in Aba estimate that around two hundred people were killed by armed robbers between 1997 and 1999. Aba, and the broader south-eastern region, saw a dramatic increase in the possession and use of firearms: residents of Aba estimated that one in ten adults in the town owned a gun, either for self-defense or for criminal purposes.<sup>7</sup>

Frustration and anger at the insecurity and intimidation suffered at the hands of criminals in Aba exploded when armed robbers killed a pregnant woman near the market in Aba in October 1999. Market traders mobilized people to hunt down the perpetrators and three days of violence and destruction ensued as the traders clashed with the alleged criminals. This incident prompted the shoe makers' association in Ariaria market to decide to organize a vigilante group to defend themselves against criminals. The vigilante group then unleashed its own killing spree, unprecedented in the history of Aba, killing and burning suspected criminals and their accomplices, tracking some of them down in their home towns and villages far from the city. After this revenge, the violence subsided. Economic activities gradually resumed and customers began patronizing the Ariaria market once again.

Having "succeeded" in defeating the armed robbers, the traders set about turning their vigilante group into a more permanent institution. They provided them with a building to use as their headquarters and began paying them regular salaries. The vigilantes abandoned their normal occupations to become full-time members of the group which became known as the Bakassi Boys.

The ascent and huge popularity of the Bakassi Boys in Aba was closely watched by other cities in south-eastern Nigeria which were experiencing similarly high levels of violent crime. Their "success" in ridding the Ariaria market of criminals and their mythical invincibility led to clamours for the Bakassi Boys to extend their operations to other cities, including Umuahia, the capital of Aba State; Owerri, the capital of Imo State; and Onitsha, the large market town in Anambra State.

Onitsha, whose market is reputed to be the largest in Nigeria, was the second major city where the Bakassi Boys made their mark. Like Aba, Onitsha was a center for traders from all over Nigeria and the large volumes of cash which changed hands in the market on a daily basis had been a magnet for organized, violent crime. In the 1980s, the Onitsha Amalgamated Traders' Association (OMATA) had set up a vigilante group known as OMATA security. Initially created to maintain security inside the Onitsha market, it sometimes operated in other parts of the city too. The OMATA security group was eventually replaced by another group, the Onitsha Traders Association (OTA), which became the precursor of the Bakassi Boys' operations in the city. Officially set up on September 25, 1999, with the support of the Anambra State governor, OTA used extremely brutal methods in its mission to drive violent criminals from the city. Like the Bakassi Boys who followed them, they arrested people arbitrarily, on the basis of little or no evidence, tortured them and summarily executed them, often in public. Although there are no reliable records of their activities, residents of Onitsha, including human rights activists, lawyers, and others, estimate that OTA was responsible for hundreds of deaths and that many of their victims may have been innocent. OTA also intervened in civil cases, including disputes over land, rents and property, and regularly extorted money from Onitsha residents.

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<sup>7</sup> CLEEN interviews in Aba, October 2001.

The proliferation of firearms was not due exclusively to the problem of armed robbery. A number of inter-ethnic clashes also gave rise to a situation where different groups began accumulating, and using, a range of arms and ammunition. Many of these weapons are still in circulation.

Eventually, public outrage at OTA's methods led to calls for their dissolution. In July 2000, the traders themselves protested against their activities and called on the Anambra State governor to disband OTA. On July 8, the Bakassi Boys came in to take over from OTA, to great public acclaim. In the words of one human rights activist, "the day the Bakassi arrived in Onitsha, everyone was celebrating. It was like the arrival of the Messiah."<sup>8</sup> The Bakassi Boys were recognized by the Anambra State government on July 12 and in August 2000, a law was passed, officially establishing them under the name Anambra State Vigilante Services.<sup>9</sup> On August 9, Chuma Nzeribe, security adviser to the governor of Anambra State, wrote to the Bakassi Boys' chairman informing him that their application for registration as a vigilante group had been granted and that they should report to Government House for their inauguration on August 14.<sup>10</sup>

A power struggle for control of the Bakassi Boys developed between the Anambra State governor and the traders' association. According to independent sources in Onitsha, the traders wanted to run and finance the Bakassi Boys as an independent vigilante group. However, the governor said he would provide the funding and inaugurate the group. He was responsible for changing their name to the Anambra Vigilante Services and ensured that the legislation provided for the governor to appoint the chairman and three other members of their committee. When the traders delivered a resolution to the governor saying they were not satisfied with these arrangements, the governor ordered the arrest of several of the traders, including the chairman of their association; they were detained for about one week.<sup>11</sup>

The transition from OTA to the Bakassi Boys was marked by violence. Fighting broke out between the two groups when the Bakassi Boys ousted OTA to take over their functions. The Bakassi Boys killed five members of OTA and beheaded them in the market, close to their headquarters. An eye-witness said the Bakassi Boys cut off the legs of their victims and made a fire under their bodies; blood was gushing from their heads. A crowd of onlookers clapped. The police were reportedly present, but only watched and did not intervene. The Bakassi Boys claimed that they had killed the five men because they were armed robbers masquerading as OTA members.<sup>12</sup> Although the original reason for the dissolution of OTA was people's anger at the way the organization had exceeded its mandate and was engaging in systematic violence, the Bakassi Boys who replaced them have used similar and equally brutal methods. In late 2001, the Bakassi Boys in Onitsha were said to include several former members of OTA, chosen by the state governor.

Since they were first created in Aba, there have been increasingly serious divisions among the Bakassi Boys operating in different states, particularly between those in Abia and Anambra states. As the Bakassi Boys spread from Abia to Anambra then Imo states, those from Abia became known as the "original" or "authentic" Bakassi, while those in the other states were sometimes described as "not authentic" or "fake" Bakassi. Former detainees who witnessed or overheard exchanges between the different units of the Bakassi Boys indicated that those from Aba seemed more committed to their original crime-fighting function. The Bakassi Boys from Aba have sometimes criticized their counterparts in Anambra for getting too involved in political cases, for extorting large sums of money, or even, on occasions, for their brutality.<sup>13</sup> Nevertheless, the groups in both states have been responsible for very serious abuses.

By mid-2000, the Bakassi Boys had become an accepted part of daily life in the large cities in the south-east. Throughout the rest of 2000 and 2001, they were regularly seen patrolling the streets and the markets, and

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<sup>8</sup> Human Rights Watch interview, Enugu, October 7, 2001.

<sup>9</sup> Law no.9 – Anambra State Vigilante Services Law, 2000, published in the Anambra State Official Gazette, Awka, August 4, 2000. For further details of the law, see Section III,3 below.

<sup>10</sup> Letter from Chuma Nzeribe, State Security Adviser, to the Chairman of the Anambra State Vigilante Group, August 9, 2000.

<sup>11</sup> Human Rights Watch/CLEEN interview in Onitsha, October 12, 2001.

<sup>12</sup> Human Rights Watch/CLEEN interview in Onitsha, October 12, 2001.

<sup>13</sup> See, for example, the case of Chief Ezeodumegwu G. Okonkwo, below. The Bakassi Boys from Aba told the victim's family that they had refused to obey instructions to kill him.

standing outside their offices, heavily armed, in full view, usually wearing black uniforms and caps, sometimes with red bandanas, and with their own official vehicles. One man who was detained by the Bakassi Boys in Onitsha said they were wearing badges with the picture of the Anambra State governor pinned to their shirts.<sup>14</sup> They are mostly made up of young, able-bodied men in their twenties or thirties. Local residents have reported that they also include some boys under the age of eighteen.

The Bakassi Boys' leaders have repeatedly denied that their members carry weapons, especially firearms—despite abundant evidence to the contrary. When Human Rights Watch and CLEEN asked the chairman of the Anambra Vigilante Services (AVS), Camillus Ebekue, about their use of weapons and use of force, he said he did not know about any use of force and denied that they had any weapons, saying “they just have one or two matchets.” Just before their meeting with Camillus Ebekue, Human Rights Watch and CLEEN researchers had seen him arriving at the state government office in Awka in a vehicle with several AVS men openly carrying guns. When we told him we had seen this with our own eyes, he continued to deny that they ever carried weapons.<sup>15</sup> Likewise, the chairman of the Abia Vigilante Services, Onwuchekwa Ulu, told journalists: “If you have [seen guns], then your eyes are deceiving you.”<sup>16</sup> In an interview with CLEEN, Onwuchekwa Ulu also denied that his members carried arms and said that they just used cutlasses bought in the market.<sup>17</sup> The Bakassi Boys claim that all their members are carefully recruited and vetted to ensure that they have a “clean” record and have not engaged in criminal activities in the past. Under the circumstances, it seems unlikely that this is the case; even if it is, the process is clearly not sufficient to weed out individuals likely to use inappropriate and excessive force.

While the traders' associations initially financed the Bakassi Boys, state governments have since taken over this role. However, the traders still contribute significantly to their upkeep, through a monthly levy. Businesses, local governments, and other institutions are also all asked to contribute a tax towards the Bakassi Boys; many complain that this is extorted under duress and intimidation. The levy varies from state to state. According to a source in Onitsha, in late 2001, the monthly levy requested for the Bakassi Boys there was 2,000 naira (approximately U.S.\$15) for offices, 10,000 naira (approximately U.S.\$76) for schools and hospitals, and 50,000 naira (approximately U.S.\$385) for banks; *okada* (motorbike taxi) drivers had to pay 20 naira daily. Some businessmen in Anambra were also approached individually to contribute to the Bakassi Boys. However, a representative of the Onitsha market traders told Human Rights Watch and CLEEN: “There has never been any levy on anyone to finance the AVS. But because of the success of the AVS, people would like to do it if it's done properly. But I am not aware of any plan to do it.”<sup>18</sup> In Aba, each store is asked to pay 250 naira (approximately US\$2) and is given a receipt marked with the Bakassi Boys' symbol. The chairman of the Abia Vigilante Services, Onwuchekwa Ulu, stated in a newspaper interview that their funding came in part from the Abia State government and in part from donations and levies which they collected from the public.<sup>19</sup> There is no reliable information as to how much the Bakassi Boys receive in terms of salary or direct payments. The chairman of the Anambra Vigilante Services, Camillus Ebekue, claimed that his members were paid just “a token amount.”<sup>20</sup>

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<sup>14</sup> See Ifeanyi Ibegbu's written statement about his arrest and torture, entitled “An account of my ordeal at the hands of the ‘Onitsha Vigilante Services’ also known as ‘Bakassi Boys,’” August 28, 2000.

<sup>15</sup> Human Rights Watch/CLEEN interview with Camillus Ebekue, chairman of the Anambra Vigilante Services, Awka, October 16, 2001.

<sup>16</sup> “Nobody can bribe Bakassi Boys”, in the *Post Express on Saturday*, September 29, 2001.

<sup>17</sup> CLEEN interview with Onwuchekwa Ulu, chairman of the Abia Vigilante Services, Aba, October 19, 2001.

<sup>18</sup> Human Rights Watch/CLEEN interview in Onitsha, October 11, 2001.

<sup>19</sup> “Nobody can bribe Bakassi Boys”, in the *Post Express on Saturday*, September 29, 2001.

<sup>20</sup> Human Rights Watch/CLEEN interview with Camillus Ebekue, chairman of the Anambra Vigilante Services, Awka, October 16, 2001.

## The role of state governments

In all three states where they currently operate— Abia, Anambra, and Imo—the Bakassi Boys have enjoyed the support of their state government, who have provided them with offices, uniforms and vehicles, as well as paying their salaries. Their offices and vehicles bear the names, or initials, of the vigilante groups, their inscriptions and sometimes their mottos, making them easily recognizable.

Some vigilante leaders have tried to deny their close links with the government. For example, when Human Rights Watch and CLEEN met Camillus Ebekue, the chairman of the Anambra Vigilante Services, he stated bluntly “there are no AVS in government house,” even though we were meeting him in government house and the AVS have a clearly-marked office in the government compound in Awka, the capital of Anambra State.<sup>21</sup> Others have been more candid. The chairman of the Abia Vigilante Services, Onwuchekwa Ulu, told journalists who asked him about their relationship with the Abia State government: “We have a cordial relationship. It is just like a father and son business [...] We have a very good relationship with the governor. [...] We always obey him because he who pays the piper dictates the tune. He pays us and we always try to obey him.”<sup>22</sup>

The government of Anambra has gone the furthest in terms of open support for the Bakassi Boys by introducing to the state assembly and ensuring the adoption of a law in August 2000 which officially established them as the Anambra State Vigilante Services. The law outlines the functions and powers of the vigilante group as follows, effectively making them a fully-fledged law enforcement agency:<sup>23</sup>

The vigilante group shall augment the maintenance of security in their various community and shall in particular render all lawful help and assistance to the police in-

- a) the prevention and detection of crimes;
- b) making available relevant information on criminals;
- c) taking measures to ensure that hoodlums do not operate in their communities;
- d) preserving law and order;
- e) protecting lives and properties.

The group shall have the power to-

- a) arrest any person who commits a crime before them;
- b) patrol the streets or villages at any time of the day and especially at nights;
- c) maintain security barricades at nights in appropriate places;
- d) question and hand over to the Police any person of questionable character or of suspicious movement; and
- e) enter and search any compound into which a questionable person runs while being pursued.

The law also establishes the Vigilante Services Co-ordinating Committee which is to oversee their activities. It states that the committee operates from the office of the governor, that the governor appoints four of its seven members, and that the chairman of the committee will be the adviser on security matters.<sup>24</sup> It specifies that part of the vigilantes’ funding will come from subventions from the state government, and that “the purpose of the fund shall be for the purchase of security gadgets including vehicles, torch lights, whistles, matchets, guns and bullets; provided that appropriate licences are obtained for such guns.”<sup>25</sup>

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<sup>21</sup> Human Rights Watch/CLEEN interview with Camillus Ebekue, chairman of the Anambra Vigilante Services, Awka, October 16, 2001.

<sup>22</sup> “Nobody can bribe Bakassi Boys”, in the *Post Express on Saturday*, September 29, 2001.

<sup>23</sup> Law no.9 – Anambra State Vigilante Services Law, 2000, published in the Anambra State Official Gazette, Awka, August 4, 2000.

<sup>24</sup> At the time, the governor’s security adviser was Chuma Nzeribe, who was already reported to be closely involved in the Bakassi Boys’ activities (see details below).

<sup>25</sup> Law no.9 – Anambra State Vigilante Services Law, 2000, published in the Anambra State Official Gazette, Awka, August 4, 2000.

In practice, the provisions of this law bear little relation to the practices of the Bakassi Boys. The Bakassi Boys rarely if ever “render all lawful help and assistance to the police.” The requirement that they should hand over any suspects to the police is systematically ignored. The coordinating committee appears to be purely a cosmetic measure and meets infrequently, if at all; the Commissioner of Police of Anambra State told Human Rights and CLEEN in October 2001 that it had never met.<sup>26</sup> Human Rights Watch and CLEEN were informed that in addition to this law, a code of conduct to govern the activities of the Bakassi Boys had been drawn up. However, we were unable to obtain a copy from government officials, from the police, or from the Bakassi Boys’ leaders themselves, despite repeated requests.

In Imo State, a bill establishing the Imo Vigilante Services was passed by the State House of Assembly in December 2000. The speaker of the House of Assembly was said to have been the main person calling for the introduction of the Bakassi Boys into Imo State. By early 2002, the state governor, Achike Udenwa, has so far resisted pressure to sign the bill into law. However, this has not stopped the Bakassi Boys from openly carrying on with their activities in Imo State, particularly in the town of Owerri. Although he has not provided them with legal recognition, the governor also has not taken any decisive action to stop their operations.

Governors of several neighboring states have come under significant pressure from large sectors of the general public to introduce the Bakassi Boys, on the basis of their perceived “success” in combating crime in Abia, Anambra, and Imo states. To their credit, some governors have resisted this pressure. The governor of Enugu, for example, has stated that he would not invite them to his state; he said that he was in favor of using the police force and assisting them with better facilities, and requested an extra police contingent from the federal government, which was deployed in late 2000.<sup>27</sup> In other states, however, moves are underway to introduce the Bakassi Boys. For example in Edo State, a bill for the establishment of the Edo State Vigilante Services was before the state assembly in August 2001. In Ebonyi, a bill to set up the Ebonyi State Vigilante Services was passed by the state assembly. By the end of 2001, the governor of Ebonyi had not yet given his assent, on the basis that—like his counterpart in Enugu—he preferred to place his confidence in the police and would try to ensure that they were better equipped to combat crime. However, in March 2002, he announced that he was preparing to sign the bill. At the time of writing, the bills have not been passed into law in either Ebonyi or Edo states.

In one of the most alarming developments in the rise of vigilantism in the southeast of Nigeria, some state governments have used the Bakassi Boys to target and intimidate perceived political opponents. Human Rights Watch and CLEEN documented several cases, described below, where senior state government authorities were clearly aware of and in some cases personally involved in human rights abuses by the Bakassi Boys. Those targeted were usually well-known figures, viewed as political opponents or otherwise seen to be posing a threat to the authority of the state governor.

The involvement of government authorities was particularly striking in Anambra State. Human Rights Watch and CLEEN interviewed many people who described the Bakassi Boys as the private army of the governor of Anambra State, Chinwoke Mbadinuju.<sup>28</sup> One of the senior officials most closely implicated in their activities, according to the testimonies of victims, has been Chuma Nzeribe, former security advisor to the governor. As detailed below, several former detainees and relatives of people detained and killed by the Bakassi Boys testified to Chuma Nzeribe’s close links with the Bakassi Boys and his personal knowledge of specific cases of arrests, torture and killings – for example the abduction and killing of Eddie Okeke and Chief Okonkwo, and the abduction and torture of Ifeanyi Ibegbu, all described in this report.<sup>29</sup> They reported that on several occasions, the Bakassi Boys appeared to be acting under Chuma Nzeribe’s instructions and were consulting him in the course of their

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<sup>26</sup> Human Rights Watch/CLEEN interview with Commissioner of Police Daniel Anyogo, Awka, October 12, 2001.

<sup>27</sup> Human Rights Watch interview with Civil Liberties Organisation, Enugu, October 8, 2001.

<sup>28</sup> Human Rights Watch/CLEEN interviews with a range of sources, including victims and witnesses of human rights abuses by the Bakassi Boys, human rights activists, lawyers and others, in Onitsha, Enugu, and other locations, October 2001.

<sup>29</sup> See in particular Section IV, 1 below.

actions.<sup>30</sup> A local human rights activist described Chuma Nzeribe as effectively in charge of the Bakassi Boys since the beginning.<sup>31</sup> Human Rights Watch and CLEEN made repeated attempts to meet Chuma Nzeribe in October 2001 but he did not grant us a meeting.

Governor Mbadinuju himself has made no secret of his support for the Bakassi Boys and for their violent methods, announcing to a group of journalists in Awka: “I told them [the Bakassi Boys] to fish out all the armed robbers in Anambra State. And that if the robbers buried themselves, they should be exhumed, killed and buried a second time.”<sup>32</sup> In an interview with a foreign journalist in September 2001, he first said he had no confirmation of extrajudicial executions, then stated: “The armed robbers are in the business of killing innocent people. I don’t know anyone who will complain if an armed robber is dead.”<sup>33</sup> In an interview in *NewsWatch* magazine, in reply to a question about extrajudicial executions by the Bakassi Boys, he said: “Well, who killed who? The armed robbers have been killing us, innocent citizens on the streets [...] making nonsense of everybody. [...] They shot and killed 35 people at Onitsha going on their normal business [...] They killed them and these people they have killed, who tried them? Who condemned? What is the difference in extra-judicial killing, between armed robbers and other killers? We must face reality. I am not condoning evil, I am a lawyer, I like rule of law. I am a Christian, we should not kill according to the commandment. But, having said this, under which law did the armed robbers operate in killing us?”<sup>34</sup>

In another media interview, Chuma Nzeribe was asked about robbers being killed by the Bakassi Boys, their bodies being left lying on the streets and the absence of due process. Denying that the Bakassi Boys had been responsible for these abuses, he replied: “There are no corpses lying around the streets of Anambra state. Those that you saw were as a result of mob action by the traders. We have since passed that stage, and all known criminals have been apprehended and handed over to the police for thorough investigation [...]”<sup>35</sup>

The governor of Abia State, Orji Uzor Kalu, has also denied any involvement in abuses by the Bakassi Boys. In July 2001, he was asked by a journalist to respond to accusations that he had used the Bakassi Boys to intimidate his opponents and that he was planning to use them as thugs for the 2003 elections. He replied: “I don’t think so. I have no hand whatsoever in handling Bakassi. You see, the Bakassi in my state is the most quiet Bakassi. And what I have always said is that nobody will rig election in Abia. We don’t need Bakassi to do that.” He said he was calling for the Bakassi Boys to work in close partnership with the police.<sup>36</sup>

The leaders of the Bakassi Boys have also denied any involvement in human rights abuses. When CLEEN met Gilbert Okoye, the former chairman of the Bakassi Boys in Anambra State, he denied all knowledge of extrajudicial executions. He praised the work of the Bakassi Boys in Anambra State and claimed that everyone was happy with them, with the exception of a handful of disgruntled politicians who were worried that the Bakassi Boys’ success in dealing with insecurity would enhance the political future of the Anambra State governor.<sup>37</sup> Likewise, Camillus Ebekue, who took over from him as chairman in May 2001, told Human Rights Watch and CLEEN that it was only detractors of the vigilante groups and of the government who tried to blame them for abuses. He claimed that the only purpose of the Anambra Vigilante Services was to fight crime. He refused to answer questions about how members of the AVS were recruited or trained.<sup>38</sup> The chairman of the

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<sup>30</sup> This information was gathered by Human Rights Watch and CLEEN through detailed interviews with former detainees held by the Bakassi Boys and relatives of people killed by the Bakassi Boys. Interviews were conducted in several locations, in particular Onitsha, Awka, Nawgu, and Nnewi, in October 2001.

<sup>31</sup> Human Rights Watch interview, Enugu, October 8, 2001.

<sup>32</sup> Article in *The National Interest*, December 12, 2000.

<sup>33</sup> See “Nigeria’s vigilante justice,” by Stephan Faris, published by MotherJones.com, April 25, 2002.

<sup>34</sup> Interview with Chinwoke Mbadinuju in *NewsWatch* magazine (Lagos), May 14, 2001.

<sup>35</sup> “Nobody can use Bakassi Boys for political moves – Nzeribe”, in the *Weekend Vanguard* (Lagos), March 10, 2001.

<sup>36</sup> Interview with Orji Kalu in *Insider Weekly*, July 16, 2001.

<sup>37</sup> CLEEN interview with Gilbert Okoye, former chairman of the Anambra Vigilante Services, Awka, October 18, 2001.

<sup>38</sup> Human Rights Watch/CLEEN interview with Camillus Ebekue, chairman of the Anambra Vigilante Services, Awka, October 16, 2001.

Abia Vigilante Services, Onwuchekwa Ulu, told CLEEN that they were purely a vigilante group with no interest in politics, that they did not usurp the functions of police or the courts but complemented them. He said they sometimes adjudicated between parties involved in disputes and tried to settle matters amicably. He denied that they had been responsible for killings and mutilations.<sup>39</sup>

### **Attitudes of the general public and the media**

Public attitudes towards the Bakassi Boys have been characterized by contradiction and formed by a combination of fear, despair and helplessness. After suffering years of violent crime, abuses by the security forces, and government inaction, people appeared to have given up expecting the government or the police to provide protection or security. When the Bakassi Boys took on the task of fighting crime, they were hailed as heroes. The overwhelming feeling of many people was relief at being able to “sleep with both eyes closed”—an expression commonly used when describing the “post-Bakassi era.” With the realization that the Bakassi Boys’ methods were sometimes arbitrary, and often brutal, the relief gradually became tinged with fear; however, there is still very little public expression of indignation at the violence used by the Bakassi Boys. A sociology professor accurately summed up the public attitude towards the Bakassi Boys: “People’s tolerance of vigilante groups is very high. It is frightening, even among reasonable people. They complain about extrajudicial executions, yet they support an organization totally dedicated to it.”<sup>40</sup>

This general acceptance of the Bakassi Boys has permeated many sectors of society. A judge in Anambra described the situation in the following way: “No one challenges Bakassi, no one speaks up. People just talk about executions as if it were something normal. Even the judiciary are accepting the Bakassi; even some lawyers don’t see what’s wrong [...] The general attitude is: what about the rights of people killed by armed robbers? People are afraid to go against this attitude. Even when the Bakassi get an innocent person, people say no, he can’t be innocent otherwise the Bakassi wouldn’t have caught him. Anyone who is hunted by the Bakassi must be guilty. No one asks any questions.”<sup>41</sup>

Unquestioning acceptance of the Bakassi Boys has been accentuated by the attitude of some sections of the media. Some Nigerian newspapers and magazines have published extensive articles about the actions of the Bakassi Boys, illustrated with explicit photographs of their victims, and sometimes their execution. Much of the media coverage of the activities of the Bakassi Boys has been sensationalist. Journalists have both exposed and glorified vigilante violence, in a confusing mix of praise for the Bakassi Boys and revulsion at their methods.

Some of the articles have verged on propaganda for the Bakassi Boys, perpetuating the myths and fear surrounding their operations. For example, in an article in the *Post Express on Saturday*, a journalist who visited the Bakassi Boys’ headquarters in Aba wrote: “Today, Aba, perhaps, has the lowest crime rate in Nigeria. While criminals, some of who were chased out of Aba by the ubiquitous Bakassi Boys, have virtually overrun the country, residents [of Aba] now enjoy the luxury of sleeping with both eyes closed. Indeed, one could drop a valuable article at a street corner all day long without it shifting from its position. Woe betide anyone who touches what does not belong to him. No matter where he might run to, the Bakassi Boys will fish him out and punish him accordingly. Punishment could be amputation at the wrist (long sleeve) or at the elbow (short sleeve) or outright death. That crime has taken a flight from Aba may sound unbelievable in the present day Nigeria, but that is the simple truth.”<sup>42</sup> Some magazines have also published letters from readers congratulating the Bakassi Boys on their successes.

On the other hand, other journalists have not shied away from exposing the involvement of politicians in the affairs of the Bakassi Boys and have addressed direct questions on this issue to state government authorities.<sup>43</sup>

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<sup>39</sup> CLEEN interview with Onwuchekwa Ulu, chairman of the Abia Vigilante Services, Aba, October 19, 2001.

<sup>40</sup> Human Rights Watch interview, Jos, October 6, 2001.

<sup>41</sup> Human Rights Watch interview, Enugu, October 8, 2001.

<sup>42</sup> “Three Hours in the Lion’s Den,” in the Lagos-based *Post Express on Saturday*, September 29, 2001.

<sup>43</sup> See for example interview with Orji Kalu, governor of Abia State, in *Insider Weekly*, July 16, 2001.

Human Rights Watch and CLEEN tried to seek opinions from a number of journalists in the south-eastern states about the actions of the Bakassi Boys and attitudes towards them. Several of them reacted defensively to our inquiries. Reflecting, to some extent, the contradictory attitudes of the general public, their reactions could be interpreted as a mixture of genuine support for the Bakassi Boys, and fear of expressing disapproval of what they might privately consider to be abusive about their behaviour. Some claimed not to have any information about the specific activities of the Bakassi Boys, even though they had personally reported on individual cases for their newspapers, while others contented themselves with the standard pro-Bakassi Boys arguments. A typical response was that of a journalist in Onitsha who told us: “The Bakassi have been a good thing. Armed robbery was very bad and violent. Now people feel safe. There is no trust in the police [...] People want the Bakassi.”<sup>44</sup>

#### IV. HUMAN RIGHTS ABUSES BY THE BAKASSI BOYS

##### Three case studies

The Bakassi Boys have been responsible for numerous human rights abuses—many of them unreported—including summary executions, torture, and unlawful detention. Scores, perhaps hundreds, of people have been killed. The individual cases below illustrate some of the main types of abuses, particularly in Anambra State where vigilante violence has been most frequent and has most clearly shown the involvement of state government authorities.

##### *The killing of Prophet Eddie Okeke*

A case which attracted considerable publicity was the abduction and killing of Eddie Okeke, also known as Prophet Eddie Nawgu. In November 2000, the Bakassi Boys arrested him at his home in Nawgu, in Anambra State, detained and tortured him at their headquarters at the White House in Onitsha, then killed him. He was forty-three at the time of his death and left behind a wife and eight children, the youngest born eight months after his death.

Eddie Okeke was well-known in the community; he had set up the Anioma Healing Centre in the large compound of his home in Nawgu, which attracted hundreds of visitors. Many of the press reports which appeared at the time of his death replicated the Bakassi Boys’ allegations about him—that he was a criminal who had engaged in assault, extortion, drug dealing, trafficking in children, and ritual killing—fueling the belief that the Bakassi Boys had caught yet another high-profile criminal.

Human Rights Watch and CLEEN do not know whether there is any substance to the allegations that Eddie Okeke was involved in criminal activities. However, the information we uncovered in Onitsha suggested various possible explanations for his killing, including resentment over his wealth and fame; his outspokenness in expressing critical views; and a longstanding dispute that he had with a local traditional ruler and other members of the Catholic Church, who had threatened him and attacked his home on several previous occasions. Information gathered by Human Rights Watch and CLEEN from a variety of sources in Nawgu and Onitsha, including relatives and friends of Eddie Okeke, indicates that the true explanation for his death may lie in a combination of these factors.

Relatives and friends of Eddie Okeke appealed to the governor of Anambra State to save him after his initial abduction. The governor would therefore have been aware of his arrest and torture, but apparently failed to order his release or prevent his death, despite initially promising to do so.<sup>45</sup> When a friend of the family called the governor on November 6, two days after Eddie Okeke was abducted, the governor reportedly first claimed that he did not know Eddie Okeke, then asked whose side he was on—a comment interpreted by relatives and friends as

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<sup>44</sup> Human Rights Watch/CLEEN interview in Onitsha, October 11, 2001.

<sup>45</sup> See testimony of Joyce Okeke, below.



implying that Eddie Okeke had opposed, or at least not supported, the governor. He reportedly stated that Okeke had not paid him homage since he was appointed as governor.<sup>46</sup>

Eddie Okeke's wife, Joyce Okeke, was present when he was arrested:<sup>47</sup>

It was on 4 November 2000, at about 4.00 a.m. I was asleep. [...] Suddenly I heard a loud bang on the bedroom door. Someone said: "Open this door or I'll break it down!" I ran to the door. My husband was sleeping. There was a second bang. I opened the door. I saw a lot of men with pump action guns and matchets. They said: "Where is your husband?" I asked them who they were. They pushed me aside. I called my husband to wake up. They went and pulled him from the bed. He was asking them: "Who are you?" They said: "We are Bakassi Boys. It's a government order." There were about forty of them and more outside. My husband asked them what they wanted. They were hitting him. They dragged him outside. One Bakassi was standing at the door with a gun. He told me to go outside and cocked his gun at me. They were still beating my husband.

Another group came in and asked me to show them my husband's room. There was a boy in front of them. I recognized him as a local boy, an armed robber. He had previously assisted people who were after my husband. They turned the whole room upside down. The boy was doing it; the others were watching. They said: "Where are your husband's guns?" I said: "Which guns?" There was one double-barrel gun there but they were asking for pump-action guns and pistols. I told them we didn't have any. One of them raised his matchet and said: "I will cut off your head if you don't give us those guns." They found nothing. He said: "Turn your back and I will cut off your head." He charged towards me with his matchet raised, then put it down. They said: "We'll take you with your husband and if we don't find what we want, he's finished." I went with them and asked a girl to close the door. One of the Bakassi asked me if I wanted to show them anything. I said: "No, there are only children in there." The children were scared so we had locked the door. The Bakassi wanted to shoot. I said: "No, there are children there." He said: "Which children? The ones you sell?" I asked the children to open. The Bakassi just looked in and left them.

Meanwhile I heard the Bakassi outside shooting. I came out with them. Some were behind me, some were in front. I was just wearing my sleeping clothes and wrapper. My husband was just wearing his shorts. They had used his shirt to tie his hands. Outside, I saw Bakassi everywhere. They were wearing black, with some red material tied on their heads, hands and guns. They had made people in the compound lie face down outside. They were hitting them on their backs with matchets.

They took me out towards the gate. I could see my husband and about fifteen people ahead with one Bakassi group. I was about ten or fifteen steps away. One Bakassi shouted at me: "If you come any further, we'll shoot you down." But a Bakassi behind me was telling me to move. The one in front said: "Are you deaf? If you move, we'll shoot". I turned again. The one behind me said: "Move". I stood still. I said: "I don't know what to do." The ones behind eventually said: "Go back". I started going back. Some of them ran back in and said I should go along with them. They came into the house.

A car and a jeep were parked outside. They told me to give them the keys and open the gate. I called the boy who locks the gate but there was no answer. One Bakassi moved in a flash and slapped me across the eyes very hard. I fell behind the chair. He pulled me from behind with my wrapper. He was trying to strip me. I pulled the wrapper tightly from the front. He started shaking me and saying: "Who do you think you are?"

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<sup>46</sup> Human Rights Watch/CLEEN interviews in Onitsha and Nawgu, October 2001.

<sup>47</sup> Human Rights Watch/CLEEN interview, Nawgu, October 10, 2001.

The Bakassi outside were calling them to come out again. They ran off, taking my husband and fifteen other people, all young men. They took three vehicles. Little did I know they were going to my father-in-law's compound. After they left I heard gunshots for about an hour. Later, I heard that they had picked up my husband's father, elder brother, and another relative.

At about noon, I was sitting in the armchair when I heard people outside screaming. They ran in, saying: "The Bakassi have come back!" I went out and met them at the gate. One had a belt of cartridges on one shoulder and a gun. He asked for the particulars to our cars and said: "Your husband said to tell you to give us those guns." I said: "Which guns?" He told me not to pretend, but I said it was not possible as he didn't have any guns. They took the whole file of car particulars and the keys. They took five vehicles. There was no clear command among them, but there was one man they called "Boss."

Before they left, they said they would search the whole compound for the guns and I should go with them. As we went round, they said: "This land is too big. It is bigger than a governor's." They saw a mentally-ill boy in the compound. They said: "Your husband is making people mad." The boy's mother came and explained that it was the boy's condition. They said that was not true, that my husband was turning normal people into mad people. Then they left.

I sent someone to report the matter to the police. The governor was away and the deputy governor, commissioner of police, and deputy commissioner of police were not there either. I asked some friends to call the governor. He promised them he would ask the Bakassi to release my husband. That was on Saturday. Up until Monday my husband was still there. I didn't know what was going on. I sent people to the Bakassi office in Onitsha. They were refused entry. The Bakassi threatened them with knives and sent them away. They said: "Go away or we'll kill you." They attacked some of them. I saw the marks on their backs. I didn't go there myself as I was too scared.

Eddie Okeke's family and friends spent several days trying to contact the commissioner of police and the governor, by telephone, in writing, and in person. Both officials said they would try to ensure his release, but the family has no evidence that they took any meaningful action. On November 7, the family heard a rumor that the Bakassi Boys were going to kill Eddie Okeke unless the governor, the commissioner of police, or a representative of the president intervened. They eventually found the commissioner of police and begged him to help. He claimed he had done everything he could. In the absence of the governor, they then saw the governor's wife who attempted to contact the governor's security adviser, Chuma Nzeribe, and the chairman of the Bakassi Boys, Gilbert Okoye; she did not succeed in reaching them. The protocol officer of the governor claimed that he had gone to the Bakassi Boys but that they had refused to hand over Eddie Okeke. The family returned to the governor's office on November 8, the day the governor was due to return from his travels. They were prevented from seeing him and the government officials they spoke to would not deliver a letter which had been written by the governor's wife to the head of the Anambra Vigilante Services. Later, the family was informed that the governor and the commissioner of police had met and that the governor had promised to have Eddie Okeke transferred to the police.

The news of Eddie Okeke's death was never directly communicated to his family. His wife explained how she found out:<sup>48</sup>

On Thursday November 9, I heard on the radio that my husband had been burnt and killed at Ochanja Roundabout in Onitsha. It was all over the radio and the papers. Gilbert Okoye was denying that the Bakassi had taken him and the government was claiming it was a mob action. Up until now, I can't say what happened. I tried to find out but everyone was scared. I wrote several letters, to the inspector general of police, to the president, to the House of Representatives, to the Ministry of Women's Affairs, and others. I just wanted to find out what had happened. I didn't get any reply except one from the

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<sup>48</sup> Human Rights Watch/CLEEN interview, Nawgu, October 10, 2001.

House of Representatives expressing the sympathy of the Speaker, and one from the Ministry of Women's Affairs asking me to come to Abuja. I met some people in the ministry. They said they would get back to me. That was five months ago. I have heard nothing since.

The other people who were arrested at the same time as Eddie Okeke were gradually released over the following days, with the exception of a young man in his early twenties, an orphan who had been looked after by Eddie Okeke and who had recently married. His fate remains unknown. Eddie Okeke's eighty-year-old father was released on November 11, but his older brother was only released six weeks later. His father had seen Eddie Okeke a few times during the period that they were both in detention. He said the Bakassi Boys would take his son out of the cell for one or two days, then bring him back; he had been tortured and had machete and other wounds from beatings with gunbutts. His father said: "The sight of him alone was enough to make you cry. [...] When he was taken out, we didn't know where they were taking him. [...] Some of the Bakassi had a radio and we heard on the radio that he had been killed."

Others who had been detained at the same time as Eddie Okeke described how he was tortured by the Bakassi Boys. A man who shared a cell with him said the Bakassi Boys kicked Okeke in the stomach and hit him with their machetes and guns. They accused him of killing people. Eddie Okeke denied this and said the Bakassi Boys should test him to prove his guilt or innocence. The Bakassi Boys hit Okeke with a machete and stabbed him all over his body. They said that if he gave them two million naira, they would leave him alone. After they moved Okeke to a different cell, the other detainees could still hear him being interrogated and tortured.<sup>49</sup>

Some of those detained with Eddie Okeke confirmed that the governor of Anambra, his adviser Chuma Nzeribe, and the chairman of the Bakassi Boys, Gilbert Okoye, all personally visited the detention center while they were held there. A former detainee said that Gilbert Okoye had stated, in front of the governor: "All these people they took from Nawgu are thieves and should be killed. You should even bring others too."<sup>50</sup>

After the death of Eddie Okeke, the state government set up a panel of inquiry into the case. The panel had no legal status, no power to require further action by the authorities, and its findings were never published. A local lawyer described the first judge appointed to the panel as a very independent person; however, she was soon replaced by another judge. The panel, which asked for submissions in the form of memoranda, seemed geared towards establishing Eddie Okeke's guilt, rather than investigating his abduction and death. According to a lawyer who followed the case closely, there were two versions of its terms of reference; the mandate to investigate Eddie Okeke's death was removed in the second version. Individuals who were close to Eddie Okeke were severely tortured and threatened with death to force them to testify against him at the panel. A lawyer representing the Bakassi Boys alleged that Eddie Okeke had confessed to committing atrocities on video and in a written confession, but failed to produce the evidence. The Bakassi Boys themselves never appeared before the panel, despite a two month extension to enable them to do so. Their lawyer testified for them instead; he claimed that Eddie Okeke had been killed by a mob. He stated that the Bakassi Boys were on their way to Awka to hand Eddie Okeke over to the police when they were confronted with a large mob who attacked them. The Bakassi Boys were terrified so abandoned their vehicle and ran away; when they returned, they saw a fire and Eddie Okeke was no longer there. The Bakassi Boys' lawyer's evidence was not challenged by the panel chairman.<sup>51</sup>

By October 2001, a lawyer acting on behalf of Eddie Okeke's family had given notice to bring a case against the state government, on the basis that the Bakassi Boys are state agents and that the government should therefore be held responsible.

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<sup>49</sup> Human Rights Watch/CLEEN interviews, Nawgu, October 10, 2001.

<sup>50</sup> Human Rights Watch/CLEEN interviews, Nawgu, October 10, 2001.

<sup>51</sup> Human Rights Watch/CLEEN interviews in Nawgu and Onitsha, October 2001.

In a newspaper interview in March 2000, Chuma Nzeribe denied any knowledge of what had happened in the case of Eddie Okeke.<sup>52</sup>

At the time of writing, no one has yet been charged with the murder of Eddie Okeke.

### ***The killing of Chief Ezeodumegwu G. Okonkwo***

Chief Ezeodumegwu G. Okonkwo, a politician and musician, and chairman of the All People's Party (APP) for the local government of Nnewi South, in Anambra State, was abducted and killed by the Bakassi Boys in February 2001. Aged forty-one, he had three wives and eleven children. He was a well-known political figure in his local area and was unafraid of denouncing abuses, including those committed by powerful figures in the community. His case illustrates the political dimension of the Bakassi Boys' activities, as well as the escalation of a local dispute into one which ended up involving the state authorities.

According to members of his family, Chief Okonkwo's problems started in Nnewi, several years earlier. First, in 1996, members of the town union executive were displeased when a candidate to the local council elections who was sponsored by Chief Okonkwo won the elections against a candidate sponsored by the town union executive. Then, in 1997, Chief Okonkwo was indirectly involved in a dispute between members of the same town union executive and a man who had refused to give money to them. The man fled to Chief Okonkwo's house for protection after security men, sent by the town union executive, came to his house to try to arrest him and confiscate his property. Chief Okonkwo gave the man a note to report to the problem to the police. The police arrested two members of the town union and threatened to arrest others. The leader of the town union executive paid to get his security men released, but thereafter began inciting members of the community against Chief Okonkwo. In August 1997, five members of the town union executive wrote to the police, alleging that Chief Okonkwo was a criminal and an arms dealer and that he trained armed robbers. The police arrested Chief Okonkwo but released him after three days as their investigations did not produce any evidence against him. Chief Okonkwo filed a civil suit against the five people who had accused him, and another against the security men hired by the town union for abuses they had carried out against him and other people in the village.

In 2000, the town union wrote another letter about Chief Okonkwo, this time to the Bakassi Boys who had recently begun operating in Nnewi. On July 14, 2000, seven men armed with guns and double-edged swords burst into his house, announcing themselves as Bakassi Boys, and detained him. Eye-witnesses told Human Rights Watch and CLEEN how the Bakassi Boys beat him and fired at the walls and ceiling.<sup>53</sup> They tied his hands behind his back and drove him away in their vehicle. They detained him overnight and released him the next day, after declaring him innocent.

A second assault was made on December 28, 2000, this time by the Bakassi Boys from Onitsha. Adolphus Anyaso, one of the main financial backers of the town union, and his son were with the Bakassi Boys when they came to Chief Okonkwo's house to arrest him on December 28. The Bakassi Boys struck Chief Okonkwo with their machetes and injured him on his hand and stomach. They also tried to hit his wife. Eye-witnesses said Adolphus Anyaso's son threatened to cut off Chief Okonkwo's head and use it as a football.<sup>54</sup> The Bakassi Boys then drove Chief Okonkwo to their detention center in Onitsha. As before, he was held overnight, then released. The Bakassi Boys brought him back to his village for a public "trial" where they asked the villagers to testify as to whether Chief Okonkwo was a criminal, vowing that they would kill him if he was. The villagers protested his innocence, and he was released.

The third and final attempt to abduct Chief Okonkwo took place on the morning of February 18, 2001. This time, the abduction was followed by murder. Five men, who introduced themselves as AVS (Anambra Vigilante Services), led by the AVS treasurer, Emmanuel Udegbonam, arrived at Chief Okonkwo's house, firing into the

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<sup>52</sup> Interview in the *Weekend Vanguard*, March 10, 2001.

<sup>53</sup> Human Rights Watch/CLEEN interviews in Nnewi, October 14, 2001.

<sup>54</sup> Human Rights Watch/CLEEN interviews in Nnewi, October 14, 2001.

air. They tied his hands behind his back and put him in the boot of their vehicle, which witnesses described as a station wagon which used to belong to OTA. They drove off to an unknown destination.<sup>55</sup>

Chief Okonkwo's relatives then set about trying to find him and alerted the authorities. A family member explained:<sup>56</sup>

We lodged an official complaint with the police area commander in Nnewi, then we went to the AVS headquarters in Onitsha. The camp boys wouldn't talk to us; they said we should talk to their leader. We had also reported it to the Bakassi at Nnewi, who said they didn't have him and we should check with the Bakassi in Onitsha. At Onitsha, we met their camp leader, Okpompi. He told us to go to the AVS chairman, Gilbert Okoye, Ntu.<sup>57</sup> We met Ntu. He said Chief Okonkwo was a criminal. When we realized he was privy to the abduction, we went to government house at Awka. We met the principal secretary there, Hez Nnukwe, who knows Chief Okonkwo. He gave us a letter addressed to Okoye asking for his release. We went back to Ntu with the letter. This time, he denied that his boys were holding Chief Okonkwo. He told us to return the next day at 10 a.m. and that he would look for him in their four camps in Anambra State.

The next day, Monday 19 February, we went to see him again. He said he had to consult the governor first. Hez Nnukwe had also phoned Nzeribe asking for his release.

On Tuesday morning we phoned the principal secretary again. He said that Nzeribe had told him that by the time he'd reached the camp in Onitsha on Monday, they had already killed Chief Okonkwo. That day, on 20 February, his three wives wrote a petition to the inspector general of police reporting this. Nzeribe gave the family an appointment for Tuesday. They went there Tuesday, Wednesday, Thursday and Friday, from 20 to 25 February. He gave them the assurance that he would secure Chief Okonkwo's release.

On 25 February we realized he was not sincere. On 26 February we went to the Bakassi headquarters at Aba. We discovered that when the state government had taken over the Bakassi, they had sacked many of the original Bakassi Boys from Aba. We saw the Bakassi who had screened Chief Okonkwo twice, who were now back in Aba, including their local chief known as "Boss." They told us that they had refused to be party to his assassination and had refused to carry out the governor's instructions. A Bakassi Boy from Onitsha had told them that when Chief Okonkwo was arrested, they had taken him straight to the outskirts of Onitsha and murdered him at about 10.00 a.m., at Junction Niger CAT in 33 area of Onitsha, Nsugbe Road. A junior Bakassi Boy had participated in the killing. They set his corpse on fire, then came later and got rid of the corpse.

We went there on Sunday to check the spot. We asked around. People described Chief Okonkwo and said he was dragged there in the boot of the car, shouting that he was innocent.

In March, the police arrested seven people, including Gilbert Okoye, Adolphus Anyaso, and Emmanuel Udegbumam, and charged them with murder, conspiracy to murder, and kidnapping of Chief Okonkwo. They were released some weeks later. Gilbert Okoye was detained for three months then was granted bail.

Chief Okonkwo's family told Human Rights Watch and CLEEN that in a newspaper interview, the governor had denied seeing any letter asking for Chief Okonkwo's release, and that when asked whether the government would compensate the family for his death, he said: "They don't recognize me" (that is, since they were not his supporters, he did not feel the need to take any action). Chuma Nzeribe was quoted in a newspaper as stating: "I

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<sup>55</sup> Human Rights Watch/CLEEN interviews in Nnewi, October 14, 2001.

<sup>56</sup> Human Rights Watch/CLEEN interview in Nnewi, October 14, 2001.

<sup>57</sup> Gilbert Okoye is known as Ntu (the Nail).

have no hand whatsoever in the murder [of Chief Okonkwo]. The members of the Anambra State Vigilante Services have no hand in the case. I have not met the man all my life.” He then went on to question the “benefit in harming the man for political reasons [especially as] he is no threat to the government of Anambra State.”<sup>58</sup> When CLEEN met Gilbert Okoye in October 2001, he said he knew nothing about the death of Chief Okonkwo, did not know him and had never met him.<sup>59</sup> Camillus Ebekue, who took over the chairmanship of the AVS in May 2001, also told Human Rights Watch and CLEEN that there was no trace of AVS involvement in the death of Chief Okonkwo.<sup>60</sup>

### ***The arrest and torture of Ifeanyi Ibegbu***

In another clearly political case, Ifeanyi Ibegbu, leader of the opposition All People’s Party (APP) in the Anambra State House of Assembly, was abducted and tortured by the Bakassi Boys in August 2000. It was only thanks to the intervention of the inspector general of police that his life was saved.

Ifeanyi Ibegbu had previously been threatened on several occasions by OTA and had alerted the authorities to these threats. As a member of the state house of assembly representing Onitsha, he had been an outspoken critic of the state government; he had denounced many killings by OTA and the Bakassi Boys and had assisted families of victims in seeking redress. He had complained about vigilante violence to both state and federal authorities, in vain. There is little doubt that he was targeted for political reasons and because of his public criticisms and campaigns against vigilante violence.

The harassment and intimidation of Ifeanyi Ibegbu began several months before his arrest. After first being warned that he was likely to be killed, he fled from his home. Members of OTA then came to his house in Onitsha in April 2000 and destroyed everything, leaving a human head behind in his house. He then decided to move out of the city.

On August 18, 2000, Ifeanyi Ibegbu attended a party at which Chuma Nzeribe, the governor’s security adviser, was present. He claimed that he overheard Chuma Nzeribe saying that he (Ifeanyi Ibegbu) was trying to discredit the government and that Nzeribe was going to kill Ibegbu. The two men got into an argument and a scuffle ensued.<sup>61</sup> The following day, Gilbert Okoye, the Bakassi Boys’ chairman, approached Ifeanyi Ibegbu and asked him to apologize for his conduct at the party: “He advised me not to adopt the attitude of championing civil rights, because it would cost me my life. He said that this was Nigeria, not America, and that I could not oppose the governor, even though I am the Opposition Leader in the House.”<sup>62</sup>

On the afternoon of August 20, as he was driving from Enugu towards Onitsha, Ifeanyi Ibegbu noticed that he was being followed.<sup>63</sup>

Along the road I noticed the Bakassi in strategic positions. They flagged me and said: “Who are you? Oh, you’re the criminal we’re looking for.” They kicked me and stripped me. They gagged me and tied my feet and arms with rope. I was naked. They forced me into the pick-up truck. It was about 4.00 p.m. A crowd had gathered. People were stoning the Bakassi, trying to protest. The Bakassi numbered about forty or fifty; they had pump action guns and matchets. They put me face down in the vehicle. I didn’t know where we were going. Later I saw that I was in the heart of Onitsha market.

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<sup>58</sup> See article entitled “Bakassi Boys: panic in Igboland,” in *Weekend Vanguard* (Lagos), March 17, 2001.

<sup>59</sup> CLEEN interview with Gilbert Okoye, former chairman of the Anambra Vigilante Services, Awka, October 18, 2001.

<sup>60</sup> Human Rights Watch/CLEEN interview with Camillus Ebekue, chairman of the Anambra Vigilante Services, Awka, October 16, 2001.

<sup>61</sup> Human Rights Watch/CLEEN interview, Awka, October 9, 2001. See also Ifeanyi Ibegbu’s written statement about his arrest and torture, entitled “An account of my ordeal at the hands of the ‘Onitsha Vigilante Services’ also known as ‘Bakassi Boys,’ ” August 28, 2000.

<sup>62</sup> Ifeanyi Ibegbu’s written statement about his arrest and torture, entitled “An account of my ordeal at the hands of the ‘Onitsha Vigilante Services’ also known as ‘Bakassi Boys,’ ” August 28, 2000.

<sup>63</sup> Human Rights Watch/CLEEN interview, Awka, October 9, 2001.

They took me upstairs and tortured me; this was at about midnight. I still have the wounds. They called me for interrogation. They were sitting like judges. They said: "Your time is up." They tied my legs and arms and loosened the rope on my mouth. They asked: "Why did you oppose Bakassi?" I said I didn't but they must work in concert with the law. They said: "We will kill you," and mentioned by name various other prominent people they wanted to kill, who had denounced their violence. I started pleading with them. They refused to listen. This went on until about 8 a.m. One Bakassi boy who knew me told me: "The government wants you to die."

At about 12.00 p.m., they announced in the market that they were going to display a big fish and that I was a big criminal. They brought me downstairs to the execution ground. I was still naked. Some of them said they would kill me, others said they wouldn't. They took me back upstairs, then down again, then back up again, then down again. The traders had closed their shops and were standing around, waiting for me to be displayed. The Bakassi leader Gilbert Okoye said: "Your day is up. Stop going around with those criminals." They said they would kill me. I was still pleading with them.

They were making calls on their cell-phones, saying: "This is the man, we have him." They were calling Chuma Nzeribe. Then the inspector general of police got to hear about it. He called Nzeribe for him to tell the Bakassi to release me .

They forced me to make a mark on my body. They rubbed a black native substance into a cut on my arm. They hit me three times on my chest and back. I had to take an oath that I would keep it secret and say they were doing a great job. They warned me not to go to the police and not to go to court. After they released me, I went to make a statement to the police. The Bakassi came to the police station. Then they entered the car and zoomed off.

The same night, after my release, they killed two boys at the junction just to frighten me. They just left the bodies there, near my house.

The Anambra State House of Assembly set up an ad-hoc committee to investigate the arrest of Ifeanyi Ibegbu. In their submissions to the committee, Ifeanyi Ibegbu's personal assistant and his driver, who were traveling with him at the time of his arrest and were both arrested and detained with him, confirmed that the Bakassi Boys had not accused Ifeanyi Ibegbu of any specific criminal offence, but of challenging Chuma Nzeribe and being against the activities of the Bakassi Boys in Onitsha. They both stated that when their car was intercepted on the road, the Bakassi Boys made a call on their mobile phone before then assaulting and arresting them. In his own submission to the ad-hoc committee, Chuma Nzeribe accused Ifeanyi Ibegbu of using his house as the operational base of an armed gang and having links with two well-known armed robbers. He denied any involvement in his arrest and denied threatening to kill him. Gilbert Okoye, for his part, admitted to the committee that he had been informed on the telephone about the arrest of Ifeanyi Ibegbu, but claimed that he had asked the Bakassi Boys not to harm him since he was a public figure. The operational secretary of the Bakassi Boys confirmed to the committee that the intention had been to kill Ifeanyi Ibegbu: "He disclosed that Hon.Ifeanyi Ibegbu would have been killed but for the timely intervention of the Commissioner of Police and the Security Adviser."<sup>64</sup> Ifeanyi Ibegbu's own testimony, including his account of comments made by the Bakassi Boys during his detention, clearly confirms that they would have tried to kill him had it not been for the intervention of the police.

Ifeanyi Ibegbu has taken his case to court and is suing the Anambra government, Chuma Nzeribe, and the Bakassi Boys for damages for wrongful arrest and assault. Despite having been given a police escort since his release, he still felt unsafe when he spoke to Human Rights Watch and CLEEN, more than a year after his abduction and torture.

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<sup>64</sup> Summary of submissions in "Report of the select committee investigating the arrest and detention of Hon.Ifeanyi Ibegbu."

When Human Rights Watch and CLEEN met Camillus Ebekue, who replaced Gilbert Okoye as chairman of the Anambra Vigilante Services in May 2001, and asked him about the abduction and torture of Ifeanyi Ibegbu, he said the story was not true, or else he was “not aware of it.”<sup>65</sup>

## **Patterns of human rights abuses and other individual cases**

### ***Summary executions***

Setting themselves up as self-appointed judges, juries and executioners, the Bakassi Boys have killed scores of people after putting them through their own form of “trial,” resulting in apparently arbitrary decisions as to the individual’s guilt or innocence, often on the basis of fabricated evidence, evidence extracted under torture, or no evidence at all. The Bakassi Boys claim to use “magic” to ascertain whether individuals are guilty or innocent; the premises from which they operate are adorned with symbols and objects related to this belief. The chairman of the Abia Vigilante Services, Onwuchekwa Ulu, told CLEEN that they had foolproof, secret methods of finding out who was a criminal.<sup>66</sup> Some of those “judged” to be innocent were released, although several, such as Chief Okonkwo, were later re-arrested and killed. Many of those “judged” to be guilty were brutally murdered without any other form of process, sometimes in public, in front of large crowds. One of the most publicised “catches” by the Bakassi Boys was an alleged armed robber in Onitsha, Okwudili Ndiwe, also known as Derico Nwamama; he was detained by the Bakassi Boys on July 3, 2001 and executed six days later, on July 9. In cases described to Human Rights Watch and CLEEN, the Bakassi Boys often mutilated and burned their victims, decapitated or dismembered them.

Public summary and arbitrary executions have also been carried out with impunity by the Bakassi Boys in Imo State. The Bakassi Boys started executing people as soon as they began their operations in Imo, as described in an article in *NewsWatch*: “They showed everyone that ‘the real Bakassi Boys’ had arrived by slaughtering two persons believed to be criminals on the major streets, apparently to send a warning signal to all criminals in the state. *NewsWatch* gathered information in Owerri that the two persons slaughtered had been undergoing trial in a Bakassi detention camp outside the state. The two people were convicted by the Bakassi Boys and therefore summarily executed in line with their operations in other states especially Abia and Anambra.”<sup>67</sup> Executions in Imo were carried out particularly along the Owerri-Port Harcourt Express Road, where around ten people were reported by the Civil Liberties Organisation (CLO) to have been killed by the Bakassi Boys in July 2001. Among those executed there were a man nicknamed Commotion, who had been detained by the Bakassi Boys for almost one month; he was killed and burnt, along with three other people.<sup>68</sup>

Former detainees told Human Rights Watch and CLEEN how people were regularly taken out of the Bakassi Boys’ cells for execution. There was no doubt in their minds as to the fate that awaited such prisoners. A man who was detained in Onitsha in November 2000 said: “They were killing people there. They would come into the cell, take about ten people out, beat them and bring them back in. Sometimes they would chain someone and take them out. Those ones never came back. We presumed they had been killed. Sometimes they would even say they were going to kill the ones they took out.”<sup>69</sup> Another former detainee held in Onitsha supported this account: “Everyday they came and took people out, sometimes as many as eight. They would take them away. They never came back. There was a man called Ike that they took outside. We never saw him again. I presume he was killed. The day I was arrested, they took eight people out. They tied them with rope: that means they will be killed. When the Bakassi returned they had blood on their knives.”<sup>70</sup> A man who was detained in Onitsha in March 2000 also stated that detainees were called out, apparently for execution, and were never seen again.

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<sup>65</sup> Human Rights Watch/CLEEN interview with Camillus Ebekue, chairman of the Anambra Vigilante Services, Awka, October 16, 2001.

<sup>66</sup> Ibid.

<sup>67</sup> “Bakassi Boys storm Imo State,” *NewsWatch*, January 22, 2001.

<sup>68</sup> Report by the Civil Liberties Organisation (CLO), Southeast Zone, August 1, 2001.

<sup>69</sup> Human Rights Watch/CLEEN interview, Onitsha, October 10, 2001.

<sup>70</sup> Human Rights Watch/CLEEN interview, Onitsha, October 10, 2001.



Some detainees personally witnessed others being killed. A man who was detained by the Bakassi Boys in Onitsha in August 2000 stated: “While I was detained they brought a man out and killed him in front of me. He was about seventeen or twenty years old. They killed him with a knife, a machet and a big stick. They cut him up in one or two minutes.”<sup>71</sup>

The Bakassi Boys’ victims have included women. In Anambra, for example, a mother of five and a caterer who had become a successful trader in buildings materials was killed by the Bakassi Boys in August 2000. There were different theories about the motive for her killing: one was that she had been accused of killing her husband’s first wife; the other was that she was friendly with a man who was an armed robber, whom the Bakassi Boys were hunting down, and that they killed both of them as they found him in her company. It was also alleged that the Bakassi Boys accused her of having guns and training criminals, but there was never any criminal investigation into these allegations.<sup>72</sup>

Human Rights Watch and CLEEN are particularly concerned about the fate of the lesser-known victims of the Bakassi Boys, as their cases are rarely reported. Although it is impossible to estimate the number of people killed, the Bakassi Boys are certainly responsible for scores of murders, perhaps hundreds. The majority of victims are young men and boys, some under the age of eighteen, who come from poor backgrounds; they have no one to report on their behalf to the authorities about these abuses, and, unlike some of the Bakassi Boys’ more prominent victims, no possibility of appealing to any authorities to intervene to save their lives. Their deaths have also gone mostly unreported by the media. In some cases, the victims were street-boys or orphans whose names were not even known and who had no one to identify their bodies after they were killed. Some may have participated in minor, petty offences but never had a chance to present their side of the story. Others may well have been innocent of any offense. From the testimonies of former detainees, it would appear that these “anonymous” victims constitute the bulk of those picked up and killed by the Bakassi Boys.<sup>73</sup>

Residents of all three states where the Bakassi Boys operate told Human Rights Watch and CLEEN that unidentified, dead bodies lying on the roadside were a common sight. For example, one man stated: “There are lots of cases. In about March this year [2001], I saw two dead bodies on the road in Umuahia. Their bodies were burnt. Tyres had also been burnt around them. There were Bakassi Boys parading around.”<sup>74</sup> A woman said: “They play football with people’s heads in the market in Onitsha. Children watch and cheer.”<sup>75</sup> A man described a particularly gruesome period in late 1999-2000 when OTA was responsible for many killings in and around Onitsha. He said that he would regularly see between six and twelve dead bodies on the streets in Onitsha town, Obosi, Nkpor and Ogbaru. Most of the victims had their arms tied behind their backs and had been shot with rifles.<sup>76</sup>

At least nine people, including several teenagers, were killed in Onitsha on April 10, 2000. The perpetrators are believed to have been members of OTA, the predecessor to the Bakassi Boys in Onitsha, assisted by policemen; according to witnesses, they arrived in police vans and in vehicles of the Anambra State Vigilante Services. Most of the victims were young men, including at least three local government employees—Vincent Ogbuli, aged twenty, Chuka Bosah, aged nineteen, and Chilo Chukurah, aged twenty-four— and two school students, Stephen Chukwurah, aged fifteen, and Obiora Okechukwu, aged thirteen; a thirteen-year-old girl and a pregnant woman were reportedly also killed. Their bodies are believed to have been thrown into the Niger river, but were never recovered. OTA’s claims that all the victims were criminals were contradicted by local sources

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<sup>71</sup> Human Rights Watch/CLEEN interview, Awka, October 9, 2001.

<sup>72</sup> Human Rights Watch interviews in Enugu, October 2001.

<sup>73</sup> Human Rights Watch/CLEEN interviews with former detainees, October 2001.

<sup>74</sup> Human Rights Watch/CLEEN interview, Umuahia, October 16, 2001.

<sup>75</sup> Human Rights Watch interview, Enugu, October 8, 2001.

<sup>76</sup> Human Rights Watch/CLEEN interview, Onitsha, October 12, 2001.

who knew the victims well. Some of their families complained to the authorities, requesting an explanation and compensation for their deaths, but relatives of others did not dare to do so.<sup>77</sup>

In August 2001, Christian Onwuma, a twenty-year-old *okada* (motorbike taxi) driver, and three other men were abducted and killed by the Bakassi Boys in Nkpor, near Onitsha, at a location sometimes used for marijuana-dealing. Christian Onwuma, who worked in Onitsha but was originally from Nsukka, in Enugu State, was described by friends and neighbours as a quiet, hard-working young man who had never been a thief or a criminal. A lawyer acting for the family stated: “The only offence he was believed to have ever committed was to smoke marijuana. But it is not the duty of the Bakassi Boys to arrest drug-takers. It is the duty of the National Drugs Law Enforcement Agency. [...] They were killed in public. People shouted that Christian should not be killed, but they were told to keep back. The Bakassi alleged that they had found guns in the marijuana dealing site.”<sup>78</sup>

A childhood friend and colleague of Christian Onwuma explained what had happened:

That Tuesday, at about 2 p.m. at the *okada* park, I saw the Bakassi driving away, with Christian and three other young men: twin brothers (one *okada* boy and one trader who sold beverages and marijuana) and another man. There were about five Bakassi Boys. They were in an Isuzu pick-up van; I know their car. I saw they were carrying knives and guns. The men had been beaten and injured with knives. They had their arms tied behind their backs. The next day their relatives went to the Bakassi office. They were told to come back the following day (Thursday).

But on the Wednesday the Bakassi drove the four victims to the junction and killed them. Some fellow drivers came to tell me. We went there and saw the corpses. All four corpses were together. They had been killed with machetes and burnt together. They were badly burnt but still recognizable. They had cut off their heads and legs, but the heads were still lying there. People looked, then everyone just went his or her own way. The bodies stayed there for four or five days. I don't know who removed them.

I've seen other people who've been killed but not people who have been close to me. I feel the loss very much. The family is also very affected. We knew each other when we were little. Christian used to be a motorcycle mechanic. He was easy-going, not quarrelsome. He never stole anything. After his death, his relatives tried to get his bike back. The Bakassi made them pay 5,000 naira [approximately U.S.\$38] for it.<sup>79</sup>

On May 29, 2001, in one of the most serious cases, thirty-six alleged armed robbers were killed by the Bakassi Boys in Onitsha. Some of them had reportedly been detained for several weeks beforehand. They were publicly killed with axes and machetes, mutilated and set on fire, in several different locations.<sup>80</sup> A woman who happened to be passing by the place where their mutilated bodies were found described what she saw: “It was on the road going from Onitsha towards Delta state, at the spot where they normally burn the bodies. I saw a pile of human remains. They had cut people up with machetes and put them in a container. There were piles of body parts which had been set on fire. The bodies had been cut up into small pieces like in a butcher's shop. They use very sharp machetes. You can't even recognize what part of the body it is.”<sup>81</sup> Nigerian human rights organizations, including the CLO, appealed to the government to publish a complete list of the victims' names, but to date, there is no known confirmation of the names and identity of the victims.

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<sup>77</sup> Human Rights Watch/CLEEN interview, Awka, October 9, 2001. Some of these cases are also described in *The Eye*, newsletter of the Onitsha Youth Development Organisation, May 2000, and in a letter to the inspector general of police in Abuja from the Onitsha Youth Development Organisation, April 13, 2000.

<sup>78</sup> Human Rights Watch/CLEEN interview, Onitsha, October 12, 2001.

<sup>79</sup> Human Rights Watch/CLEEN interview, Onitsha, October 13, 2001.

<sup>80</sup> Report by the Civil Liberties Organisation (CLO), Southeast Zone, August 1, 2001.

<sup>81</sup> Human Rights Watch interview, Enugu, October 8, 2001.

In March 2002, an Amnesty International delegation visiting Anambra State witnessed an attempted summary execution by the Bakassi Boys inside the compound of the state government in Awka, Anambra State, some one hundred metres away from the governor's office. The Amnesty International delegates described how about twelve Bakassi Boys armed with automatic weapons and machetes were surrounding a man in his fifties, who had his arms tied behind his back and was bleeding profusely, apparently as a result of beatings. "AVS members were pouring petrol over the man's body with the clear intention of setting him on fire. When they realised that there were strangers watching the scene, they bundled the victim into a van, loaded the vehicle with machetes and guns, and drove away." The identity of the victim and his fate remain unknown.<sup>82</sup>

On July 9, 1999, two young men, Sergeant Okechukwu Madukwe and Chukwudozie Nwachukwu, both in their twenties, were killed by the Bakassi Boys in Umuahia, Abia State. Chukwudozie Nwachukwu, a twenty-nine-year-old man who worked as an operational manager in a seafood company, had traveled from Lagos to Umuahia to visit his family. When he arrived at the family house, his parents were not there, so he went to wait in a restaurant in the centre of town, known as the Safari restaurant. According to eye-witness testimonies and members of the family, a few minutes after Chukwudozie Nwachukwu arrived in the bar, a group of about ten armed men entered the bar. They identified themselves explicitly as Bakassi Boys and said they had been sent from Aba by the state government to stop criminals.

Soon after they entered the bar, the Bakassi Boys got into an argument with the bar boy. The argument escalated and the Bakassi Boys hit the bar boy with a broken bottle. When Chukwudozie Nwachukwu intervened and asked what was happening, the Bakassi Boys began attacking him with knives. Another man who was in the bar, Sgt Okechukwu Madukwe, approached when he saw Chukwudozie Nwachukwu lying in a pool of blood, surrounded by armed men. The Bakassi Boys then set upon him too. They accused Chukwudozie Nwachukwu and Sgt Okechukwu Madukwe of being robbers, after discovering that they were carrying money. Within a short time, they had killed both of them, using machetes and guns. They took their bodies outside, poured fuel over them and set them on fire. Okechukwu Madukwe's brother, who was also in the bar, was attacked with machetes, tied up and put inside a vehicle; he was injured, but survived after being saved by the police.

Chukwudozie Nwachukwu's father was at work when his son was killed: "I was in the office. Someone came in and said: 'Come and see what's happening in the Safari restaurant! Your son has been fighting.' I said that was not possible. I took off immediately. I reached the restaurant. There were crowds there. I saw the boys' bodies on fire. Blood was flowing. The Bakassi were still there, with their weapons. They had two guns and many matchets. They were searching the vehicle of the spy sergeant [Sgt Okechukwu Madkuwe]; they found nothing. My son had been shot on the neck and shoulder. They had cut off his feet. I was so dazed I couldn't react. I had to leave. I then went to the police with my wife to report it. The body was left there overnight. The police helped us remove it the next day. We had a big funeral."<sup>83</sup>

Unusually in a case involving the Bakassi Boys, the police came to the scene quickly, arrested six of the Bakassi Boys and took them to the police station. The police then received instructions from Government House, described as follows in the police findings and recommendations on the case: "Shortly after the arrest of these people directives came from the Government House that the suspects should be brought to Government House. At the Government House, the deputy Commissioner of police, Abia State police command was instructed to release the suspects by the governor. Based on the instruction, the suspects were released few hours after having recorded their statements."<sup>84</sup> Following a public outcry at their release, the police re-arrested four of them a few days later; this time, they remained in detention and, in one of the very few cases of its kind, they were actually

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<sup>82</sup> See Amnesty International news release "Nigeria: Amnesty International witnesses attempted summary execution by Anambra Government Security Force," April 10, 2002.

<sup>83</sup> Human Rights Watch/CLEEN interview, Umuahia, October 16, 2001.

<sup>84</sup> Police findings and recommendations reproduced in the CLO's Human Rights Call: "The extrajudicial killing of citizens by the Bakassi Boys," October 2, 2000. The more detailed police report is also reproduced in *Insider Weekly*, July 16, 2001.

charged and tried. Court proceedings began in Umuahia, on June 21, 2000, but the trial did not commence until February 14, 2001. By April 2002, it has still not concluded, following repeated adjournments.

The police's initial investigations into this case in Abia State were reportedly obstructed by the state government, so the investigation was transferred to the police in Lagos. According to the police findings in the case, at least two Abia State government officials—the secretary to the state government and the protocol officer—had called the Bakassi Boys to Umuahia on July 9. However, the reasons and motives for the killings remained unclear. The police findings state: “On 9<sup>th</sup> July, 1999, at about 1400 hours members of a vigilante group based in Aba, Abia State popularly known as ‘Bakassi’ invaded Safari Restaurant [...]. Members of this gang with their office at block C4 Ariaria market Aba were invited by the Secretary to Abia State Government Dr E.J.Nwogbo through one Ndukwe Okereke, a Protocol Officer attached to the Government House on behalf of the State Government. The Deputy Governor in his statement confirmed that they i.e. the Governor, himself and the Secretary to the State Government on 9<sup>th</sup> July 1999 held a meeting bordering on the activities of the Bakassi group. He asserted that after their deliberation an arrangement was reached to invite the group. Ndukwe Okereke a Protocol Officer was dispatched from Umuahia to Aba to invite this group and on his return trip with the gang numbering about (10) ten men went straight to the Abia State Government House, Umuahia. At the Government House, Ndukwe and the Chairman of the group by name Ezeji Oguike called at the office of the Secretary to the State Government, Dr E. J. Nwogbo. The SSC had some discussions with the Chairman of the group after which Ndukwe Okereke led them to Safari Restaurant [...]” The police report then goes on to describe the killings and confirms that the two victims were not criminals or armed robbers.<sup>85</sup>

The victims' relatives believe it was a case of mistaken identity. They asked the government to admit publicly that it was a mistake and to state for the record that the men were innocent. The government refused to do so.<sup>86</sup> In an interview with the magazine *Insider Weekly* two years after the deaths of the two men, in which he was asked about the case, Abia State governor Orji Kalu simply said: “Well, there is nothing I could have done because the case is before a court of competent jurisdiction and government was directly not involved.”<sup>87</sup>

### ***Arbitrary arrests and unlawful detention***

In many cases, it was not clear why particular individuals were picked up by the Bakassi Boys. Even those arrested often had no idea of the reason or basis for their detention. Many of those arrested and detained by the Bakassi Boys were people who were not known to have a criminal record and who had not been apprehended in the course of carrying out any criminal activity.

Under international law and the Nigerian constitution, all suspects have the right to be presumed innocent until proven guilty by a court of law. Even those who are suspected of having perpetrated the most brutal crimes have the right to be informed of the reason for their arrest, to have access to a lawyer, and to be charged and tried by the competent authorities, according to due process. Vigilante groups have no judicial status and no powers to detain, charge, try or judge, even less to administer punishments, including death.

Contrary to statements made by government authorities and vigorous denials by the Bakassi Boys' leaders themselves, the Bakassi Boys were always armed when carrying out the arrests reported to Human Rights Watch and CLEEN, usually with guns and machetes. They rarely informed people of the specific reason for their arrest, apart from general, unsubstantiated accusations of criminality. Arrests were not covert operations: the Bakassi Boys usually identified themselves explicitly, sometimes even stating that they had been sent by the government. Their victims were almost always badly beaten at the time of arrest; most sustained serious injuries from machete blows in particular. The Bakassi Boys often intimidated and threatened other people who happened to be present

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<sup>85</sup> Police findings and recommendations, reproduced in the CLO's Human Rights Call: “The extrajudicial killing of citizens by the Bakassi Boys,” October 2, 2000. The involvement of the Abia State government in this case is also documented in “Orji Kalu's murder gang,” in *Insider Weekly*, July 16, 2001.

<sup>86</sup> Case information summarized from Human Rights Watch/CLEEN interviews in Umuahia and Enugu, October 2001, and articles in *Insider Weekly* and *Tell* magazines.

<sup>87</sup> *Insider Weekly*, July 16, 2001.

at the time of arrest, for example by firing into the air, or by arbitrarily arresting and ill-treating onlookers and neighbors, as well as relatives of their main victims. Typically they then forced those arrested into their vehicles, often with their arms tied behind their back with rope or cable, and took them to the Bakassi Boys' headquarters where they were detained.

The official leaders of the Bakassi Boys have denied that they have been responsible for unlawful detention. When Human Rights Watch and CLEEN met the chairman of the Abia Vigilante Services, Onwuchekwa Ulu, and the former and current chairmen of the Anambra Vigilante Services, Gilbert Okoye and Camillus Ebekue, they all claimed that they always handed over the suspects they apprehended to the police, despite clear evidence to the contrary. Camillus Ebekue denied that the AVS had any detention centers and told us: "I have never seen any cell."<sup>88</sup>

### *Conditions of detention*

In Onitsha, detainees were usually held at the Bakassi Boys' headquarters known as the White House, located in the central market. In Aba, they were held in a detention center in the Ariaria market. In Owerri, many were held in a detention center behind the Concord Hotel.

The Bakassi Boys' detention centers consist of overcrowded and dirty cells, with no hygiene or other facilities. Detainees would be deprived of food and drink for several days.

An elderly man who was detained at the White House in Onitsha in November 2000 described the conditions there:<sup>89</sup>

They crammed us all into one room. There were thirty of us in the cell. We were not given anything to eat or drink. They came with knives and threatened to kill anyone who looked at them. They brought us a bucket to urinate in. We couldn't go outside the cell at all. All the time while we were held there they were beating us and threatening us. [...] In the cell it was difficult to talk. We would whisper to those who were close but we didn't dare raise our voices. We were locked in there with a big padlock. They just left us there. Some detainees had money in their pockets and would send someone to fetch water. We would share one or two sachets. We were not given food for a week.

Another former detainee in Onitsha stated: "There were many people, thirty-eight men and three women, young and old, all in the same cell. We were all crammed in, sitting between each other's knees. We couldn't lie down or stand up. When they brought in new detainees, they would ask them for money. Once in a while we were able to ask a kind-hearted Bakassi to buy us a sachet of water or bread, once every three days. We had nothing else to eat at all."<sup>90</sup>

Another man detained in Onitsha in October 2000 said: "The cell was dirty with blood on the floor and it smelled bad. There were about forty other men detained there; some had cuts on their hands. There wasn't enough room to lie down; we had to sleep sitting up."<sup>91</sup>

Detainees in Owerri were held in similar conditions: "There were eight or nine people in the cell. The wall and the floor were splattered in blood. People had cuts. One old man was groaning, pleading his innocence, saying no one had interrogated him. He had knife cuts on his body. [...] Another man had cuts on his hands. [...] There was a terrible smell, a smell of blood. It was an unbearable stench. [...] They didn't allow us to go outside to urinate."<sup>92</sup>

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<sup>88</sup> Human Rights Watch/CLEEN interview with Camillus Ebekue, chairman of the Anambra Vigilante Services, Awka, October 16, 2001.

<sup>89</sup> Human Rights Watch/CLEEN interview, Onitsha, October 10, 2001.

<sup>90</sup> Human Rights Watch/CLEEN interview, Onitsha, October 10, 2001.

<sup>91</sup> Human Rights Watch interview, London, February 18, 2002.

<sup>92</sup> Human Rights Watch/CLEEN interview, Owerri, October 17, 2001.

### ***Torture and ill-treatment***

Several people who survived detention and torture at the hands of the Bakassi Boys testified to Human Rights Watch and CLEEN about their ordeal. Their testimonies illustrate certain patterns in the methods used by the Bakassi Boys. Torture and ill-treatment were systematic during detention. Detainees were stripped naked, severely beaten, often with rifle butts, flogged, kicked, and cut with machetes and knives, often resulting in severe injuries. They were also subjected to various forms of psychological torture, abuse, and humiliation.<sup>93</sup>

A man who was tortured by the Bakassi Boys in Onitsha in October 2000 told Human Rights Watch: “The Bakassi called me out. They said they would kill me and eat me, starting with my heart. Once when they called me out, I was alone facing about thirty Bakassi. They beat me badly with their machetes; I have scars on my legs, my chest and my back. They scraped my back and wrote their inscriptions on me; they beat me with hammers. They accused me of sponsoring armed robbers and trading in weapons.”<sup>94</sup>

Torture was often inflicted with the intention of extracting confessions of guilt. The Bakassi Boys have actively fuelled the myth that they have magical ways of ascertaining guilt or innocence; a particular belief is that they hold a machete over the individual, and that if the blade turns red, it means that the individual is guilty. A man who was detained and tortured by the Bakassi Boys in Onitsha in March 2000 stated: “People actually believe that the Bakassi Boys have magical powers through which they detect criminals, but my experience has taught me that that there is nothing like that. They will just continue torturing you till you confess you are guilty.”<sup>95</sup> Likewise, a detainee held with Eddie Okeke in Onitsha said that when Eddie Okeke offered to have his guilt or innocence “tested” by the Bakassi Boys, the Bakassi Boys asked him whether he had any instrument to test people’s innocence, thereby indicating that they did not have, or even pretend to have, any such instrument. Instead, they beat him and tortured him.<sup>96</sup>

One of the most prominent victims of torture by the Bakassi Boys in Imo State was Bishop Alex Ezeugo Ekewuba, founder of the Overcomers Church in Owerri, who was detained and tortured on June 8, 2001. He appears to have been targeted as a perceived political opponent of the state government. Bishop Ekewuba recounted his experience at the hands of the Bakassi Boys to Human Rights Watch and CLEEN:<sup>97</sup>

They came believing that Rochas Okorochoa was a member of this church. Rochas Okorochoa is a famous, popular man. He ran against the governor before, in the primaries, in 1999. But he isn’t a member of this church. I don’t even know him. There is fear in the government. They see this church as a threat as we are very powerful, popular and populous. They see us as a security risk because we have a mass following. They think I am too vocal.

On 8 June 2001, they came and first arrested a young man, “A”,<sup>98</sup> who is a member of this church [...] They arrested him in his house, along with his younger brother and his mother, who is about sixty years old. They stripped all of them naked, including the mother. They brought them to the church and accused “A” of fronting for Rochas. They claimed Rochas had given him money to fight against the governor. He denied it; he is just a security man.

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<sup>93</sup> The various forms of physical and psychological suffering inflicted by the Bakassi Boys on their victims are considered as acts of torture, as the existence and activities of the Bakassi Boys are endorsed by government authorities. Article 1 of the U.N. Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment defines torture as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person [...] when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

<sup>94</sup> Human Rights Watch interview, London, February 18, 2002.

<sup>95</sup> CLEEN interview, Nsukka, October 20, 2001.

<sup>96</sup> Human Rights Watch/CLEEN interview, Nawgu, October 10, 2001.

<sup>97</sup> Human Rights Watch/CLEEN interview, Owerri, October 17, 2001.

<sup>98</sup> The names of some of the individuals are withheld for their own security.

They smashed up chairs and attacked people who happened to be in the church. One woman had her collarbone cut with a knife. Another boy was slashed on his back with a knife. “A” had knife cuts on his head and arms. His brother was beaten and they tied his hands and feet. His mother had a knife cut on her shoulder. They picked up a gun and accused the church of using it for armed robbery.

Then they came to my house, at about 2 a.m. They fired shots and shouted: “We’re Bakassi!” I asked whether I could come to their office in the morning. They said: “No, open the door or we’ll break it.” They scaled the wall and came into the compound. They jumped upstairs and pointed their gun at my wife through the window and asked her for my gun.

They stripped me naked and beat me with their gunbutts, on my chest and shoulder-blade. They broke my rib. I asked for time to pray, but they refused. They dumped me in the boot of their car and took me for interrogation. They had slapped me, beaten me and kicked me all over. They also wanted to take my sixteen-year-old son. I pleaded with them not to. My son hid under the bed. They said they would come back for him.

The place they took me to was behind the Concord Hotel in Owerri. [...] They tied my arms and legs with electric cable. They tried to cut my hand but I struggled, so it was only scratched. There were rounds of interrogation. They threw me on the floor. It was filthy. I asked to sit up. They dragged me and hit my head against the wall. They hit me repeatedly and asked how much Rochas had paid me. I kept saying: “I don’t know him.” They accused me of training armed robbers.

During the night, the Bakassi were arguing over which one of them should be allowed to cut my neck. One of them, nicknamed Tufiakwa [“abomination”] put his fingers into my eyes. He was arguing with another one. He said: “It’s my turn to cut off this man’s neck. You did the other one a few days ago.” The argument carried on until the morning.

Later they claimed that “A” had said Rochas had given him fifteen guns. They made him read a statement saying: “He gave me fifteen pump-action guns.” They just put a microphone in front of him, then brought out the statement as evidence. “A” and his brother were held in another cell. Their hands were tied behind their back and their feet were tied in a crossed position; they were tied with cable. Four men kept lifting him up and dropping him, to try to break his backbone. When they do that, there is no blood.

The next morning at about 6 a.m., my wife came to try to rescue me. They chased her away. She went to the minority leader in the House of Assembly. He went to the Bakassi and told them they should release me. He arrived just at the same time as the Bakassi leader.

They released me the next morning. “A”’s brother was released two days later; “A” himself was released a week later. I went to the police and to the hospital. They had injured me on the jaw with the butt of their gun. I wrote to the governor. He has still not replied. I wanted to explain to him that I was not fighting against him. The absence of a reply from him was the most painful thing. It was more painful than the physical injuries. The police took my statement but there was no action, no arrests.

At around the same period as Bishop Alex Ezeugo Ekewuba, another man was arrested and tortured with machetes by the Bakassi Boys of Imo State because his mother was accused of having affiliations with the same political opponent of the government, Rochas Okorochoa. He was later released.<sup>99</sup>

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<sup>99</sup> Human Rights Watch interview with Civil Liberties Organisation, Enugu, October 17, 2001.

A combination of superstition and fear has led to situations where some individuals have offered or agreed to submit themselves to the Bakassi “test” to prove their innocence, in full knowledge of the associated risks of detention, torture or death. The alternative is to refuse to do so and risk being presumed guilty. The price of taking that risk is considered too high. Effectively, anyone facing accusations of guilt—whether founded or not—is caught in a trap. For example, a twenty-seven-year old trader in buildings materials from Nsukka, Enugu State, described how he and his colleague were tortured by the Bakassi Boys in Onitsha, in March 2000, after they were wrongly accused of stealing money:<sup>100</sup>

On March 15, 2000, a colleague and I were sent to Aba market by our traders’ union to buy goods there worth 850,000 naira. It is the practice here that two people are always sent to buy goods for the rest. On this particular day, the two of us set out to Aba with the sum of 850,000 naira. When we got to Aba, we boarded a cab with one other person; together with the driver, there were four in all. It was at around 5 p.m.

On the way the vehicle jerked and stopped. The driver pleaded with us to help in pushing the vehicle. We all disembarked except the other passenger who told us that he was sick. While we were pushing the vehicle, the driver suddenly kicked the vehicle and sped off with our bags containing the money. We raised the alarm but it was futile. We went home that evening to report the incident to the other traders. We did not go to the police because of the fear of being detained. The other traders called a meeting to deliberate on the matter. While some accepted our story, others insisted that it was a cooked-up story. It was then that the chairman of the association suggested that we should be taken to the Bakassi White House at Onitsha in order to ascertain our innocence.

We got to the White House at Onitsha on March 20. We were accompanied by two members of our association who handed us over to the Bakassi leader, who they call “the Boss,” after explaining their mission. We were ushered into a one room cell with little ventilation and no light. We may have been around twenty to thirty people in the cell. The next day, we were called out to state our side of the story, which we did. There were three Bakassi men on the table facing us including the Boss. The Boss warned us sternly that the price for our insisting on lying is death, that it is better for us to say the truth. We insisted that we were innocent.

Then they took me to the interrogation room. I was stripped naked and made to lie on the floor. My hands were tied on my back and I was repeatedly flogged on the back and buttocks with a matchet. All the while one of them was asking me to tell the truth so that I could be saved from the torture, but I insisted that I was innocent. The torture lasted for about four hours. I was taken back to the cell. The next day the same process was repeated. Meanwhile my colleague was undergoing the same process. They did not interrogate us on the third day. But on the fourth day, the interrogation was intense and more brutal. They then decided to release us after failing to extract any confession from us. I was told later that that our association had made a payment of 20,000 naira [approximately U.S.\$154] to the Bakassi Boys.

When we came back, our people had given up hope of seeing us alive.

During his arrest and detention in Onitsha in August 2000, Ifeanyi Ibegbu came across several other people who had been victims of severe ill-treatment by the Bakassi Boys. For example, when the Bakassi Boys arrested him and forced him into their van, “I noticed the presence of another brutalized youth, who I could not recognise because his head was covered with blood from what was obviously a matchete blow.” Later, within the Bakassi Boys’ headquarters, Ifeanyi Ibegbu was tied up and dumped in a corridor where he saw a man he recognized: “[He was] similarly trussed up there in the corridor. I know him to be a school teacher and a former local

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<sup>100</sup> CLEEN interview, Nsukka, October 20, 2001.



government councilor. He is a man of advancing years, over sixty.”<sup>101</sup> The reason for the arrest and detention of these other individuals was not known to Ifeanyi Ibegbu.

Most of those detained and tortured by the Bakassi Boys were men, some very young, others over sixty. However, former detainees have also testified to the presence of women in their cells. A man detained by the Bakassi Boys in their headquarters in Onitsha in August 2000 said that there were around twenty women detained there at the time. In Owerri, Human Rights Watch and CLEEN received reports of the detention and torture of women, including sexual abuse, by the Bakassi Boys. For example, in February 2001, a woman who was targeted because she allegedly owed money to another woman was whipped on her genital area by the Bakassi Boys, who also put a stick in her vagina.<sup>102</sup>

### ***Targeting critics of the Bakassi Boys***

The momentum created by the Bakassi Boys and their apparent popularity have created a climate where it is dangerous to denounce or criticize their abuses. In the words of a Lagos-based human rights activist, “people don’t feel able to say ‘we don’t want Bakassi.’ At best they say ‘we want Bakassi’ then may admit there are problems.”<sup>103</sup>

The Bakassi Boys have dealt ruthlessly with individuals who have dared to criticize or denounce their methods, or refused to make financial contributions to them. For example, it is clear that Ifeanyi Ibegbu, the minority leader of the Anambra State house of assembly whose case is described above, was targeted in large part because of his denunciation of vigilante violence. Other, less prominent individuals, have suffered a similar fate.

On 7 July 2000, Bonaventure Chiedozi Egbuawa, a human rights activist in his thirties, was detained by OTA in Onitsha, taken to their headquarters at the White House, tortured and killed. His body was never recovered. Bonaventure Chiedozi Egbuawa was well-known for publicly criticizing excesses and abuses, including the establishment and activities of vigilante groups. He would walk around the town, including the main market, with a megaphone, denouncing what he saw as injustices. A lawyer and human rights campaigner explained how Bonaventure’s activism cost him his life.<sup>104</sup>

On that day he was in the market condemning the activities of OTA in front of many traders. OTA men arrested him and took him to the White House. They tortured him with rifle butts, iron rods, kicked him, hit him deliberately in the eyes; his face was very badly injured. After torturing him they threw him from the staircase of the White House. He came out staggering. No one in the market was brave enough to help him. About 300 metres from the White House, OTA men came and shot him. They put him in a wheelbarrow and dumped him in the River Niger, in full view of everyone, in the daytime. They usually dumped victims in the river as they can’t be prosecuted for murder without the corpse. We called a press conference and demanded an inquiry, compensation and a trial. But only one member of his family was willing to come forward, and then they withdrew. There was too much fear and pressure on the family.

Patrick Odi Okaka Oquosa, a musician and artist in his thirties, was arrested and tortured by the Bakassi Boys in Onitsha in October 2000. He had been outspoken about the abuses of the Bakassi Boys and in September 2000 had gone to speak personally to Gilbert Okoye, their chairman, to plead with him to stop the violence. Gilbert Okoye said he would speak to Chuma Nzeribe, the governor’s security adviser, and told him to return. On his second visit, he was told to return a third time, then again a fourth time. Meanwhile, members of a local church, with whom Odi Oquosa had had a disagreement, had secretly taped a conversation where he had denounced and criticized the Bakassi Boys and the governor of Anambra State, and gave a copy of the tape to the

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<sup>101</sup> Extracts from Ifeanyi Ibegbu’s written statement about his arrest and torture, entitled “An account of my ordeal at the hands of the ‘Onitsha Vigilante Services’ also known as ‘Bakassi Boys’,” August 28, 2000.

<sup>102</sup> Human Rights Watch/CLEEN interview, Owerri, October 17, 2001.

<sup>103</sup> Human Rights Watch interview, Lagos, October 18, 2001.

<sup>104</sup> Human Rights Watch/CLEEN interview, Onitsha, October 12, 2001.

Bakassi Boys. On his fourth visit to the Bakassi Boys, on October 19, 2000, Odi Oquosa was detained. He was severely tortured; his torture was clearly linked to his criticisms of their activities. He told Human Rights Watch: “They were saying I had been shouting that the Bakassi were no good.”<sup>105</sup>

Odi Oquosa was detained for three days. He was released thanks to the intervention of relatives who called the police, the governor’s office, and Chuma Nzeribe. He stated that on the day of his release, Chuma Nzeribe was present at the Bakassi headquarters. When they released him, the Bakassi Boys told Odi Oquosa that he should stop writing against them and talking about them. He later returned to ask for his glasses and precious stones which they had taken from him; they returned his glasses only. They threatened him and warned him that he should not talk about what happened. He refused to be silenced and continued writing to the authorities denouncing the abuses of the Bakassi Boys. A year later, in October 2001, his office was burnt down and all his belongings destroyed.<sup>106</sup>

People who have objected to the levy which they have been required to pay for the upkeep of the Bakassi Boys have also been victimized. A shopkeeper in Umuahia who refused to pay the levy received a visit from the Bakassi Boys who stole his goods and tortured another person who happened to be present.<sup>107</sup> In Owerri, in Imo State, on December 20, 2001, protests by traders and *okada* drivers who did not want to pay the Bakassi Boys a levy of 200 naira led to violent clashes, in which at least four people were reportedly killed and others seriously injured.<sup>108</sup> A bus driver who questioned the legality of the levy was reportedly stopped by the Bakassi Boys from Aba; they made his passengers get out of the bus, beat the driver and forced him to lie flat on the ground in submission to the Bakassi Boys.<sup>109</sup>

### ***Interventions in private disputes and civil matters***

In a number of different situations, the Bakassi Boys have been called in, effectively as hired thugs, to intervene in private disputes and civil matters, ranging from debt collection and disputes between landlords and tenants, to conflicts over land ownership and even domestic disputes. Human Rights Watch and CLEEN were informed of several cases where landlords hired the Bakassi Boys to evict tenants who they claimed had not paid their rent, or who they wanted to move out for other reasons. Threats and intimidation by the Bakassi Boys, as well as physical violence, are also often used as a way of obtaining or extorting money.

A man who had been detained by the Bakassi Boys in Owerri in June 2001 talked about some of the others detained there with him. One man, nick-named Abidjan because he had come from Côte d’Ivoire, had left Nigeria eight years earlier because of a land dispute. The day after his return to Nigeria, he was detained by the Bakassi Boys who had apparently been called by his enemies. The man had been injured and had cuts on his hands.<sup>110</sup> In another case, in Anambra State, in around September 2001, a man called the Bakassi Boys to intervene because another man allegedly owed him money. The Bakassi Boys entered the house of the man who owed the money, injured him with machetes and detained him for three days. The police arrested the man who had called in the Bakassi Boys, as well as some of the Bakassi Boys themselves, but they were later released.<sup>111</sup>

The Bakassi Boys also intervened in a dispute in around September 2001 between rival transport workers’ unions in Onitsha, apparently supporting one side against the other. Several people died in a shoot-out between the Bakassi Boys and one of the unions. The police arrested four of the Bakassi Boys and they were charged with attempted murder. However, they were granted bail.<sup>112</sup>

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<sup>105</sup> Human Rights Watch interview, London, February 18, 2002.

<sup>106</sup> Human Rights Watch interview, London, February 18, 2002.

<sup>107</sup> Human Rights Watch interview in Enugu, October 17, 2001.

<sup>108</sup> “Four dead as traders, vigilantes clash in Nigeria,” Reuters, December 21, 2001.

<sup>109</sup> See “Bakassi Boys hold Abia residents hostage”, in the *Comet* (Lagos), June 7, 2001.

<sup>110</sup> Human Rights Watch/CLEEN interview in Owerri, October 17, 2001.

<sup>111</sup> Human Rights Watch interview with Civil Liberties Organisation, Enugu, October 17, 2001.

<sup>112</sup> Human Rights Watch/CLEEN interview in Onitsha, October 12, 2001.

Between October 27 and 30, 2001, in one of the most serious cases of involvement in civil matters, at least twenty-seven people, and possibly more, were killed after the Bakassi Boys clashed with market traders in Ariaria market in Aba, in Abia State. According to local human rights activists who visited Aba to investigate the case, the incident started when a landlord called in the Bakassi Boys to deal with a tenant, who was a shoemaker, who allegedly owed him two months' rent. The Bakassi Boys attacked the tenant with machetes and pushed his wife. The shoemakers' union then mobilized and complained to the Bakassi Boys about their ill-treatment of the tenant. The Bakassi Boys beat some of the protesting shoemakers. On October 27, the Bakassi Boys abducted at least fifteen traders and apprentices, including some teenagers, at the Powerline Shoe Plaza in Ariaria market, took them to their execution ground known as Burrow Pit, and killed them. They beheaded them and cut off their genitals and brought their headless corpses back to the Shoe Plaza. In response, the shoemakers returned to the Bakassi Boys' headquarters the following day and burned and vandalized their building. They also destroyed part of the residence of the Bakassi Boys' leader, as well as the house of the landlord whose invitation to bring in the Bakassi Boys had sparked off the incident.

The Bakassi Boys then confronted the traders and a violent clash ensued. There were victims on both sides, as both the Bakassi Boys and the shoemakers were armed with guns and knives. The total number of casualties is not confirmed, but at least four Bakassi Boys and at least eight shoemakers were killed in the clash. Human rights activists who visited the area on October 31 reported that there were still bodies lying around in the market and in the streets. They saw a human head found in the premises of the Bakassi Boys' office; the body could not be located. The Bakassi Boys were still parading around with guns and machetes, shooting sporadically; some were in official government vehicles, apparently coming from the state capital Umuahia.<sup>113</sup>

This incident, which took place in Ariaria market, the birthplace of the Bakassi Boys, illustrates how far the situation has spun out of control and how the actions of the Bakassi Boys have ended up pitting them against their original sponsors, the shoemakers. One human rights activist described it as the culmination of a struggle for supremacy between the section of traders who founded the Bakassi Boys and the Bakassi Boys themselves, as the Bakassi Boys had become too powerful.

The Bakassi Boys and OTA have also carried out acts of gratuitous violence, with the apparent aim of terrorizing the population. For example, on April 30, 2000, a woman who was driving in Onitsha blew her horn for a group of people to move out of the road. Four men came out with guns and threatened to kill her; the men, who were members of OTA, beat her with rifle-butts and whips. She reported the assault to the OTA president, who said he would investigate and claimed that the perpetrators had been punished. However, when she asked for compensation, the OTA leader threatened to send the same men after her again.

In January 2002, in Aba, it was reported that the Bakassi Boys had abducted the chairman of the Nnewi vigilante group, Chief Agu Okonkwo, and refused to release him until a large ransom was paid. The Bakassi Boys reportedly claimed that the Nnewi community owed them money for the services they rendered.<sup>114</sup> The Nnewi chairman was later released, after pressure from the local government chairman and a demonstration by local traders.

### ***Increased political use of Bakassi Boys and other groups***

As shown above, the Bakassi Boys have been used by state governors and their supporters to target perceived political opponents. There are already indications that this political use of vigilante groups will be intensified in the run-up to elections in 2003, and that it could generate other acts of violence on the part of rival election candidates and their supporters. For example in a recent development in Anambra State, a group known as the Anambra People's Forum has been set up by supporters of a rival candidate to Governor Mbadinuju. One of the leaders of this group made the following statement: "We will not allow evil forces such as Mbadinuju to hold

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<sup>113</sup> Human Rights Watch telephone interviews, November 7, 2001.

<sup>114</sup> See "Kidnappers demand N3.9m ransom for Nnewi Vigilante Group leader", in the Lagos-based *The Vanguard*, January 24, 2002.

sway and go unchallenged. We are men and not cowards. Nobody is afraid of violence. If heads will roll, it's people's heads that will roll and it could be Mbadinuju's head that will roll first."<sup>115</sup> It seems likely that unless preventive measures are taken, such groups are almost certain to engage in clashes with the Bakassi Boys as political tension increases.

In Abia State, there have been reports of the Bakassi Boys being used against members of the Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), a group created in 1999 which advocates autonomy for the Igbo people. MASSOB members have previously been targeted by government authorities, as well as the police, throughout 2000 and 2001; their meetings have been repeatedly and violently broken up by the police, their offices raided, hundreds of their members arrested and detained, and at least ten summarily executed by the police in Okigwe, in February 2001. According to MASSOB's own records, at least fifty-three MASSOB members have been killed by the Bakassi Boys in Abia State since 2000.<sup>116</sup> Tensions appeared to increase in 2001. In the second half of 2001, several MASSOB members were injured by the Bakassi Boys. In October 2001, there were violent clashes between the two groups; both sides were armed with guns and machetes. MASSOB leaders claimed that the governor had instigated the violence and was using the Bakassi Boys against MASSOB because they were not supporting his policies.<sup>117</sup>

The Bakassi Boys have sometimes been used as security guards, including by government officials. In December 2000, for example, the Bakassi Boys were openly seen carrying machetes in public gatherings. They were also invited as security guards and bouncers at parties and social functions, especially by members of the state government, including the speaker.<sup>118</sup>

## V. IMPUNITY FOR VIGILANTE VIOLENCE AND THE RESPONSE OF THE POLICE

There have been very few instances where the Bakassi Boys have been prosecuted for human rights abuses. In those cases where legal action against them has been initiated, and where members of the Bakassi Boys have been arrested by the police, interventions by politicians or other influential figures have almost always ensured that the alleged perpetrators were released within a short time. For example, in the case of the two men killed by the Bakassi Boys in the Safari restaurant in Umuahia in July 1999, the police received instructions to release the Bakassi Boys they had arrested.<sup>119</sup> In the case of the killing of Chief Okonkwo, the chairman of the Bakassi Boys in Anambra, Gilbert Okoye, was released after three months. Despite evidence of Gilbert Okoye's personal involvement in several other cases of human rights abuse – some of which are documented in this report – he has not been prosecuted for any of them. Furthermore, no action is known to have been taken against those who ordered or endorsed the human rights abuses at a higher level. Senior authorities, such as state governors and the former security adviser to the Anambra governor, Chuma Nzeribe, against whom there have been serious and credible allegations of complicity in abuse, have not had to answer for these allegations before the judicial authorities.

The police have found themselves in a difficult situation in those states where the Bakassi Boys operate. Overall, the relationship between the two has been tense. On a superficial level, the tension can be attributed to rivalry and frustration on the part of the police as the Bakassi Boys rapidly usurped their functions and members of the public became more inclined to seek help from the Bakassi Boys than from the police. The competition between the Bakassi Boys and the police has been the subject of much comment and discussion in Nigeria, as illustrated by a cartoon of two goats locking horns, displayed in the police station in Awka: one goat,

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<sup>115</sup> Statement by Group Captain Nnamdi Nnorukah, leader of Anambra People's Forum, in *Tell* magazine, March 11, 2002.

<sup>116</sup> Human Rights Watch interview with Uche Okwukwu, MASSOB legal adviser, Port Harcourt, March 18, 2002.

<sup>117</sup> CLEEN interviews, Aba, October, 2001.

<sup>118</sup> Human Rights Watch interview in Enugu, October 17, 2001.

<sup>119</sup> See above, Section IV,2,a. Unusually, in this case the Bakassi Boys were then re-arrested.

representing the Bakassi Boys, says: “I am in control.” The other, representing the police, says: “No way, I am in charge.”

More seriously, the rise of the Bakassi Boys represents a real threat to law enforcement in the states where they operate, as they systematically ignore and bypass the police, encouraging the population to do likewise. While the police were already suffering from an extremely poor public image, due to widespread corruption and insufficient resources and training, even their theoretical legitimacy has now been undermined by the Bakassi Boys. State governments have done little to restore to the police their proper functions, or even to redress the balance between the vigilante groups and the police. They have also regularly bypassed the police themselves.

The confusion between the roles of the police and the Bakassi Boys, and the way in which the Bakassi Boys have taken over police functions, was summed up succinctly by a representative of the Onitsha traders, who told Human Rights Watch and CLEEN: “There is a police post for the market, but they don’t patrol. The AVS presence is enough [...] The police deal with minor crimes. The AVS deal with major crimes only, otherwise they would get distracted.”<sup>120</sup>

Conflicts of interest have already led to violent clashes between the police and the Bakassi Boys. In April 2001, eight Bakassi Boys were arrested for attacking policemen and for unlawful possession of firearms. They were not charged and were released immediately after the governor of Anambra State reportedly intervened and put pressure on the court.<sup>121</sup> In Anambra State, the Bakassi Boys have already been deployed in internal political disputes: for example in around May 2001, in the course of a dispute between different factions of the People’s Democratic Party (PDP), one faction brought in members of the Bakassi Boys to try to impose their leader on the other faction. The police managed to intervene to prevent any violence.<sup>122</sup> Even in less political cases, there have been clashes between the police and the Bakassi Boys. For example in September 2001, in Owerri, there were reports of a clash between the police and the Bakassi Boys after the Bakassi Boys chased someone for a traffic offence.<sup>123</sup>

When Human Rights Watch and CLEEN met the commissioners of police of Anambra and Abia states in October 2001, they were both critical of the Bakassi Boys and keen to assert the primacy of the police over vigilante groups, stressing that the police have the constitutional duty to enforce the law, and that any other groups performing similar functions should be subordinate to the police. They complained that the Bakassi Boys rarely handed over criminal suspects to the police. The commissioner of police of Anambra State, Daniel Anyogo, who had only been in post in Anambra since November 2000, said he had made efforts to oppose the brutality and illegality of the Bakassi Boys’ activities. He claimed that a special force he had set up to monitor and curb excesses was having some success.<sup>124</sup> The commissioner of police of Abia State, Ben O. Oghomode, stated that he believed that there could be a role for local vigilante groups, if these acted like neighborhood watch groups to patrol areas for safety, but that any suspected criminals should be handed over to the police and the vigilantes themselves should be subject to police control. He described the Bakassi Boys as an attempt to set up a parallel security outfit to the police. He claimed that in March 2001, the police had raided the Bakassi Boys’ base at Aba and released about thirty detainees, and arrested some Bakassi Boys.<sup>125</sup> The commissioner of police of Anambra also said that the police had tried to rescue detainees from the Bakassi Boys in Onitsha.

For his part, the Imo State police commissioner, Ahmed Abubakar, in an interview with CLEEN, preferred to skate over the abuses committed by vigilante groups in his state. He justified these groups’ existence on the basis of a long tradition of vigilantism in Nigeria and claimed that they assisted the police who may not be familiar with

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<sup>120</sup> Human Rights Watch/CLEEN interview in Onitsha, October 11, 2001.

<sup>121</sup> Human Rights Watch/CLEEN interview, Awka, October 12, 2001.

<sup>122</sup> Human Rights Watch/CLEEN interview with Commissioner of Police Daniel Anyogo, Awka, October 12, 2001.

<sup>123</sup> Human Rights Watch/CLEEN interview, Owerri, October 17, 2001.

<sup>124</sup> Human Rights Watch/CLEEN interview with Commissioner of Police Daniel Anyogo, Awka, October 12, 2001.

<sup>125</sup> Human Rights Watch/CLEEN interview with Commissioner of Police Ben O. Oghomode, Umuahia, October 15, 2001.

all locations in the state. He stated that the police were cooperating with the Imo State Vigilante Services and that the latter were under his command.<sup>126</sup>

At the federal level too, police officials have denounced the activities of the Bakassi Boys as illegal; they have reiterated that all criminal suspects should be handed over to the police and have stated publicly that individuals or groups who disregard the rule of law in this respect will be prosecuted. However, despite some strong statements of principle, in practice the police have been almost powerless in curbing the excesses of the Bakassi Boys, even less in re-asserting their authority over them. The small number of arrests of members of the Bakassi Boys by the police appears to have had little impact overall.

It is clear that fundamental reform, training and resourcing of the police are needed to enable them to perform their functions properly and create a situation where groups such as the Bakassi Boys are no longer perceived by the general public and by state authorities as having any useful purpose. In Enugu, for example, an additional contingent of policemen was deployed on the request of the governor in the last quarter of 2000. However, this apparently still failed to reduce the crime rate in a significant way, and armed robbery remained rampant. A human rights activist in Enugu told Human Rights Watch that the problem lay at a much deeper level, that it was not just a question of numbers, but the police were not psychologically prepared to confront armed robbers, and that they were doing “a civil service job”—in contrast with the Bakassi Boys who pride themselves on violent confrontation.<sup>127</sup>

## VI. THE RESPONSE OF THE FEDERAL GOVERNMENT

The federal government has done little to put a stop to the abuses of the Bakassi Boys. It has opted not to interfere in the affairs of state governors, despite evidence of their direct involvement in some of these abuses. The attitude of the federal government towards the Bakassi Boys contrasts with its attitude towards the O’dua People’s Congress (OPC) in the south-west, which it officially banned in 1999.<sup>128</sup> Part of the explanation for this difference in reaction may lie in the fact that the OPC has a clear political agenda of its own. As such, it is perceived as a greater political threat, unlike the Bakassi Boys who do not constitute or aspire to be a political entity, but rather have been deployed to further the political aims of others. This latter point almost certainly explains why the federal government has been unwilling to take a stronger stand against the Bakassi Boys, or to ban them: in the critical period leading up to elections in 2003, the federal government does not want to antagonize state governors by opposing what has become their strongest popularity booster and their most effective weapon of political repression.

However, on April 10, 2002, it was reported that President Olusegun Obasanjo had sent a bill to the National Assembly, entitled “Prohibition of Certain Associations Act 2002,” which would give him the power to dissolve and proscribe militia or quasi-military groups formed for the purposes of furthering political, religious, ethnic, social or cultural interests.<sup>129</sup> Efforts by the government to prevent violence by militia or vigilante groups and to regulate their activities would be welcome. However, these reports also raise concerns about potentially sweeping powers that may be granted to the president to outlaw a broad range of organizations, including some who may not use or advocate violence, but who could be outlawed on the basis of their perceived opposition to or criticism of the government.

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<sup>126</sup> Interview in *Law Enforcement Review*, CLEEN’s quarterly magazine, September 2001.

<sup>127</sup> Human Rights Watch interview, Civil Liberties Organisation, Enugu, October 8, 2001.

<sup>128</sup> The OPC is a militia which was initially created to advocate for autonomy for the Yoruba ethnic group. It has since also taken on the functions of a vigilante group, fighting alleged criminals. It continues to operate, despite and since the official ban.

<sup>129</sup> See, for example, “Obasanjo seeks power to dissolve ethnic militias,” in *This Day* (Lagos), April 10, 2002, and “Nigeria’s Obasanjo seeks power to ban ethnic militia,” Agence France Presse, April 10, 2002.

Some government officials have made critical statements regarding the activities of the Bakassi Boys, but have stopped short of taking action to disband them. Predictably, one of their critics at federal government level has been the minister of police affairs, Stephen Akiga. He told journalists in Umuahia, Aba State: “What you people call vigilante groups are not vigilante groups in any way. Rather, they are militant groups and that is why they are faceless. In the place where I come from, vigilante groups are people known to everybody in the communities and they do not carry arms. The ones you call vigilante groups here carry arms which they use indiscriminately. To me they are terrorists and the law cannot continue to allow that. [...] Security operatives must be people legally trained to do so and all stakeholders in the nation should ensure that only those mandated by law to carry arms should do so.”<sup>130</sup>

The federal government has announced a major reform and expansion of the national police force, including a yearly recruitment of 40, 000 police for five years under its five-year development plan launched in 2000. It has also promised new equipment and has launched a campaign to try to improve the image of the police. However, despite the recruitment of additional police officers, numbers remain dramatically insufficient, working conditions extremely poor, and training seriously inadequate. Morale in the police force became so low that on January 31, 2002, in an unprecedented move, the police went on strike to protest about outstanding salary payments and other conditions of service. The strike was quickly stamped out by the government, who declared it illegal and amounting to mutiny. Several police officers accused of organizing the strike were arrested. However, the federal government has since started addressing some of the issues raised by the striking policemen. For instance, the sum of one billion naira was immediately released to the police authorities to pay for the outstanding allowances of their personnel. The Police Service Commission has promoted 17, 000 superior officers of the force and delegated powers for the promotion of junior ones to the new inspector general of police, Tafa Balogun, who replaced Alhaji Musiliu Smith in March 2002.

## VII. THE INTERNATIONAL RESPONSE

At the international level, the phenomenon of vigilante violence in Nigeria has not received much attention, either from the media or from governments. While some foreign governments have indicated that they are aware of and concerned about human rights abuses by vigilante groups, there has been no strong public condemnation of these abuses. The U.S. State Department’s country report on human rights practices for 2001 did mention vigilante violence in Nigeria. Its section on Arbitrary or Unlawful Deprivation of Life refers to some of the abuses by the Bakassi Boys. It states: “In Anambra State, the state government supported and paid the vigilante group known as the Bakassi Boys,” and goes on to describe some of the human rights abuses carried out by the Bakassi Boys, including killings, mutilations, torture, and harassment of political opponents of the state government.

The British government, in particular, would be in a good position to urge the Nigerian government to take effective measures to prevent further vigilante violence. The UK has already provided training to the Nigerian police under previous governments. More recently, both the UK and the US have signed agreements with the Nigerian government to start implementing a reform assistance package for the Nigerian police from 2002. The British Department for International Development (DFID) has set up a seven-year-program in Nigeria, entitled Access to Justice, due to be launched in April 2002. The program is to cover all aspects of the justice sector in Nigeria, with long-term reform of the police as one of its main areas. DFID has recognized that the Nigerian police is significantly under-resourced, but its program will also aim to address more fundamental structural problems, on the basis that changes need to be made to current approaches to policing in Nigeria. Among other aspects, it will aim to include a human rights component in policing and suggest alternative techniques to some of those currently used by the Nigerian police, for example to limit excessive use of force. It will also aim to strengthen community access to police services and to improve policing and access to justice for poor people. A British police adviser is to work full-time with the Nigerian Ministry of Police Affairs and the office of the

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<sup>130</sup> “Hard times await Bakassi Boys – Minister,” in *The Vanguard* (Lagos), March 19, 2001.

Inspector General of Police, to facilitate reforms in areas identified as priorities by the Nigerian police and ministry themselves. The program will be developed at the federal level and in four focal states; the states chosen for this program (Jigawa, Benue, Ekiti, and Enugu) do not include those where the Bakassi Boys or other vigilante groups are most active.

Diplomatic relations between the U.K. and Nigeria have also been strengthened in recent months. Prime Minister Tony Blair has been a strong supporter of the New Partnership for Africa's Development (NEPAD), an initiative launched in 2001 by several African leaders, including President Obasanjo, to seek international support for development for Africa. Tony Blair visited Nigeria in February 2002 after announcing that Africa would be one of the priorities for his government.

The U.S. remains the other key foreign actor in the west with the ability to push for positive change in Nigeria, in the light of close diplomatic links between the two countries. Since early 2000, the U.S. government has been collaborating with the U.K. government to provide technical assistance to build the capacity of the Nigerian police force, leading to a technical team going to Nigeria to conduct a strategic planning process. The U.S. faces certain restrictions in assisting in training the Nigerian police, codified in Section 660 of the Foreign Assistance Act, which prohibits the U.S. from using security assistance funds to train or support foreign police forces. In 2001, the U.S. Agency for International Development (USAID) had a budget of U.S.\$20 million for support to democracy and good governance, and economic reform. In 2000 and 2001, USAID's Office of Transition Initiatives (OTI) supported a strategic planning process with the Nigerian police, the Ministry of Police Affairs, and civil society groups. The cost of OTI's involvement for the initial assessment, strategic planning, and design of short-term program of U.S. assistance was U.S.\$312,000. The OTI program itself sponsored workshops on various themes including election-related violence and relations between police and local communities; its annual budget in 2001 was U.S.\$6 million, directed principally through Nigerian NGOs.

In fiscal year 2002, since the OTI program in Nigeria was ending and due to legal restrictions arising from Section 660, USAID transferred U.S.\$1.45 million in Economic Support Funds (ESF) to the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL). The police program is likely to be implemented by the Justice Department's International Criminal Training and Assistance Program (ICITAP). The program is designed to focus on the physical and operational rehabilitation of the Nigerian police in several areas: academic curriculum development, executive and senior management training, inventory and administrative records systems, and support for the National Assembly and non-governmental organizations.

## VIII. CONCLUSION: THE BRUTALIZATION OF SOCIETY

In the "Bakassi era," residents of Abia, Anambra and Imo may be sleeping with their eyes closed, but at what cost? Armed robbers may have been swiftly dealt with or chased out of some states, but scores of innocent people have also fallen alongside the criminals. Residents of these states are living under a new reign of terror, with one form of violence substituted for another. The violence of the Bakassi Boys is, additionally, an organized form of violence and one that is sanctioned or sponsored by state governments.

The activities of the Bakassi Boys have added a layer of fear and violence to a society already terrorized by armed robbery and decades of abuse by the security forces. They have created a situation where violence has become an acceptable part of daily life and has lost its capacity to shock. In the words of a lawyer in Onitsha, "people seem to have lost touch with their humanity when it comes to the Bakassi because they have lived with violent robbery for so long."<sup>131</sup>

The spectacle of public executions by the Bakassi Boys, and the absence of any generalized condemnation of these atrocities, is likely to have long-term effects on the population, particularly on children growing up in this

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<sup>131</sup> Human Rights Watch/CLEEN interview, Onitsha, October 12, 2001.



climate of tolerance of violence. Children often witness with their own eyes the executions and other atrocities committed by the Bakassi Boys. A man from Onitsha told how young children sometimes play games where they pretend to be Bakassi Boys. Brutality has been glorified as the Bakassi Boys have deliberately performed acts of gratuitous violence in public, mutilating and burning the bodies of their victims, leaving their bodies in the street and preventing people from burying them, to maximize the humiliation and boast of their successes. The more famous the victims, the more publicity the Bakassi Boys have sought around their capture, and the more gruesome their methods of execution. A lawyer in Onitsha told Human Rights Watch and CLEEN: "In June 2000, OTA killed a notorious armed robber. They captured him and beheaded him. They used the skull for a warrior dance in front of the primary school, opposite Onitsha General Hospital. Children were terrified. The skull was left there for three days on the street."<sup>132</sup>

The way in which the Bakassi Boys, with the support of parts of the media, have surrounded themselves with an aura of invincibility has fed into this climate of opinion in which vigilante violence has been "elevated" above and somehow distinguished from other forms of violent crime. People seem prepared to put up with the excesses of the Bakassi Boys, however violent, rather than risk a return to the situation where armed robbers ruled the cities. It is as if the violence of the Bakassi Boys is not considered as real violence.

In addition, the actions of the Bakassi Boys are likely to generate further violence. Although many people are afraid or unwilling to challenge the Bakassi Boys, some are gradually reaching a stage where they are no longer prepared to tolerate their excesses and are beginning to look for avenues of revenge. Official encouragement of vigilante groups has contributed directly to this spiral of violence. By supporting the Bakassi Boys and allowing them to get away with the most serious abuses, government authorities are effectively telling the population that it is acceptable to use violence to achieve any ends. The projection of the Bakassi Boys as heroes, coupled with the certainty that they can carry out abuses with impunity, have emboldened some observers, especially other youths who end up believing that they too could get away with such excesses—leading to expressions of frustration when their elders or occasionally the police try to prevent them. Unless this attitude is changed immediately, there may be a complete breakdown of law and order, which not even the federal government, and certainly not the police, will be able to contain. The government must consider and take responsibility for the long-term consequences of allowing groups like the Bakassi Boys to continue operating.

The need for urgent action is particularly acute in view of the forthcoming elections in Nigeria in 2003. As demonstrated above, there have already been indications that the Bakassi Boys are being used to target political opponents. With elections further raising the stakes, the Bakassi Boys will come into their own as a ready-made tool for political repression. There is an urgent need for the federal government to resolve this issue and install clear structures for accountability for the police, to ensure that they are responsive to local demands for effective action against criminals but that they cannot be deployed for private or political purposes which lead to human rights abuses.

President Obasanjo has made several welcome statements condemning pre-election violence and expressing concern about the warning signs. For example, in February 2002, he held a three-day retreat for political leaders and others on the subject of pre-election violence, urging all those concerned to refrain from such violence and to ensure that elections are free and fair. To turn these promises into reality, he will need to pay particular attention to the situation in the south-east of Nigeria, among other areas, and dismantle the vigilante groups which will almost certainly be used for these ends.

Human Rights Watch and CLEEN recognize that the high level of violent crime in Nigeria poses a serious problem which requires carefully thought-out solutions, and that results will not be immediate. However, the problem is not a new one and the current government has had several years to start addressing it. It should implement without delay the promised reforms of the police force, to ensure that the police can play a positive role in ensuring peaceful elections and more broadly, in resuming their normal law and order functions across the

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<sup>132</sup> Human Rights Watch/CLEEN interview, Onitsha, October 12, 2001.

country as soon as possible. To ensure maximum effectiveness for these reforms, and to ensure that vigilante groups like the Bakassi Boys become completely redundant, the government should work in close partnership with civil society and with local communities to produce effective and publicly acceptable solutions for tackling crime.

## IX. ACKNOWLEDGEMENTS

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