



Nigeria: Amnesty International has published its evidence. Now the government must independently investigate.

Response to statement by the Acting Director of Army Public Relations, Col. Sani Usman

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On 2 February 2016, the Nigerian Army responded to Amnesty International's press release condemning the reinstatement of Major General Ahmadu Mohammed. Amnesty International named Major General Mohammed as one of nine military officers who should be investigated for their responsibility for war crimes and possible crimes against humanity. The Army statement noted that Major General Mohammed was reinstated because his retirement, which was unrelated to human rights violations, had not followed due process. Further the statement called on Amnesty International to "[provide] us [the army] with records and clear evidences directly indicting Major General Mohammed in human rights abuse to enable us act on it."

Amnesty International has published detailed reports setting out evidence of war crimes and possible crimes against humanity by the Nigerian military. The evidence contained in the reports clearly shows that the senior military leaders were fully informed of the nature and scale of the crimes being committed and failed to take any meaningful measures to stop the violations. In light of this evidence, Amnesty International called for nine senior military commanders to be investigated for potential individual or command responsibility for war crimes and possible crimes against humanity.

The Nigerian government must now start independent investigations which can collect the first-hand witness testimony and other primary evidence that can be used for criminal proceedings. Amnesty International's reports and interviews establish that evidence of war crimes exists; it is the responsibility of the Nigerian government to collect evidence that is admissible in court.

Amnesty International named Major General Mohammed because during his tenure as Commander of 7 Division, soldiers under his command executed more than 640 unarmed men and boys who escaped from Giwa barracks after a Boko Haram attack on 14 March 2014.

Amnesty International interviewed dozens of residents, lawyers, human rights defenders and hospital staff in various locations in and around Maiduguri about this incident. Amnesty international published two reports and a press release containing excerpts from these interviews. These reports include satellite imagery analysis that confirmed the existence of several mass graves that appeared in the area shortly after the executions. During a fact-finding mission to Borno state in July 2014, Amnesty International obtained 12 videos showing the 14 March attack and the executions afterwards. Our experts have verified and authenticated the videos. Two videos show soldiers cutting the throats of six men. These videos and Amnesty International's analysis was shared with the military and the government in 2014.

During Major General Mohammed's command of 7 Division, Amnesty International also documented arbitrary arrests and unlawful detention of thousands of people in inhumane conditions, and the deaths of large numbers of detainees in Giwa barracks. Amnesty International published this information in its June 2015 report.

Amnesty International has called for all soldiers reasonably suspected to be responsible for crimes under international law to be suspended from active service, pending independent investigations. This is to ensure that such soldiers are not in a position to commit crimes under international law or to interfere with investigations.

Investigations into allegations of war crimes and possible crimes against humanity should be prompt, independent and impartial. Given that senior military officers are among those who should be investigated, internal investigations are not sufficient. Investigations should seek to identify all those who may be criminally responsible for crimes under international law and bring them to justice in fair trials that are not subject to the death penalty.

Links to Amnesty International's reports can be found below:

5 June 2015 "Stars on their shoulders. Blood on their hands.' War crimes committed by the Nigerian military."

<https://www.amnesty.org/en/documents/afr44/1657/2015/en/>

Press release accompanying the report:

<https://www.amnesty.org/en/latest/news/2015/06/nigeria-senior-members-of-military-must-be-investigated-for-war-crimes/>

5 August 2014: "Nigeria: Gruesome footage implicates military in war crimes"

<https://www.amnesty.org/en/latest/news/2014/08/nigeria-gruesome-footage-implicates-military-war-crimes/>

Video accompanying the press release:

<https://www.youtube.com/watch?v=GA7S1bvE064>

31 March 2014: "More than 1,500 killed in armed conflict in north eastern Nigeria in 2014"

<https://www.amnesty.org/en/documents/afr44/004/2014/en/>

The statement by the Acting Director of Army Public Relations, Col. Sani Usman can be found here:

<http://army.mil.ng/Press-Release.html>