

Deprivation of lives and challenge before ICC

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15 March 2016 |
2:18 am



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Nigerian security officials have been in the eyes of the storm recently following their alleged crackdown on unarmed protesters. First, soldiers clashed with Muslim shiites in Zaria, Kaduna State and that resulted in the alleged extra-judicial murder of a number of shiites' members. Recently, a combined team of Police and military officials allegedly invaded a secondary school in Aba, Abia

State, rounded up members of Indigenous People of Biafra (IPOB) who were reportedly in a praying session, and killed scores of them. In this report, JOSEPH ONYEKWERE captures the resultant public outcry and the seemingly conspiracy of silence on the part of government about the extra-judicial executions.

There is no argument about the fact that a number of international standards outlaw arbitrary deprivation of life. The Universal Declaration of Human Rights, adopted by the General Assembly in its resolution 217 A (III) of December 10, 1948, states that “everyone has the right to life, liberty, and security of person”.

The International Covenant on Civil and Political Rights, adopted by the General Assembly in its resolution 2200 A (XXI) of December 16, 1966, which was promulgated in 1966 and has been ratified by 87 States, provides in article 6, that “no one shall be arbitrarily deprived of his life”.

Prohibitions of extra-legal, arbitrary and summary executions are also found in the following instruments: the American Convention on Human Rights, article 4(l). It says: “No one shall be arbitrarily deprived of his life”.

The African Charter on Human and Peoples’ Rights, article 4 says: “Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right”; and the European Convention for the Protection of Human Rights and Fundamental Freedoms, article 2(l) says: “No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by laws”.

The international organs and bodies that have been active in implementing the right to be free from arbitrary deprivation of life include the General Assembly, the Economic and Social Council, the Committee on Crime Prevention and Control, the Commission on Human Rights and its Special Rapporteur on summary or arbitrary executions, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Human Rights Committee and the International Labour Organisation; the Inter-American Commission on Human Rights; the African Commission on Human and People’s Rights; and the European Commission on Human Rights.

But Nigeria seems to be less interested in respecting these instruments. There has been violent suppression of non-violent protests by security agencies between August last year till date and the government appears not to be interested in investigating the alleged perpetrators of those acts.

International Society for Civil Liberties & the Rule of Law said it has the documented statistics of the alleged crimes. According to its board chairman, Emeka Umeagbalasi, available statistics at their disposal clearly indicate that massive application of State violence outside local and international norms to violently suppress the pro-Biafran nonviolent protests in Nigeria between August 30, 2015 and January 18, 2016; a period of less than five months, have led to

gruesome murder by security forces of at least 50 Nigerian citizens.

These according to the group included four citizens killed in Awka and Onitsha on August 30, 2015; 13 killed in Onitsha on December 2, 2015; 12 killed in Onitsha on December 17, 2015 (eight were killed on the spot and four others died in hospital following gunshot wounds); and eight killed in Aba on January 18, 2016.

“Scores of innocent citizens have also disappeared in the hands of Nigerian security forces particularly the Nigerian Army and the Nigeria Police Force. Citizens are routinely arrested by Police on allegation of being “MASSOB or IPOB members” and killed secretly and buried in undisclosed shallow graves; likewise those shot and killed by soldiers and police while embarking on peaceful protests.

“Once their bodies are taken away by their killer security operatives, they will never be accounted for or released to their families for befitting burials.

“Further, over 120 citizens were shot and critically injured with gunshots in Delta, Rivers, Anambra, Abia and Enugu states between August 30, 2015 and January 18, 2016. Of these, over 40 citizens were critically shot and injured in Anambra (August 30, 2015, December 2 and 17, 2015); 30 in Abia State (January 18, 2016 alone), 21 in Rivers State (August 30, 2015); 10 in Delta State (August 30, 2015) and six in Enugu State. These exclude scores of others critically shot and injured in related nonviolent protests in those states as well as Bayelsa State”, the group stated. The group also reeled out the names and mobile numbers of those critically shot and injured in Rivers by Nigerian Army and the Police.

Two of the four citizens killed in Awka and Onitsha in the same peaceful protest of 30th August 2015 were Ebuka Nnolum from Enuguabo-Ufuma in Anambra State and Obasi Maduka from Oshiri in Ebonyi State. In December 2 and 17, 2015 peaceful protests in Onitsha, over 30 citizens were critically shot and injured, out of whom, 27 citizens were taken and admitted at the Multicare Hospital.

Umeagbalasi noted that between 300 and 400 citizens or more labeled “Biafrans or IPOB or MASSOB members” had also been arrested, detained, tortured, or killed extra judicially across the country since August 30, 2015. He added that in the Aba pro Biafran peaceful protest of January 18, 2016 alone, 60 peaceful protesters were arrested and detained.

“Many are still languishing in pretrial detention; others are facing concocted heinous political crimes charges such as treason and treasonable felony”, he said.

Similarly, Sheikh Ibrahim El Zak-Zaky and members of the Islamic Movement of Nigeria (Shiite Sect) in Zaria were on Saturday December 12, 2015 attacked by detachment of the Nigerian Army accompanying the Chief of Army Staff, Lieutenant General T.Y. Buratai.

The attacks are reported to have claimed several lives whose exact number is not yet known. The day after the attacks, the Nigerian Army officers proceeded to raid the residence of Sheikh Ibrahim and, in the process, reportedly injured or killed other citizens and destroyed properties.

This alleged security arbitrariness has also enraged Nigerian citizens who are calling for a probe

and a stop to the atrocities.

World over, violent suppression of nonviolent protests by territorial governments has always boomeranged leading to the suppressed to abandon nonviolent approaches and resort to self-help or self-defence approaches including defensive armed rebellions.

Most of the ongoing devastating intra state violent conflicts in Africa and the Middle East primarily started as nonviolent socio-political or ethno-cultural campaigns, but turned violent on account of the host States' repressive and dictatorial responses. Unhappy with the development, the European Union High Representative for Foreign Affairs and Security, Ms. Federica Mogherini advised the Government of President Muhammadu Buhari to respect the right of citizens.

The EU High Representative had advised Buhari that in as much as the European Union has strong diplomatic and economic ties with Nigeria, "protection of human rights and fundamental freedoms remains a priority for the EU and we encourage the authorities (Nigeria) in every occasion to respect such rights".

The EU, on the other hand, advised pro Biafran campaigners and the Organization of Emerging African States (OEAS) "that self-determination and border changes must be in accordance with established international law. This followed the OEAS call for an internationally recognized referendum on Biafra independence or autonomy. The EU further advised that "it will only recognize a Biafra born via international law and not (through) armed secession (or rebellion)". As a result, Abia State-based Human Rights Activists under the aegis of Abia Human Rights Agenda numbering over fifty organizations have condemned the increasing trend of extra judicial killings in Aba.

The Spokespersons of the group, Comrade Nelson Nnanna Nwafor of Foundation for Environmental Rights, Advocacy & Development (FENRAD) & Comrade Innocent Anozie Nwokocha of Society for Economic Rights & Social Justice (SERSJ) described the acts as barbaric, wicked and the apex of Human Rights Violations by the State actors, asserting that the murder of unarmed citizens is a heinous crime against God and humanity.

"What baffles me most is this conspiracy of silence among political leaders from the South-East of Nigeria, most especially, the civil society groups, religious leaders and traditional leaders as well as the international community over the killing of armless young men and women in Aba who gathered in a school to pray for the release of their leader. We all must condemn this campaign of kill them before they grow agenda by the Nigeria security agencies in the South-East part of Nigeria all in the name of clamping down on pro-Biafra agitators" said David Anyaele, Executive Director, Centre for Citizens with Disabilities (CCD).

While calling on the Nigeria's main Human rights monitors, National Human Rights Commission to swing into action, the group urged the Chief of Army Staff, Major General Tukur Buratai and the Inspector General of Police Solomon Arase to order the immediate arrest and prosecution of those operatives who gunned down innocent citizens.