

Federica Mogherini

High Representative for Foreign Affairs
and Security Policy
Vice President of the European Commission (HRVP)
European Commission
Rue de la Loi 200
1049 Brussels

**AMNESTY
INTERNATIONAL**



EUROPEAN INSTITUTIONS OFFICE

17 June 2015

Ref: B1689

Dear High Representative Mogherini,

EU MUST ENGAGE NIGERIA TO ACHIEVE SECURITY WITH HUMAN RIGHTS

Since 2009, the Islamist insurgent movement popularly known as Boko Haram has waged a violent campaign against the Nigerian government, a conflict has evolved into a non-international armed conflict in the northeastern states of Borno, Yobe, and Adamawa and has been marked by egregious violations committed by both sides.¹ This conflict has claimed at least 17,000 lives, mostly civilian, and forced more than one million people to flee their homes. Amnesty International calls on you to lead European Union (EU) efforts to speak out about the grave human rights violations taking place in Nigeria today and to engage the Nigerian authorities to address them.

To date, in security operations against Boko Haram, Nigeria's security forces have extrajudicially executed more than 1,200 people; arbitrarily arrested at least 20,000 people, mostly young men and boys; and have committed countless acts of torture. Hundreds, if not thousands, of Nigerians have become victims of enforced disappearance, and at least 7,000 people have died in military detention as a result of starvation, extreme overcrowding and denial of medical assistance. In a recently issued report "[Stars on their shoulders, Blood on their hands: War crimes committed by the Nigerian military.](#)" Amnesty International has concluded that these acts, committed in the context of a non-international armed conflict, constitute war crimes for which military commanders bear both individual and command responsibility, and may amount to crimes against humanity.

Despite ample information about violations committed by the security forces, the Nigerian military and previous governments have consistently failed to take meaningful action to stop them and to bring the perpetrators to justice. Little or no action was taken to improve conditions in detention and to prevent deaths in custody, or to address mass arbitrary arrests and detentions. Extrajudicial executions, torture, and other widely reported crimes remained uninvestigated and unpunished. Amnesty International is not aware of any military personnel being investigated or suspended pending investigation.

President Buhari's recent announcement that his Attorney General will look into Amnesty International's report is very welcome. The international community must support the Nigerian government to conduct investigations which meet the requirements of international law, once the new Attorney General is appointed.

Within the framework of wider regional and international efforts, EU and member state action will be crucial to ensure respect for security along with respect for human rights in Nigeria.

¹Amnesty International, "Our job is to shoot, slaughter and kill': Boko Haram's reign of terror in north-east Nigeria," 14 April 2015.

<https://www.amnesty.org/download/Documents/AFR4413602015ENGLISH.PDF>.

The EU and its member states have stated that the crisis in Nigeria is one that “can only be overcome when all forces concerned abide by international humanitarian law, human rights and refugee law and practices in support of the communities they are tasked to protect.”² Similarly, the EU and Nigeria have agreed on “the need to respect rules of engagement and human rights” in the fight against terrorism in Nigeria and to “undertake [...] to eradicate torture, extra-judicial killings and [en]forced disappearances.”³

In line with EU commitments to place human rights at the centre of all external action and in the spirit of the February 2015 Council Conclusions and the November 2014 Joint Communiqué, Amnesty International calls on you to use your forthcoming visit to Nigeria to:

- Strongly and publicly condemn the ongoing war crimes and crimes against humanity committed by all parties to the conflict, raising concerns about these human rights abuses at highest levels
- Call on the Government of Nigeria to fully implement safeguards against human rights violations by the military, to urgently initiate thorough, independent, impartial, effective and transparent investigations into allegations of crimes under international law as well as to seek regional and international assistance and advice, including from the EU and its member states, in the conduct of these investigations and any subsequent prosecutions
- Take on a leading role for the EU and its member states to pro-actively address international human rights and humanitarian law violations in multi-lateral engagement with Nigeria together with the United Nations, the African Union and others
- Ensure that any EU or member state military co-operation with Nigeria, including training or technical advice, does not contribute to the commission of human rights violations or violations of international humanitarian law and to vet all Nigerian military personnel recommended for training to screen out those responsible for gross human rights violations and fundamental breaches of humanitarian law
- Call on Nigeria to take urgent action to criminalise the use of torture in its national law. Any EU and member state support to the Nigerian justice system should treat the lack of national legislation banning torture and ill treatment as a priority concern.

Thank you in advance for your engagement to address human rights violations in Nigeria today, and we stand ready to provide any further information you may require.

Yours sincerely,



Ivorna McGowan
Acting Director and Director of Programmes
Amnesty International European Institutions Office

Cc:

Christos Stylianides, Commissioner for Humanitarian Aid and Crisis Management
Felix Fernandez-Shaw, Member of Cabinet HRVP

²“Council conclusions on the Boko Haram threat,” 9 February 2015.

<http://www.consilium.europa.eu/en/press/press-releases/2015/02/150209-council-conclusions-boko-haram-threat/>

³ “Joint Communiqué: Fifth Nigeria-EU Ministerial Dialogue,” 27 November 2014.

http://eeas.europa.eu/nigeria/docs/20141127-nigeria-eu-ministerial-joint-communique_en.pdf