



Criminal Politics Violence, “Godfathers” and Corruption in Nigeria

Summary 1

Recommendations6

 To the government of the Federal Republic of Nigeria: 6

 To the Nigerian Police Force: 8

 To the Economic and Financial Crimes Commission:..... 8

 To Nigeria’s foreign partners: 8

Historical Background and Context 10

 Historical Overview: Dictatorship and Rigged Elections 11

 A Flawed Transition 14

Political Violence 17

 The Scale of Nigeria’s Violence Epidemic 17

 The Human Rights Impact of Political Violence 19

 Politicians, Cults and Gangs.....23

 Justifying and Taking Violence for Granted.....28

Corruption, Godfatherism and the Funding of Political Violence 31

 Corruption and Poverty in Nigeria 31

 Nigeria’s Political Godfathers 33

 Corruption and the Funding of Political Violence 35

**Entrenching Impunity: Federal Government Complicity, Human Rights Abuse
and Corruption 41**

 Impunity and Governance in Nigeria..... 41

 Rewarding Abuse and Corruption43

 Impunity and the 2007 Elections44

The Nigerian Police and Impunity for Political Violence.....	45
Selective Use of Anti-Corruption Institutions	48
Case Study A: Oyo State.....	52
The Godfather of Ibadan.....	52
Adedibu’s War Against Ladoja.....	54
Oyo’s 2007 Elections: A Victory for Corruption and Impunity.....	59
Federal Government Complicity.....	62
Aftermath.....	65
Case Study B: Anambra State.....	67
Godfatherism in Anambra State	67
Impeachment through Corruption and Intimidation	71
Mobilizing Cult Groups for the 2007 Elections	74
The 2007 Elections and their Aftermath.....	77
Case Study C: Rivers State	80
Sowing the seeds of Violence: The 2003 Elections in Rivers.....	80
The Legacy of the 2003 Polls in Rivers	81
Impunity for Violence	87
Case Study D: Gombe State.....	91
Gombe’s “Kalare” Gangs.....	91
Kalare Violence and the 2007 Elections in Gombe	94
Police Inaction and Abuse.....	99
Role of Nigeria’s Federal Government.....	103
Signs of Reform.....	105
Role of Nigeria’s International Partners.....	107
The International Response to Nigeria’s 2007 Elections.....	108
International Engagement with the Yar’Adua Government	110
Annex.....	113
Acknowledgments.....	121

Summary

Nigeria is mired in a crisis of governance. Eight years since the end of military rule, the country's longest-ever stretch of uninterrupted civilian government, the conduct of many public officials and government institutions is so pervasively marked by violence and corruption as to more resemble criminal activity than democratic governance.

This report documents what Human Rights Watch considers to be the most important human rights dimensions of this crisis: first, systemic violence openly fomented by politicians and other political elites that undermines the rights of Nigerians to freely choose their leaders and enjoy basic security; second, the corruption that both fuels and rewards Nigeria's violent brand of politics at the expense of the general populace; and third, the impunity enjoyed by those responsible for these abuses that both denies justice to its victims and obstructs reform.

The four-month-old administration of President Umaru Yar'Adua has the opportunity as well as the responsibility to urgently tackle the systematic corruption and violence within the political system. The challenge is immense—his own party has helped entrench Nigeria's corrupt and violent political culture and President Yar'Adua himself was helped into office within the "rules" of the system. But concrete results in this area are necessary if the overall human rights picture in Nigeria is to improve and if the rule of law is to be rehabilitated.

There are signs that the government may be willing to consider real reform of Nigeria's failed electoral institutions, and the president has made a rhetorical commitment to upholding the rule of law. Such statements are welcome and important. But so long as government officials and other powerful individuals are able to throw their effort into attempting the illegal subversion of those same institutions with impunity, no amount of legislative tinkering will preserve their integrity. It is only determined action to reform key institutions and to tackle impunity that will achieve meaningful change in governance and respect for human rights.

In 1999, Nigeria's military relinquished political power after dominating the country's post-independence experience and Nigerians hoped for a turn towards democratic governance and respect for human rights. But in the years since then, Nigeria's civilian leaders at all levels have not only proven entirely unaccountable to ordinary Nigerians, but have also routinely abused their basic human rights.

Many of Nigeria's ostensibly elected leaders obtained their positions by demonstrating an ability to use corruption and political violence to prevail in sham elections. In violent and brazenly rigged polls, government officials have denied millions of Nigerians any real voice in selecting their political leaders. In place of democratic competition, struggles for political office have often been waged violently in the streets by gangs of thugs recruited by politicians to help them seize control of power. In recent years, hundreds of Nigerians have lost their lives in the crossfire or as paid proxy fighters for the country's political leaders. At the same time, corruption and mismanagement have led to the waste of record-setting oil revenues that could have been expended to tackle poverty and improve access to basic health and education services.

Nationwide polls in 1999 and 2003 were systematically rigged and local government polls in 2004 were plagued by similar abuses. And to the dismay and shock of many Nigerians who had hoped for signs of progress, the country's widely anticipated 2007 polls proved to be another violent farce. Many seasoned observers stated that the 2007 polls were among the worst they had ever witnessed anywhere in the world. Those elections reflected deeply seated patterns of abuse that characterize the day-to-day conduct of many public officials.

Many political figures openly recruit and arm criminal gangs to unleash terror upon their opponents and ordinary members of the public. In Gombe State, for example, politicians openly recruited violent cult gangs to intimidate their opponents and rig the voting on Election Day. Encouraged by the prevailing climate of impunity, these gangs unleashed a wave of violence on local communities that included murder, rape, arson and other crimes. In Rivers State, criminal gangs hired to rig Nigeria's 2003 elections have since become a law unto themselves, spreading violence and insecurity throughout the restive Niger Delta. Scores of civilians have either been

killed or injured during clashes involving those gangs since the 2007 elections alone. No one has been held to account for sponsoring these gangs.

In some states, powerful and violent political “godfathers” have gained control over politicians who are dependent on those sponsors to provide protection and fight their street battles. In return, the godfathers have captured government institutions to serve their own interests. In Oyo State, People’s Democratic Party (PDP) godfather Lamidi Adedibu recruited gangs that sowed terror on the streets of Ibadan and other cities while fighting to preserve Adedibu’s power and influence in the state. In Anambra State, a godfather whose political power may now be on the wane has nonetheless so far gone unpunished for his role in fomenting violence and corruption.

Government institutions responsible for investigating and prosecuting crime have failed to stop this tide of violence. Public officials in Nigeria can usually expect to enjoy complete impunity for any crimes they may commit, however egregious. In Anambra State, for example, police officials told Human Rights Watch that they were helpless to act against powerful PDP gubernatorial candidate Andy Uba, even though they knew him to be mobilizing cult gangs in advance of the elections—Uba was seen as too close to then-President Olusegun Obasanjo and therefore untouchable. Former Rivers State Governor Peter Odili, among others, has not so far faced any formal investigation or sanction for his alleged role in sponsoring armed groups that have plunged Rivers into a lasting state of chaos.

Eight years after Nigeria’s return to civilian government, rampant official corruption and human rights abuse can no longer be dismissed as the lingering after-effects of military rule. It cannot be argued that the problems will inevitably be ironed out in the course of some slow transition towards more democratic governance. Violence, corruption and impunity are not just problems that government has failed to tackle; they are systemic abuses that flow from the heart of the very same government institutions that should be working to combat them.

Government at the federal level has seen some limited steps in the direction of reform, but federal officials have tolerated and often encouraged the rampant abuse seen at the state and local level. No real effort has yet been made to hold politicians

to account for their open mobilization of violence and corruption to secure political power. Until 2007, limited efforts at investigating and prosecuting corrupt politicians focused on enemies of the Obasanjo administration, undermining if not destroying the credibility of those efforts altogether.

In addition, federal institutions including the Nigerian police have themselves been at the heart of many of Nigeria's worst abuses, including the widespread rigging of the 2007 polls. While many officials and police personnel conducted themselves in an exemplary manner and even risked their own safety to protect voters' mandates during those elections, others participated in or turned a blind eye to rigging, often with the support or even at the insistence of their superiors. While Nigeria's judiciary has consistently shown independence and impartiality in its handling of politically charged cases, the governmental forces arrayed against the courts—rather than in support of them—sharply limit the judiciary's impact.

Nigeria's most serious problems of governance are all underwritten by an all pervading climate of impunity that blocks change. One obvious and important place to start would be for the federal government to enact and aggressively implement the long delayed Freedom of Information Bill, which would make it possible for Nigerians to peel back the veils of secrecy that allow many government officials to conceal the evidence of their misdeeds by denying access to even the most basic government-held information.

The Yar'Adua government should also safeguard the independence of Nigeria's Electoral Reform Panel.

Meanwhile, the government should launch a transparent and comprehensive inquiry into allegations of corruption, vote-rigging and sponsorship of political violence at all levels of government since the return to civilian rule, beginning with an examination of Nigeria's April 2007 elections. The inquiry should aim to uncover the architects and sponsors of such crimes and it should result in criminal investigations where there is evidence of wrongdoing. The right message could be sent by beginning with the most serious abuses, including those implicating senior government officials and senior members of the security forces.

Nigeria's police must make political violence an investigative priority and be given the autonomy and resources for effective and impartial investigations.

The credibility of vital anti-corruption institutions must be bolstered by new and public commitments to uphold their independence—a commitment that would be best demonstrated by allowing them to pursue some of Nigeria's most corrupt ruling party politicians.

Nigeria's international partners also have a role to play. Nigeria's foreign and regional partners should be more forthright in criticizing the very serious shortcomings of Nigeria's democracy that infringe upon the rights of its populace and insist upon meaningful reform. This would include urging the federal government of Nigeria to vigorously investigate and prosecute key politicians and their financial sponsors responsible for political violence during the recent elections, and to institute necessary reforms to end such practices. Nigerian politicians must come to recognize that political violence is not about who wins the next election, but that it has important implications for the rights and well-being of all Nigerians that extend far beyond election day.

The report is based largely on two four-week Human Rights Watch research missions to Nigeria in early 2007 before, during, and after the April 2007 elections. This included field research in Anambra, Delta, Ekiti, Gombe, Katsina, Lagos, Oyo, and Rivers States and interviews in the capital Abuja. While patterns of abuse in some of those states are among Nigeria's worst, they are not atypical in nature, and the federal government's failure to tackle their underlying causes is common to the whole of Nigeria. Human Rights Watch conducted more than one hundred interviews with federal, state, and local public officials; politicians from ruling and opposition political parties; journalists; civil society workers; religious leaders; lawyers; members of armed gangs and cult groups; political godfathers; and victims of human rights abuse. The names of many interviewees have been withheld to protect them from possible reprisal.

Recommendations

To the government of the Federal Republic of Nigeria

- Launch a transparent, comprehensive, and impartial inquiry into allegations of corruption, vote-rigging, and sponsorship of political violence during Nigeria's April 2007 elections. The inquiry should aim to uncover the architects and sponsors of such crimes, focusing especially on:
 - The role of elected officials and the leadership of federal institutions including Nigeria's police force and Independent National Electoral Commission (INEC), and
 - Allegations of improper political manipulation of the EFCC, INEC, the police and other government institutions prior to and during the 2007 election campaign.

This inquiry should be implemented by an independent body created and overseen with the input of stakeholders including civil society groups. Findings should be made public and should result in criminal investigations in which there is evidence of criminal wrongdoing. The inquiry should also result in recommendations to be taken into account by Nigeria's Electoral Reform Panel.

- Enact and aggressively implement the Freedom of Information Bill, which would provide Nigerians a tool to compel government institutions to make public important information including basic data concerning expenditures and government policy.
- Respect the independence of Nigeria's Electoral Reform Panel, ensure the transparency of its deliberations and conclusions, and publicly explain in detail the reasons for enacting each of the Panel's recommendations, or for not doing so.
- Enact a law requiring the president, all members of the National Assembly and all ministers in the federal cabinet to follow and sustain President

Yar'Adua's example by issuing and publicizing annual declarations of the total value of all personal assets. Require senior state and local government officials to do the same.

- Implement the decisions of Nigeria's electoral tribunals relating to the conduct of the 2007 polls. When those rulings indicate a pervasive level of fraud, initiate investigations with a view to possible criminal prosecution of those responsible.
- Help expedite all election-related litigation by directing INEC, the security services, and other institutions to readily provide all information required for the adjudication of those disputes.
- Publicly acknowledge and condemn political interference in the Economic and Financial Crimes Commission (EFCC)'s investigations of ruling party politicians, which has impeded the EFCC's effectiveness and credibility.
- Direct the Nigerian police to immediately investigate serious allegations of corruption, mobilization of political violence, electoral fraud and other crimes prior to the 2007 elections. These should include allegations of criminal activity, reported by Human Rights Watch and others, implicating Alhaji Lamidi Adedibu and Governor Christopher Alao-Akala in Oyo State; Chris and Andy Uba in Anambra State; Peter Odili and Abiye Sekibo in Rivers State; current and former state government officials linked to *Yan Kalare* gangs in Gombe State; and current and former state government officials linked to PDP youth militias in Katsina state.
- Propose an Amendment to the Nigerian Constitution that would rescind the immunity from all criminal prosecution currently enjoyed by sitting governors.
- Launch a transparent, comprehensive and impartial investigation into allegations of police complicity or inaction in the face of human rights abuse and fraud connected to Nigeria's 2007 elections.

To the Nigerian Police Force

- Proactively investigate and prosecute as appropriate politicians and party officials suspected of committing criminal offenses during the 2007 election campaigns. Give particular attention to offenses that impact broadly on democratic governance in Nigeria: hiring gangs to intimidate or use violence against the opposition; distributing arms and ammunition; systematically buying votes; and engaging in bribery or other unlawful practices with government institutions such as INEC or the police.
- Publicly acknowledge the obligation of law enforcement to combat political violence and corruption, and adopt and enforce a new policy to proactively pursue the sponsors of political violence.

To the Economic and Financial Crimes Commission

- Conduct comprehensive and impartial investigations and prosecute former and current elected officials credibly implicated in corruption, including the improper use of government money to subvert the 2007 electoral process. Investigate or publicly articulate the reasons for not investigating all 31 state governors described as “corrupt” by EFCC Executive Chairman Nuhu Ribadu before the Nigerian Senate in 2006.

To Nigeria’s foreign partners

- Exert influence on the federal government of Nigeria to take active steps to vigorously investigate, prosecute, and prevent political violence by politicians and their financial sponsors during the 2007 elections.
- Denounce selective investigation and prosecutions by the EFCC and other anti-corruption bodies. Take measures, including the publication of information as appropriate, to pressure the EFCC to take action against public officials implicated in corruption through the EFCC’s own investigations.

- Deny visas to any Nigerian public official credibly implicated in systematic corruption or other serious criminal offenses.
- Explore means of providing greater political and material support to improve the independence and capacity of the Nigerian judiciary.
- Explore means of increasing support to Nigerian civil society organizations working to promote transparency, accountability, and respect for human rights in the conduct of government institutions.

Historical Background and Context

Nigeria is an inherently difficult country to govern. The country is an unlikely amalgam of peoples and cultures that were shoehorned into one territory by their British colonial rulers largely for the sake of administrative convenience.¹ Nigeria is home to more than 250 separate ethnic groups, many of which either had no meaningful relationships with one another or long histories of mutual antagonism prior to the advent of colonialism.² The country is also divided in roughly equal proportion between its two major religions—Islam and Christianity—and that religious divide often overlaps with some of Nigeria’s most important ethnic and cultural boundaries.³

Much of Nigeria’s political history has revolved around the need to devise institutions capable of governing the country’s diverse population in an inclusive and equitable manner. All of Nigeria’s post-independence governments have, at least in principle, adhered to some variation of Nigeria’s unique and complicated conception of federalism. That model of governance enjoys wide legitimacy as the best and most inclusive possible mode of governance for the country.⁴ But unfortunately, abusive, corrupt, and unaccountable Nigerian political leaders have undercut serious efforts to construct stable institutions to govern the country, solidify the rule of law, and promote respect for human rights.

¹ The territories that now make up Northern and Southern Nigeria were administered by British authorities as two separate colonies until being combined in 1914. Nigeria achieved independence in 1960.

² For example, many of numerous ethnic minorities of the Middle Belt region were long the victims of conquest and slave raids at the hands of their far more numerous and militarily powerful Hausa neighbors to the North.

³ For further discussion and reference on the links between Nigeria’s historical diversity and modern-day problems of governance, human rights and conflicts, see Rotimi Suberu, *Federalism and Ethnic Conflict in Nigeria* (Washington: United States Institute of Peace, 2001) and Human Rights Watch, *They Do Not Own This Place: Government Discrimination Against ‘Non-Indigenes’ in Nigeria*, Vol. 18, No. 3(A), April 2006, <http://hrw.org/reports/2006/nigeria0406>.

⁴ For a detailed discussion of the intricacies of Nigerian federalism, see Suberu, *Federalism and Ethnic Conflict in Nigeria*.

Historical Overview: Dictatorship and Rigged Elections

Nigeria's post-independence history had been overshadowed by the depredations of a series of corrupt, abusive, and unaccountable governments. The basic contours of that history illuminate the origin of the problems described in this report.

Between independence in 1960 and 1999, Nigeria produced only two elected governments and both were overthrown in military coups before completing a second term in office. All told, Nigeria's military ruled the country for nearly 30 of its first 40 years of independence.⁵

Nigeria's first post-independence government, led by Prime Minister Tafawa Balewa, organized general and regional elections in 1964 and 1965. The polls returned the government to a second term in office but were characterized by widespread complaints of fraud, violence and intimidation.⁶ Protest in the wake of the regional elections, which in some areas had degenerated into a violent exercise in competitive rigging, led to widespread violence and intercommunal rioting that claimed more than 200 lives.⁷

In January 1966 a group of five army majors planned and executed Nigeria's first attempted coup d'état, seizing upon the lingering post-election crisis, corruption, and other alleged government failings as their justification. Their coup failed and the lead plotters were arrested, but the prime minister and other key government figures were murdered in the attempt.⁸ General Johnson Aguiyi-Ironsi, an ethnic Igbo, was soon "invited" by the tattered remains of Nigeria's civilian government to step into the resulting power vacuum and became Nigeria's first military head of state.

⁵ A succession of military dictators ruled Nigeria from 1966-1979 and from 1983-1999, with the exception of a three-month period in 1993 that saw the short-lived establishment of a civilian Interim National Government.

⁶ See, e.g., Eghosa E. Osaghae, *Crippled Giant: Nigeria Since Independence* (Bloomington: Indiana University Press, 1998) pp.31-54.

⁷ Ibid. The aftermath of the 1965 elections was especially chaotic and violent in Nigeria's predominantly Yoruba southwest. See Remi Anifowose, *Violence and Politics in Nigeria: The Tiv and Yoruba Experience* (New York: Nok Publishers, 1982) pp. 201-257. Official figures at the time indicated that "more than 160" people were killed, with police noting that they had been unable to ascertain the toll exacted by fighting in many remote areas. See, e.g., Lloyd Garrison, *Toll Exceeds 160 in Nigeria Strife*, New York Times, January 13, 1965.

⁸ Arguably the most prominent victims of the coup attempt were Prime Minister Tafawa Balewa and Ahmadu Bello. Bello was Premier of Nigeria's Northern Region and one of three men widely remembered as Nigeria's triumvirate of political "founding fathers" along with Nnamdi Azikwe and Obafemi Owolowo.

Many Nigerians initially welcomed the military's 1966 takeover, hoping it would bring law and order along with more honest and effective government.⁹ The military retained power from 1966 until 1979 but this was not a period of stability or peace. Ironsi was murdered in a successful coup after less than seven months in office by a group of northern military officers. His death was followed by ethnic rioting across Nigeria that helped precipitate Nigeria's horrific Biafran civil war.¹⁰

After the civil war ended in 1970, Nigeria's ruling military continued to be wracked with violent power struggles. Aside from Ironsi's murder the country saw one other head of state ousted in a coup and a third murdered in an attempted coup before the discredited military returned power to civilian hands in 1979.¹¹ The head of state who organized that transition was General Olusegun Obasanjo, who would return to power as a civilian leader twenty years later, in 1999.

The civilian government under President Shehu Shagari that was elected to office in 1979 was in place for only four years. Shagari's administration, which initially had the blessing of Nigeria's military establishment, was blamed for widespread corruption at both the federal and state levels, deepening levels of poverty and internecine political warfare that led ultimately to the electoral debacle of 1983. The elections organized that year were massively rigged in favor of Shagari and his National Party of Nigeria. The country's Federal Election Commission and the security forces were widely accused of actively colluding to rig the elections, and all parties deployed hired thugs to intimidate their opponents across the country. A nationwide

⁹ See, e.g., Osaghe, *Crippled Giant* pp.54-55, noting that the military "carved for itself the role of *saviour* and *guardian* of the nation, and has indeed been invited to play this role by vocal sections of the public during periods of serious national crisis."

¹⁰ Ironsi, like the majors who staged the abortive coup that set the stage for his takeover of power, was an Igbo—and Nigeria's last Igbo head of state. Resistance to his rule in northern Nigeria grew rapidly, stoked by fears of Igbo domination and anger at the murder of northern political scions Ahmadu Bello and Tafawa Balewa during the 1966 coup attempt. Northern opposition to Ironsi's policies led to ethnic riots in parts of northern Nigeria that saw tens of thousands of Igbo murdered; the violence continued unabated after Ironsi was abducted and murdered by Northern military officers in a countercoup. Igbo refugees streamed into southeastern Nigeria for safety and relations between military officials in the East and the federal government quickly broke down. The ensuing Biafran civil war lasted from May 1967 to January 1970 and claimed more than one million lives through violence, starvation, and disease. See, eg, Osaghe, *Crippled Giant* pp. 54-64.

¹¹ Yakubu Gowon succeeded General Ironsi in power and led Nigeria through the Biafran civil war. Gowon was overthrown in July 1975 and his successor, Murtala Mohammed, was murdered during a failed coup attempt in February 1976. Mohammed was succeeded by his deputy at the time of his death, General Olusegun Obasanjo.

outcry greeted the results and the government proved unable to quell the political chaos that ensued.¹²

Four months after the 1983 elections, the military struck again, overthrowing Shagari's government and retaking control of the country under the leadership of General Muhammadu Buhari. As in 1966, the coup-plotters defended their actions by pointing to the chaotic and illegitimate 1983 elections along with massive corruption and the government's failure to meet its basic responsibilities towards ordinary Nigerians.¹³ Nigeria's military then clenched power for sixteen years, until May 1999.

From 1985 until 1998 Nigeria was governed by two military dictators, Generals Ibrahim Babangida and Sani Abacha.¹⁴ This period proved disastrous for Nigeria, as Babangida and Abacha helped to deepen and entrench patterns of corruption and human rights abuse from which the country has since made almost no progress in escaping. Babangida was widely accused of institutionalizing corruption as a tool of political control and as much as US\$12.2 billion in oil revenues simply "disappeared" under his watch.¹⁵ Abacha alone is believed to have personally stolen between \$1 and \$3 billion while in office.¹⁶ Both subjected their critics to abuses including intimidation, arbitrary detention, and, allegedly, murder.¹⁷

Babangida organized elections in 1993 that were slated to pass power back into civilian hands. Today many Nigerians still describe those polls as the most free and fair in Nigerian history and as proof of the government's capacity to hold credible

¹² See Richard Joseph, *Prebendal Politics in Nigeria: the rise and fall of the Second Republic* (Cambridge: Cambridge University Press, 1987) pp. 151-184.

¹³ Ibid.

¹⁴ When Babangida left office in 1993 he handed over power to a civilian Interim National Government (ING) under Ernest Shonekan. The ING was weak and lacked legitimacy because of the annulled 1992 elections, which are described below. The government was overthrown after just three months in office by General Sani Abacha.

¹⁵ International Crisis Group, "Want in the Midst of Plenty," Africa Report No. 113, July 19, 2006, <http://www.crisisgroup.org/home/index.cfm?id=4274&l=1> (accessed July 12, 2007).

¹⁶ Between 1999 and 2007 the government of Olusegun Obasanjo secured the return of more than US\$450 million of "Abacha loot" from Swiss banks where the money had been salted away. See "Switzerland to Give Back Abacha Millions," *BBC News Online*, April 17, 2002, <http://news.bbc.co.uk/2/hi/africa/1935646.stm> (accessed September 17, 2007).

¹⁷ Babangida is widely accused of complicity in the murder by parcel bomb of outspoken journalist Dele Giwa in October 1986. Babangida has consistently denied any link with Giwa's death. See "Ex-Nigerian Military Ruler Snubs Panel," *BBC News Online*, September 25, 2001, <http://news.bbc.co.uk/2/hi/africa/1562397.stm> (accessed September 17, 2007).

elections should it choose to do so. However, Babangida annulled the results of the presidential poll and imprisoned winning candidate Moshood Abiola, who ultimately died behind bars.¹⁸

Nigeria did not return to elected civilian rule until after General Abacha died in office in 1998. By then, the excesses of the Abacha and Babangida years had thoroughly discredited the military's claim on power and led to popular and international pressure for a return to civilian rule that had become impossible to resist. Abacha's successor, General Abdulsalami Abubakar, soon organized elections that ushered the military out of power and installed retired General Olusegun Obasanjo as the first president of Nigeria's Fourth Republic in May 1999.

A Flawed Transition

Since 1999, Nigeria's military has kept to its barracks. In that sense, the country's transition to civilian rule has been successful. But Nigeria's civilian government has failed to realize hopes that an end to military rule would lead to democratic governance, progress in combating poverty and corruption, and respect for human rights on the part of those in power.

Since the end of military rule, Nigeria has only added to its history of fraudulent and violent elections. The 1999 elections that brought President Olusegun Obasanjo to power were marred by such widespread fraud that observers from the US-based Carter Center concluded that "it is not possible for us to make an accurate judgment about the outcome of the presidential election."¹⁹

Nigeria's next round of general elections, in 2003, were widely seen as a test of Nigeria's progress towards more open and accountable governance after four years of civilian rule under Obasanjo. The polls were an abject failure. The 2003 elections were more pervasively and openly rigged than the flawed 1999 polls, and far more bloody. More than 100 people died in the two weeks surrounding the voting itself,

¹⁸ Since leaving office Babangida has refused to provide any public explanation for his decision to annul the poll. Abiola died in July 1998—allegedly from a heart attack just as his release from prison appeared to have become imminent.

¹⁹ "Observing the 1998-1999 Nigeria Elections: Final Report," Carter Center and National Democratic Institute for International Affairs, November 1999, p.12, <http://www.cartercenter.org/documents/1152.pdf> (accessed July 12, 2007).

many in political clashes spawned by politicians' efforts to employ and arm criminal gangs to defend their interests and attack their opponents.²⁰

Elections for Nigeria's 774 local government councils were held in 2004 and followed much the same pattern of violence, intimidation and fraud that characterized the 2003 general elections. Nigeria's Transition Monitoring Group observed those polls and concluded that "It is doubtful whether...the elections can in any way be considered to be reflective of the will of the people."²¹

Nigeria's 2007 Milestone

Nigeria's April 2007 elections were widely regarded as a crucial barometer of the federal government's commitment to some meaningful notion of democratic reform. But the polls marked a dramatic step backwards, even measured against the dismal standard set by the 2003 election.

Elected officials, alongside the very government agencies charged with ensuring the credibility of the polls, reduced the elections to a violent and fraud-riddled farce. Across much of the country armed gangs in the employ of politicians raided polling stations and carried off ballot boxes. Electoral officials reported massive turnout figures in areas where no voting took place at all. In many areas ballot boxes were openly stuffed or results fabricated out of thin air.²² The final results bore little resemblance to the realities reported by all credible election observers, domestic and foreign, but the Independent National Electoral Commission (INEC) reported a landslide victory for the ruling PDP.²³

²⁰ See European Union Election Observation Mission in Nigeria, "Final Report on the National Assembly, Presidential, Gubernatorial and State Houses of Assembly Elections," http://ec.europa.eu/external_relations/human_rights/eu_election_ass_observ/nigeria/repo3.pdf (accessed July 12, 2007); Human Rights Watch, *Nigeria's 2003 Elections: The Unacknowledged Violence*, June 2004, <http://hrw.org/reports/2004/nigeria0604>.

²¹ Transition Monitoring Group, "Preliminary Report issued by the Transition Monitoring Group (TMG) on the Local Government Council Elections held on Saturday, March 27, 2004."

²² See "Nigeria: Polls Marred by Violence, Fraud," Human Rights Watch news release, April 17, 2007, <http://hrw.org/english/docs/2007/04/16/nigeri15708.htm>; "Nigeria: Presidential Election Marred by Fraud, Violence," Human Rights Watch news release, April 25, 2007, <http://hrw.org/english/docs/2007/04/24/nigeri15763.htm>.

²³ President Umaru Yar'Adua was awarded more than 70 percent of the total vote and the PDP also won control over 28 of the country's 36 state governorships and a commanding majority in the National Assembly. In many areas, such as throughout the oil-producing Niger Delta, turnout figures in excess of 90% were reported in areas where little or no voting took place.

Foreign observers and Nigerian civil society groups were unusually blunt in their criticism of the polls, with many Nigerian activists labeling them the worst in Nigerian history.²⁴ Several seasoned foreign observers said that the 2007 poll ranked among the worst conducted anywhere in the world in recent times.²⁵ The Head of the European Union Election Observation Mission (EUEOM) said that, “The whole thing was not at all living up to the hopes of the Nigerian people, chaotic, and I would say it left them behind, demoralized.”²⁶ The EUEOM’s final report stated that “Given the lack of transparency and evidence of fraud, there can be no confidence in the results of these elections.”²⁷ The US-based National Democratic Institute (NDI) said in its post-election statement that the electoral process “failed the Nigerian people.”²⁸

Nigeria’s failed 2007 polls cast a harsh and very public light on patterns of violence, corruption and outright criminality that have come to characterize Nigeria’s political system—and on the extent to which officials and institutions at all levels of government accept, encourage and participate in those abuses.

²⁴ Human Rights Watch interviews, Abuja and Port Harcourt, April 2007.

²⁵ Human Rights Watch interviews with foreign election observers, Nigeria, April 2007. See also “Big Men, Big Fraud and Big Trouble,” *The Economist*, April 26, 2007, http://www.economist.com/displayStory.cfm?story_id=9070922 (accessed July 12, 2007), noting that EU monitors described their report as “the most damning it had ever issued anywhere in the world.”

²⁶ “What Nigerian Election Observers Say,” *BBC News Online*, April 23, 2007, <http://news.bbc.co.uk/2/hi/africa/6582979.stm> (accessed July 12, 2007).

²⁷ Camillus Eboh, “No Confidence in Nigerian Election Result: EU,” *Reuters*, August 23, 2007.

²⁸ National Democratic Institute, “Statement of the National Democratic Institute (NDI) International Election Observer Delegation to Nigeria’s April 21 Presidential and National Assembly Elections,” April 23, 2007, http://www.accessdemocracy.org/library/2151_ng_election_statement_042307.pdf.

Political Violence

“My duty was to send you to hell.”

—Former cult member recruited by the PDP in Rivers State to prevent people from voting during the 2003 elections.²⁹

Political violence has become a central part of political competition across much of Nigeria and it takes many forms—from assassinations to armed clashes between gangs employed by rival politicians. This violence is most often carried out by gangs whose members are openly recruited and paid by politicians and party leaders to attack their sponsors’ rivals, intimidate members of the public, rig elections, and protect their patrons from similar attacks.

Alongside the gangs themselves, the individuals most responsible for the abuses they commit are politicians and party officials—from all parties—who sponsor and at times openly participate in acts of violence. The architects, sponsors, and perpetrators of this violence generally enjoy complete impunity because of both the powers of intimidation they wield and the tacit acceptance of their conduct by police and government officials.

A spokesman for Anambra State Governor Peter Obi told Human Rights Watch, “If you are a member of the PDP and I belong to APGA [the All Progressives Grand Alliance opposition party] we see ourselves more or less like enemies. This is carried too far and results in thuggery, assassination and arson.”³⁰

The Scale of Nigeria’s Violence Epidemic

Political violence is part and parcel of a broader epidemic of violence that has devastated the lives of tens of thousands of Nigerians since the country’s return to civilian rule in 1999.³¹ According to a forthcoming survey of media and other sources

²⁹ Human Rights Watch interview with former cult member, Port Harcourt, April 12, 2007.

³⁰ Human Rights Watch interview with Mike Udah, Press Secretary to Governor Peter Obi, Awka, February 14, 2007.

³¹ For a brief overview of Nigeria’s post-independence political history and the events leading up to the end of military rule in 1999, see above, *Historical Overview: Dictatorship and Rigged Elections*.

undertaken by Human Rights Watch and Johns Hopkins' School for Advanced International Studies, more than 11,000 Nigerians lost their lives in clashes along political, ethnic, religious, and other lines between the handover of power to the Obasanjo government and the end of 2006.³² Nigeria's National Commission for Refugees has estimated that more than three million Nigerians were internally displaced by this strife.³³

This devastation occurred in at least 481 separate incidents that varied considerably in character and scale.³⁴ In the most notorious cases, outbreaks of ethnic or religious violence claimed hundreds of lives in just a few short days—Human Rights Watch documented several of these large-scale clashes in detail.³⁵ At the same time, smaller-scale clashes have been so frequent as to reflect a regular feature of Nigeria's political landscape. All told, between May 1999 and December 2006 the survey recorded incidents of intercommunal and political violence at the staggering rate of one separate incident every five days.³⁶

Since 1999 Nigeria has also seen hundreds of intercommunal clashes that were not overtly political in nature dividing Nigerians against one another along ethnic, religious, or other intercommunal lines.³⁷ But in many of the worst cases it was widely believed that ethnic and religious violence resulted at least partly from the efforts of politicians and other elites to manipulate intercommunal tensions for their own political gain. President Obasanjo himself frequently advanced this belief during his tenure as president, stating on one occasion that many participants in

³² Peter Lewis and Chris Albin-Lackey, "Democracy and Violence in Nigeria" (working title); forthcoming.

³³ "Violence Left 3 Million Bereft in Past 7 Years, Nigeria Reports," Reuters, March 14, 2006.

³⁴ Ibid.

³⁵ See Human Rights Watch, *Nigeria - Revenge in the Name of Religion: The Cycle of Violence in Plateau and Kano States*, vol. 17, no. 8(A), May 2005, <http://hrw.org/reports/2005/nigeria0505>; Human Rights Watch, *Nigeria's 2003 Elections: The Unacknowledged Violence*; Human Rights Watch, *Nigeria—The Warri Crisis: Fuelling Violence*, vol. 15, no. 18(A), December 2003, <http://hrw.org/reports/2003/nigeria1103>; Human Rights Watch, *The "Miss World Riots": Continued Impunity for Killings in Kaduna*, vol. 15, no. 13(A), July 2003, <http://www.hrw.org/reports/2003/nigeria0703>; and Human Rights Watch, *Nigeria—Jos: A City Torn Apart*, vol. 13, no. 9(A), December 2001, <http://www.hrw.org/reports/2001/nigeria>.

³⁶ Lewis and Albin-Lackey, "Democracy And Violence in Nigeria."

³⁷ Ibid.

ethnic and religious violence were in effect “foot-soldiers to the designs and machinations of power seekers.”³⁸

Even non-political violence is fueled by the same patterns of impunity that fuel violence in the political arena.³⁹ No one has been held to account for their role in orchestrating any of Nigeria’s bloodiest episodes of intercommunal violence despite strident government promises of investigation and prosecution. That pattern of impunity is even more pronounced in the case of smaller-scale clashes, which generally has not even triggered any serious attempt at discovering or prosecuting those responsible.⁴⁰

The Human Rights Impact of Political Violence

The pervasive role of violence in Nigerian politics has a devastating human rights impact on ordinary Nigerians. As discussed above, thousands of Nigerians have been deprived of their very right to life or have been subjected to physical assaults because of the violent nature of political competition in Nigeria. But casualty estimates, considered alone, actually understate the scale of the human rights impact of political violence in Nigeria. Violence also discourages and prevents political participation and plays a central role in denying ordinary Nigerians a say in choosing their “elected” leaders.

The 2007 Elections

At no point was the human rights impact of Nigeria’s violence epidemic so stark as during the country’s April 2007 elections. Human Rights Watch estimates that a minimum of 300 Nigerians were killed in violence linked to the 2007 elections; some credible estimates range considerably higher.⁴¹ That death toll was higher than the reported figures from the violent 2003 elections, which saw more than 100 Nigerians

³⁸ “President blames unrest in Nigeria on power-seekers, mind-set,” Agence France-Presse, January 25, 2002.

³⁹ See below, *Entrenching Impunity: Federal Government Complicity in Human Rights Abuse*.

⁴⁰ See below, *Entrenching Impunity: Federal Government Complicity in Human Rights Abuse*.

⁴¹ IDASA, an international organization that ran a comprehensive electoral violence monitoring program across Nigeria before and during the April elections, had recorded reports of more than 280 reports of election-related deaths by mid-March 2007, with more than a month to go before the elections took place. Human Rights Watch telephone interview with Derrick Marco, Nigeria country director, IDASA, March 21, 2007.

killed during the weeks surrounding the voting exercise alone.⁴² The violence that accompanied the 2007 polls was widespread and openly organized on such a scale as to lay bare deeper patterns of corruption and abuse in politics to an unusual degree.

The run-up to the elections saw political assassinations, bombings, and deadly clashes between rival gangs—organized by politicians and parties—that claimed at least one hundred lives. Human Rights Watch documented the patterns of these killings during the pre-election period.⁴³ European Union election observers subsequently estimated that some 200 people died in political violence during the two weeks surrounding the voting on April 14 and April 21.⁴⁴ Many more were injured.

During the 2007 elections pervasive violence discouraged many Nigerians from coming out to vote, and voter turnout was very low across the country.⁴⁵ Prior to the elections Human Rights Watch interviewed many would-be voters who said that they intended to stay home rather than cast their votes. Several explained this by stating simply, “I don’t want to die.”⁴⁶ One retiree in the town of Oye Ekiti told Human Rights Watch that “the elderly people are scared and so are the women. They can go a step further by instructing their children, ‘please keep away from that polling booth—I don’t want you to die now.’”⁴⁷

In a town in Oyo State, Human Rights Watch interviewed one opposition All Nigerian Peoples Party (ANPP) supporter whose home was besieged by a large group of pro-PDP thugs she believed to be drunk one evening shortly before the elections. The

⁴² Human Rights Watch, *The Unacknowledged Violence*.

⁴³ Human Rights Watch, *Election or “Selection?” Human Rights Abuse and Threats to Free and Fair Elections in Nigeria*, April 2007, pp. 11-18, <http://hrw.org/backgrounder/africa/nigeria0407>.

⁴⁴ European Union Election Observation Mission, “Statement of Preliminary Findings and Conclusions,” April 23, 2007, <http://www.eueom-ng.org> (accessed July 12, 2007).

⁴⁵ Official government figures indicated nationwide voter turnout of over 50 percent, but all credible international and domestic observers found such figures implausible. Diplomatic officials and election observers interviewed by Human Rights Watch estimated turnout at no higher than 20 percent across most of the country on the day of the presidential election. Human Rights Watch interviews, Abuja, April 2007. See also National Democratic Institute, “Statement of the National Democratic Institute (NDI) International Election Observer Delegation to Nigeria’s April 21 Presidential and National Assembly Elections,” April 23, 2007, http://www.accessdemocracy.org/library/2151_ng_election_statement_042307.pdf.

⁴⁶ Human Rights Watch interviews, Lagos and Port Harcourt, April 2007.

⁴⁷ Human Rights Watch interview, Oye Ekiti, April 7, 2007.

youths threw bottles at her home, fired several shots with locally made weapons that left bullets lodged in the walls, and pounded on the windows and doors demanding that she let them in. Her neighbors said that after this incident many of them decided not to come out to vote.⁴⁸

Many voters who did come out to vote faced precisely the sort of violence that led others to stay at home. Human Rights Watch witnessed gangs roaming the streets, attacking or intimidating voters, in all of the four states where it monitored the elections. In Katsina, Gombe and Rivers States, for example, groups of thugs launched attacks on polling stations throughout each state, chasing off voters and carting away ballot boxes and ballot papers. Similar scenes were reported across the country by election observers and others.⁴⁹

In some cases voters, police officers, and electoral officials went to great lengths to try and protect the process from such violent assaults, but generally with little success. At one polling station in Mashi town in Katsina State, Human Rights Watch observed a queue of voters wait patiently in line even as police officers attempted to fight off a gang of young men armed with sticks less than 50 meters away. One of the men in line lamented to Human Rights Watch that the gang had “come to unleash violence. They have come to steal our votes,”⁵⁰ but held his place in line along with most others. The thugs eventually made off with all of the ballot papers for the National Assembly elections during a successful assault on the polling booth.⁵¹

In the town of Iseyin in Oyo State, Human Rights Watch interviewed several supporters of the opposition Action Congress (AC) party who said they had been beaten up by bands of young men in the employ of the PDP when they tried to intervene to stop ballot-box stuffing near their homes. One man who tried to assist a friend who was being beaten by a gang was himself set upon and likewise abused. “I had to run and they pursued me,” he said. “At one corner, one of them kicked my leg

⁴⁸ Human Rights Watch interviews, Iseyin, April 27, 2007.

⁴⁹ See above, *Historical Background and Context*.

⁵⁰ Human Rights Watch interview, Mashi, April 21, 2007.

⁵¹ See “Nigeria: Presidential Election Marred by Fraud, Violence,” Human Rights Watch news release, April 25, 2007, <http://hrw.org/english/docs/2007/04/24/nigeri15763.htm>.

and I fell down. After I fell down they continued to kick me and slap me.” He filed a police report that identified some of his attackers but the police took no action on the complaint.⁵²

At one polling unit in Katsina town, Human Rights Watch interviewed voters who watched as a policeman was badly beaten with his own baton after he tried to fend off four young men who invaded the polling station and ultimately stole its ballot box.⁵³ And one election observer in Gokana local government in Rivers State told Human Rights Watch that the Presiding Officer at her polling station was kidnapped by armed men when he refused to surrender the ballot box to them. “They took the materials and then they put him in the boot [trunk] as well,” she said. “People were crying but they said, ‘No, he talks to us like that, now we will show him pepper!’”⁵⁴ She and some local residents ran alongside the car begging for the young man’s release as he screamed in terror from inside the boot, but to no avail.⁵⁵

Losing Control of Violence

Violence unleashed by politicians and their sponsors during elections and other periods of political contestation does not simply fade away once the political battles have been decided. In many cases violence fomented for the purpose of winning elections has taken on a life and logic of its own and continued to generate widespread human rights abuses over the long term. Several Nigerian states have been plagued by enduring violence after politicians either abandon or lose control over the gangs they initially employed. As former Oyo State Governor Victor Olunloyo put it: “My attitude towards them [political thugs] is that they are like rabid dogs. They are prepared to bite their owner and their owners cannot be confident or sure of keeping them on a leash.”⁵⁶

⁵² Human Rights Watch interview, Iseyin, Oyo State, April 27, 2007.

⁵³ Human Rights Watch interview, Katsina, April 19, 2007.

⁵⁴ Human Rights Watch interview, Abuja, April 24, 2007.

⁵⁵ Human Rights Watch interview, Abuja, April 24, 2007.

⁵⁶ Human Rights Watch interview with Victor Olunloyo, former governor of Oyo State, Ibadan, February 8, 2007.

In Gombe State, Human Rights Watch interviewed victims and local leaders desperate to find a way to end a reign of terror imposed by gangs employed by both the PDP and opposition parties alike since the 2003 elections. In the years after 2003 those gangs proved uncontrollable. They subjected local residents to abuses including armed robbery, extortion on the roads, rape, and murder. And in Rivers State, armed groups who openly acknowledge that they were sponsored by the PDP to rig the 2003 elections have since spiraled out of all control and have contributed to the spread of violence, insecurity, and human rights abuse across the entire oil-producing Niger Delta today. The situations in Gombe and Rivers States are discussed in detail as case studies below.

Politicians, Cults and Gangs

Political violence in Nigeria is most often carried out by gangs whose members are openly recruited, financed and sometimes armed by public officials, politicians and party officials or their representatives. These gangs, comprised primarily of unemployed young men are mobilized to attack their sponsors' rivals, intimidate members of the public, rig elections and protect their patrons from similar attacks. Often, sponsors of political violence turn time and again to the same criminal gangs, violent campus-based "cults" and other sources to recruit agents of political violence. Those recruited are paid, often very little, and sometimes armed for the sole purpose of carrying out violent abuses on behalf of their political sponsors.

Cults and Criminal Gangs

Nigeria's notorious "cult" organizations are a particular variety of criminal gang that began as benign campus fraternities, the first of which emerged in 1952 when a group of University of Ibadan students, including future Nobel laureate Wole Soyinka, organized a fraternity called the Pyrates Confraternity. They have since proliferated and evolved into violent gangs that often operate both on and off campus, with one foot each in the criminal and political spheres. Across much of Nigeria and especially in the south, "cult" gangs are the most widely feared criminal enterprises in the country. The power and prevalence of these groups has grown steadily over the decades and especially since 1999. Many groups maintain ties to powerful politicians, some of whom themselves have associations with cult organizations

dating back to their days at university.⁵⁷ This is so even though some Nigerian states have passed laws expressly outlawing many cult groups.

Cult groups in Nigeria today are numerous and include groups such as the Buccaneers, the Black Axe, the Greenlanders, the Klansmen Konfraternity, and the Supreme Vikings Confraternity (or Vikings) along with many others.⁵⁸ These organizations sow terror among the student populations of many university campuses in Nigeria, forcibly recruiting new members and waging battles between one another that have included the assassination of rival cult members and the killing of innocent bystanders.⁵⁹

Reliable statistics about the on-campus human toll of Nigeria's cult violence epidemic do not exist, but former Minister of Education Obiageli Ezekwesili estimated that some 200 students and teachers lost their lives to cult-related violence between 1996 and 2005.⁶⁰ Cult-related clashes on university campuses continue to occur regularly, especially in southern Nigeria.⁶¹ Cult groups have also been implicated in widespread other abuses including extortion, rape and violent assaults.⁶²

The reach of many cults has spread far beyond university campuses, with many groups involved in drug trafficking, armed robbery, extortion, oil bunkering, and

⁵⁷ See, e.g., "Nigeria: Focus on the Menace of Student Cults," *IRIN*, August 1, 2002, <http://www.irinnews.org/report.aspx?reportid=33251> (accessed July 12, 2007). For a discussion of Wole Soyinka's reaction to the cult phenomenon in Nigeria, see "A Dream Perverted," *The Guardian*, June 29, 2005, <http://www.guardian.co.uk/g2/story/0,,1516717,00.html> (accessed July 12, 2007).

⁵⁸ The Rivers State Government passed a law in 2004 banning 100 different cult organizations by name, but many Rivers politicians are themselves widely alleged to be members of cult groups. See below, *Rivers State Case Study*.

⁵⁹ In one notorious 2002 incident, cult members stormed an examination hall at the University of Nsukka and opened fire on students who were sitting their exams, killing seventeen people. The clash was widely believed to have been carried out by members of the Vikings cult seeking to eliminate members of the rival Black Axe. See "Nigerian 'Student Cult' Kills 17," *BBC News Online*, June 19, 2002, <http://news.bbc.co.uk/2/low/africa/2054608.stm> (accessed July 12, 2007).

⁶⁰ "Nigeria: Focus on the Menace of Student Cults."

⁶¹ See, e.g., Demola Akinyemi, "One Dies as Rival Cultists Clash in Illorin," *The Vanguard*, June 11, 2007; "Campus Gang Beheads Student; Attacks Another," *This Day*, September 9, 2006.

various forms of street crime.⁶³ Alongside all of this, many politicians mobilize local cult members as the foot soldiers of political violence. Some politicians are themselves members of cult organizations.⁶⁴

Human Rights Watch interviewed more than 20 current and former members of cult groups and ordinary criminal gangs not associated with cult organizations who had been recruited by PDP politicians either during the 2003 elections or in the run-up to the 2007 polls in Oyo, Anambra and Rivers States. Many spoke candidly about being paid to target the political opponents of their sponsors or to attack and intimidate ordinary voters.

Many of the interviewed cult and gang members described their work in graphic terms. One former cult member told Human Rights Watch that his group was recruited by the PDP in Rivers State to prevent people from voting during the 2003 elections. “My duty was to send you to hell,”⁶⁵ he said. Members of one Ibadan-based gang acknowledged having ties to Oyo State political godfather Lamidi Adedibu and said that they had been paid to carry out political assassinations.⁶⁶ And just ahead of the 2007 elections, one member of the Buccaneers cult in Anambra State told Human Rights Watch matter-of-factly that, “If there is a need to cause commotion during the election, they [local politicians] will call us.”⁶⁷

In some cases, cult and gang members claimed that they merely provided “security” for electoral campaigns, but described that work as involving violent clashes with members of communities along the campaign trail. Two members of the Vikings cult group in Anambra State, for example, told Human Rights Watch that during the PDP primaries in late 2006 they and many other Vikings members from the University of

⁶³ Human Rights Watch interviews with current and former cult members, Port Harcourt, Ibadan and Awka, February and April 2007; Human Rights Watch interviews with civil society activists involved in anti-cult activities, Port Harcourt and Abuja, August 2006 and April 2007. “Oil bunkering” refers to the practice of stealing crude oil directly from pipelines and loading it onto barges or larger vessels for illegal transport onto the international market.

⁶⁴ See below *Rivers State Case Study*.

⁶⁵ Human Rights Watch interview with former cult members, Port Harcourt, April 12, 2007.

⁶⁶ Human Rights Watch interview with GAG gang member, Ibadan, April 6, 2007.

⁶⁷ Human Rights Watch interview with member of Buccaneers cult group, Awka, February 14, 2007.

Nnamdi Azikwe campus in Awka had been recruited by PDP aspirants in several southeastern states to accompany them on the campaign trail:

In some areas we played like a security role...We went to other states, like Enugu—we went there for security for the PDP. Also in Ebonyi...You go to some places to do voting and the local people, they don't understand anything, they just start fighting you...One community burned a vehicle, maybe because they did not like the candidate, they said he had done nothing for them. So we provide security for the PDP in those places.⁶⁸

A few of the cult and gang members interviewed by Human Rights Watch said that they had been paid only to attend rallies in support of their patron candidates. But they admitted that they routinely attended such events armed and prepared to fight. One gang member in Ibadan told Human Rights Watch during the 2007 election campaign that “I go to PDP rallies every day to get a little something. It's survival, it's an investment...to go to rallies we prepare with machetes, clubs and AK-47s. You never know what can happen.”⁶⁹

Other Perpetrators of Political Violence

While cults and other criminal gangs are often at the front lines of political clashes in Nigeria, they do not by any means have a monopoly on the market for hired thugs. In some states, politicians have drawn upon the membership of the National Union of Road Transport Workers (NURTW) for paid thugs. NURTW theoretically represents the collective interests of commercial drivers and other workers tied to the industry but some of its chapters have been largely converted into reservoirs of thugs for local politicians.

In Ekiti State, Human Rights Watch interviewed a group of NURTW members days ahead of the 2007 elections. They acknowledged that they had been hired by a PDP politician from their community to attack and chase away would-be voters in order to

⁶⁸ Human Rights Watch interview with members of Vikings cult group (names withheld), Awka, February 15, 2007.

⁶⁹ Human Rights Watch interview with GAG gang member, Ibadan, April 6, 2007.

stuff ballot boxes and rig the 2003 elections but said they would not do so again in 2007. “We need to show people that we are not thugs,” one of them told Human Rights Watch. “We are not ready to do it. But there is a likelihood that they [politicians] will approach us. It is left for us not to accept their offer.”⁷⁰ But in Oyo State, NURTW members have been at the forefront of a bloody and protracted period of election-related violence that continued well-past the closing of the polls. The central role of NURTW in political violence in Oyo is discussed in the Oyo State case study below.⁷¹

In some cases the link between government officials and their hired thugs is formalized to some degree. In Katsina for instance, the state government under current president Umaru Yar’Adua maintained several thousand “PDP Youth” on a monthly stipend that was paid with state government money. Credible sources maintain that many of those youth were allegedly involved in violence linked to the 2007 elections.⁷² The links between the state government and the PDP youth organization in Katsina are discussed in greater depth below.⁷³

In some cases members of the police have themselves been implicated in acts of political violence. One state’s commissioner of police acknowledged to Human Rights Watch that “[t]here are even policemen and soldiers who can be used by people in power to do what thugs would normally do.”⁷⁴ One man from Oyo State, for example, told Human Rights Watch that at a voting collation center on election day in April, a PDP candidate accompanied by several mobile police officers arrived on the scene, fired into the air to scare off INEC officials and civilian bystanders, and then ordered the police officers to beat those who had not run away. “I fell down,” he said, “and the MOPOL [mobile police] met me on the ground and started beating me with their gun butts.” He was taken to the hospital and at the time of his interview with

⁷⁰ Human Rights Watch interview with NURTW members, Oye Ekiti, April 7, 2007.

⁷¹ See below, *Oyo State Case Study*.

⁷² Human Rights Watch interviews with civil society organizations, opposition politicians and PDP Youth Members, Katsina, April 2007.

⁷³ See below, *Direct State Sponsorship of Thugs in Katsina*.

⁷⁴ Human Rights Watch interview with Commissioner of Police [state and name withheld], February 2007.

Human Rights Watch days later, his legs were bandaged and bruised. “My leg was not broken but the pain was so much I thought it was broken,” he said.⁷⁵

Justifying and Taking Violence for Granted

Many Nigerian politicians see violence—both as an offensive weapon and as a component of personal security—as a necessary part of any political campaign. As the traditional ruler of Awka town in Anambra State put it in an interview with Human Rights Watch, “Here [in Anambra] elections are connected to how much money you have put into your ability to intimidate others.”⁷⁶

Some politicians argue that they must maintain some capacity to unleash violence as a measure of self-defense. Senator Ben Obi—who ran as the opposition Action Congress’ Vice-Presidential candidate in the 2007 elections—explained to Human Rights Watch during an interview at his home in Awka during the campaign that:

Earlier I had 20 boys here to see me. If anyone tries to attack me my boys will unleash terror...I help them to secure a little patronage from government or to start small businesses...It is not possible to have a campaign without your boys. If you are around, they too must be around.⁷⁷

In practice the line between self-defense and violent aggression is blurred at best. Senator Obi, for example, told Human Rights Watch that during an unsuccessful attempt to strip him of the Senate seat to which he was elected in 2003, he told one of the alleged architects of the move against him that “If you come to Awka you will not leave here alive. Because I will not hold my boys back. They would skin him alive.”⁷⁸

⁷⁵ Human Rights Watch interview, Iseyin, Oyo State, April 27, 2007.

⁷⁶ Human Rights Watch interview with Gibson N. Nwosu, Eze Ozu of Awka, Awka, February 13, 2007.

⁷⁷ Human Rights Watch interview with Senator Ben Obi, Awka, February 12, 2007.

⁷⁸ Ibid.

In other cases politicians explain their use of political violence by pointing out the ineffectual or partisan response of law-enforcement agencies to violence that targets them. In January 2007, for example, a group of thugs linked to a powerful Oyo state godfather figures attacked and nearly killed former Senator Lekan Balogun on the steps of the Oyo State House of Assembly.⁷⁹ One month later, he complained to Human Rights Watch that the police had held no one to account even though he could identify his assailants and said that:

I will fight back. If the law will not address the issue I will fight back using the same means...If the law fails to address the issue I would mobilize thugs too. There are boys that I know. I don't like them, but it's not that anybody has a monopoly on violence. Anybody can do it. Students are waiting to be mobilized.⁸⁰

The situation in Oyo State is discussed in detail as a case study in a later section of this report.

Box 1: Drawn into Violence in Ekiti

Dr. Kayode Fayemi is a prominent and widely respected activist who ran for the governorship of Ekiti State in southwestern Nigeria on the platform of the opposition Action Congress. Dr. Fayemi's campaign elicited a great deal of excitement among Nigerian civil society because of his distinguished record as a campaigner against government abuses under military rule and since 1999.

Several days before the April 14 elections Human Rights Watch interviewed Dr. Fayemi in Ado Ekiti. He alleged that his opponent from the ruling PDP, Segun Oni, was recruiting cultists and other thugs to rig the elections and terrorize his supporters on election day. Asked how he would respond to that threat, Fayemi replied:

⁷⁹ See below, *Oyo State Case Study*.

⁸⁰ Human Rights Watch interview with Lekan Balogun, Ibadan, February 9, 2007.

There is no question we can't rely on above-the-board tactics alone. I know this is not a tea-party and there are things I will have to do that are not acceptable to my core principles. Or things that others in the AC will do that are beyond my control—for me this may just be a competition but for some of them it is a life-or-death matter.⁸¹

Asked to elaborate, Dr. Fayemi denied that he would condone the use of violence. But many of the AC members working on the elections clearly considered that stand impractical. One AC candidate who was running for Ekiti's State House of Assembly frankly admitted to Human Rights Watch that he had recruited his own boys as a "counterbalance" to the alleged efforts of his PDP rival to intimidate him and his supporters.⁸² And one high profile supporter of Dr. Fayemi in Ekiti told Human Rights Watch: "It's fire for fire. We are prepared to neutralize their efforts to rig the elections. If they are preparing to rig violently, we will react violently."⁸³

Election day in Ekiti reportedly saw gangs of PDP thugs hijacking ballot boxes, and some of Dr. Fayemi's own supporters also engaged openly in violent tactics. One journalist who witnessed the elections in Ekiti told Human Rights Watch that "Fayemi's thugs were out as well. We saw them dragging people out of their cars and beating the shit out of them."⁸⁴ Most of the violence and ballot box snatching reported by observers was carried out by Fayemi's opponents in the PDP, who were declared winners of the election amid widespread evidence of intimidation and vote rigging.⁸⁵ Fayemi challenged the results of the election before the Election Tribunal.

⁸¹ Human Rights Watch interview with Kayode Fayemi, Ado Ekiti, April 6, 2007.

⁸² Human Rights Watch interview with Tope Longe, Ado Ekiti, April 6, 2007.

⁸³ Human Rights Watch interview, Ado Ekiti, April 7, 2007.

⁸⁴ Human Rights Watch interview with journalist, Nigeria, April 2007.

⁸⁵ Human Rights Watch telephone interviews with domestic election observers who had been stationed in Ekiti, July 2007.

Corruption, Godfatherism and the Funding of Political Violence

“Most of these politicians are linked to cult groups—they finance them, they maintain them, they sustain them. And all that is out of the use of government funds.”

—Academic and former Rivers State opposition candidate, Port Harcourt, August 15, 2007

Despite record-setting government revenues in recent years, corruption and mismanagement remain a major cause of Nigeria’s failure to make meaningful progress in improving the lot of ordinary Nigerians. These financial factors are closely entwined with the rampant political violence in Nigeria. Public revenues are not only stolen and misused, but often pay for the services and weapons behind the political violence. Because violence and corruption make political competition a very expensive endeavor in Nigeria, many politicians are far more accountable to powerful and violent political godfathers who sponsor them than they are to their constituents.

Corruption and Poverty in Nigeria

Corruption pervades all levels of government in Nigeria.⁸⁶ In 2006 the head of Nigeria’s Economic and Financial Crimes Commission, Nuhu Ribadu, estimated that Nigeria lost some US\$380 billion to corruption between independence in 1960 and the end of military rule in 1999.⁸⁷ Nigeria’s corruption epidemic has continued since then. Exact figures are impossible to come by, but some western diplomats estimate that Nigeria lost a *minimum* average of \$4 billion to \$8 billion per year to corruption

⁸⁶ The World Bank and the non-governmental organization Transparency International generally define corruption as “the abuse of public office for private gain.” The World Bank notes that this definition includes situations when “public officials accept, solicit, or extort bribes; and when private actors offer bribes to subvert or circumvent public policies for competitive advantage and profit.” Corruption can also occur in the absence of bribes. For example, the World Bank considers patronage or nepotism by government officials, theft of state assets, or the illegal diversion of state revenues as corruption. The World Bank, *Helping Countries Combat Corruption: The Role of the World Bank* (Washington, D.C.: The World Bank, 1997), p.8; and Transparency International, “Frequently Asked Questions About the Corruption Perceptions Index: 2002,” press release, August 28, 2002.

⁸⁷ “Nigeria Leaders ‘Stole’ \$380 Billion,” *BBC News Online*, October 20, 2006, <http://news.bbc.co.uk/2/hi/africa/6069230.stm> (accessed July 12, 2007).

over the eight years of the Obasanjo administration.⁸⁸ That figure would equal between 4.25% and 9.5% of Nigeria's total GDP in 2006. To put those numbers in perspective, a loss of 9.5% of the United States' GDP to corruption in 2006 would have translated into \$1.25 trillion in stolen funds or \$222 billion (GBP 108.6 billion⁸⁹) in the case of the United Kingdom's economy.⁹⁰

Human Rights Watch has documented the human rights impact of systemic corruption and mismanagement in Rivers State—Nigeria's largest oil producer and the wealthiest state in the nation.⁹¹ In Rivers the state and local governments have failed to make meaningful improvements in the state's badly dilapidated primary health and education sectors in recent years despite per capita spending far in excess of many West African countries at the state level alone.⁹² Instead, an unprecedented influx of revenue into state and local government coffers has been squandered or stolen. At the same time, the rising financial stakes have helped push struggles over political office to become more violent.⁹³ The 2007 elections in Rivers surpassed even the dismal nationwide norm in their brazen rigging by government officials.⁹⁴

The situation in Rivers is by no means unique. While Nigeria's government earned an estimated \$223 billion during the eight years of the Obasanjo administration alone, between 50 and 90 million Nigerians live on less than one US dollar a day and per capita income stands at one-third the level it had reached in 1980. Nigeria also has

⁸⁸ Human Rights Watch interviews with diplomatic officials, Abuja, April 2007; Human Rights Watch telephone interview with western diplomatic official, June 18, 2007. That estimate includes money lost to corruption from the budgets of Nigeria's federal, state and local governments along with money stolen or otherwise diverted from parastatal companies including the Nigerian National Petroleum Corporation. Ibid.

⁸⁹ Calculated at an exchange rate of 1USD = GBP .4895.

⁹⁰ According to the CIA World Factbook, in 2006 the GDP of the United States stood at \$13.21 trillion, while that of the United Kingdom was estimated at \$2.346 trillion. Available online at <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html> (accessed August 4, 2007).

⁹¹ Human Rights Watch, *Nigeria—"Chop Fine": The Human Rights Impact of Local Government Corruption and Mismanagement in Rivers State, Nigeria*, vol. 19, no. 2(A), January 2007, <http://hrw.org/reports/2007/nigeria0107>.

⁹² Ibid.

⁹³ Ibid. See also Human Rights Watch, *The Unacknowledged Violence*; Human Rights Watch, *Nigeria—Rivers and Blood: Guns, Oil and Power in Nigeria's Rivers State*, February 2005, <http://hrw.org/backgrounders/africa/nigeria0205>.

⁹⁴ See Human Rights Watch, "Nigeria: Polls Marred by Violence, Fraud"; Stakeholder Democracy Network, "Further Rigging: Election Observation Report, Akwa Ibom, Delta, Bayelsa and Rivers States," pp. 14-20 and 34-40.

some of the worst socio-economic indicators in the world.⁹⁵ The link between violence and corruption that has become so vivid in Rivers State is now reflected throughout many parts of Nigeria.

Nigeria's Political Godfathers

Not all aspirants to political office in Nigeria can raise on their own the substantial resources usually necessary to compete in the country's violent and corrupt political system—especially if they do not enjoy control over public resources to begin with. As a result, in many parts of Nigeria, successful candidates are often those who are “sponsored” by wealthy and powerful individuals known in Nigerian parlance as political godfathers.⁹⁶

These godfathers are not mere financiers of political campaigns. Rather they are individuals whose power stems not just from wealth but from their ability to deploy violence and corruption to manipulate national, state or local political systems in support of the politicians they sponsor. In return, they demand a substantial degree of control over the governments they help bring into being—not in order to shape government policy, but to exact direct financial “returns” in the form of government resources stolen by their protégés or lucrative government contracts awarded to them as further opportunities for graft. Godfathers also require their sponsored politicians to use government institutions to generate patronage for other protégés.

Former Oyo State governor Victor Olunloyo explained the relationship between politicians and their “godfathers” this way:

⁹⁵ See Jean Herskovitz, “Nigeria’s Rigged Democracy,” *Foreign Affairs*, July/August 2007; Human Rights Watch, *Chop Fine*, pp. 40-43. Nigeria has the world’s second-highest number of maternal deaths each year after India; one in five Nigerian children die before the age of five, many from easily preventable diseases. *Ibid.* Between 50 and 90 million Nigerians are believed to live in absolute poverty. The UK’s Department for International Development (DFID) estimates that 90 million Nigerians live in absolute poverty. DFID, “Nigeria Country Assistance Plan, 2004-2008,” <http://www.dfid.gov.uk/pubs/files/nigeria-cap.asp> (accessed November 6, 2006). The World Bank has put the figure at 37 percent of Nigeria’s population. World Bank, “Nigeria Country Brief,” updated April 2006. Nigeria is ranked 159th out of 177 countries on the UNDP’s Human Development Index. Current rankings across all countries with data can be found online at <http://hdr.undp.org/hdr2006/statistics/> (accessed November 28, 2006).

⁹⁶ See, e.g., Jibrin Ibrahim, “The Rise of Nigeria’s Political Godfathers,” *BBC Focus on Africa Magazine*, November 10, 2003, <http://news.bbc.co.uk/2/hi/africa/3156540.stm> (accessed July 12, 2007).

Money flows up and down...these honorable members [of the Oyo State House of Assembly], during the election period, they want the patronage of the puppeteer. Afterwards money will flow in the opposite direction—back from the puppet to the puppeteer.⁹⁷

In some cases godfathers are themselves public officials, using their access to public funds to sponsor lower-level officials.⁹⁸

Godfatherism is both a symptom and a cause of the violence and corruption that together permeate the political process in Nigeria. Public officials who owe their position to the efforts of a political godfather incur a debt that they are expected to repay without end throughout their tenure in office. Godfathers are only relevant because politicians are able to deploy violence and corruption with impunity to compete for office in contests that often effectively, and sometimes actually, exclude Nigeria's voters altogether. But their activities also help to reinforce the central role of violence and corruption in politics by making it even more difficult to win elected office without resorting to the illegal tactics they represent. Nigeria's godfatherism phenomenon is not unique to the ruling PDP, but as with many of the other abuses described in this report it is seen most often in the conduct of PDP officials as both a cause and a result of the party's success in maintaining itself in power.

This report provides detailed accounts of human rights abuses fueled by the activities of two of Nigeria's best-known political godfathers. The Oyo State case study below describes the power wielded by Chief Lamidi Adedibu. Adedibu, a dominant figure in the PDP in Oyo, has been instrumental in preventing free and fair elections and placing violence and corruption at the heart of politics in his state. The Anambra State case study discusses another of Nigeria's iconic political godfathers, Chris Uba, who is a member of the PDP's national Board of Trustees.

⁹⁷ Human Rights Watch interview with Victor Olunloyo, Ibadan, February 8, 2007.

⁹⁸ To cite one relatively minor example, in Rivers State it was widely believed that the chairman of Etche local government was rigged into office with the backing of a Commissioner in the State government at the time. Opponents of the chairman alleged that he made regular payments to that Commissioner out of local government coffers. Human Rights Watch, *Chop Fine*, pp. 64-75.

Corruption and the Funding of Political Violence

There is a direct relationship between corruption and political violence—many public officials use stolen public revenues to pay for political violence in support of their ambitions. As one Niger Delta academic who maintains that his 2003 Senate campaign was derailed by the violent efforts of the PDP to intimidate voters and rig the vote told Human Rights Watch, “Most of these politicians are linked to cult groups—they finance them, they maintain them, they sustain them. And all of this is out of the use of government funds.”⁹⁹ In Gombe State, a leading lawyer and former minister in the federal government published allegations in the national press that the state government was funding the activities of “*Kalare*” thugs using public money.¹⁰⁰

The Price of Violence

The money that is poured into mobilizing political violence in Nigeria is substantial, even if the amounts that filter down to low level thugs sometimes are not. As one civil society leader in Katsina State explained to Human Rights Watch, “They [local politicians] will just come and gather the youth to cause mayhem—not even for N5000 (\$38), just N1000 or 500. To someone who is doing nothing, N50 (38 cents) can be something to him.”¹⁰¹ Or as one former cult member in Port Harcourt put it: “The youth have no money—if you show them the bag of money or the bag of guns, they will work for you.”¹⁰²

The amounts paid to violent actors become less trivial higher up in the chain of command or for more important operations. One engineering graduate student in Anambra State told Human Rights Watch that he had been paid N25,000 (\$190) by the campaign office of PDP gubernatorial candidate Andy Uba to help organize thugs that chased elected delegates away from polling areas on the day of the PDP gubernatorial primaries in late 2006. He said that he was bused to the voting centers

⁹⁹ Human Rights Watch interview with Ben Naanen, University of Port Harcourt, April 16, 2007. During the 2003 elections Naanen’s wife was forced at gunpoint to vote for his PDP opponent. Ibid.

¹⁰⁰ Mohammed Ibrahim Hassan and Gombe Unity Forum “Open Letter to the President and Head of EFCC on Financial Crimes in Gombe State”, *Leadership*, October 1, 2006. The use of *Yan Kalare* gangs by politicians in Gombe is discussed in the Gombe State case study below.

¹⁰¹ Human Rights Watch interview with civil society activist, Funtua, Katsina State, April 20, 2007.

¹⁰² Human Rights Watch interview, Port Harcourt, April 12, 2007.

along with at least two to three busloads full of other cult and gang members who received the same payment. As of then, N25,000 was more than three times the starting monthly wage of many civil servants in Anambra State.¹⁰³ “We are contracted to do this,” the man said. “I earn money through my civil engineering and through politics. I get more money in politics.”¹⁰⁴

The leader of an armed gang whose primary stronghold stretches across part of Port Harcourt told Human Rights Watch that in 2003 he and numerous other cult and gang leaders had been paid between N3 million and N10 million (\$23,000 to \$77,000) each to “disrupt the election in favor of our governor [Peter Odili]...[w]e stood at the election grounds so people would not come [to vote],” he said. “There was no election.”¹⁰⁵ Similar payments were reportedly handed out during the 2007 elections in Rivers.¹⁰⁶

The use and funding of political violence is by no means restricted to the PDP—the 2007 elections saw violent abuses committed on all sides. As one prominent lawyer in Oyo State put it: often rival politicians “are fishing from the same pond. They all make use of thugs.”¹⁰⁷ A group of young men affiliated with the outlawed O’odua People Congress (OPC) told Human Rights Watch that they would work for anyone able to pay them to carry out acts of violence ahead of the 2007 elections.¹⁰⁸ “We are not interested in your writing,” one of them told Human Rights Watch. “Your writing does not feed us. Bring money, bring guns, bring the logistics. It is war now and we want to see action.”¹⁰⁹ But because the PDP controls the machinery of state in much of Nigeria, it is often better positioned to mobilize the resources necessary to fund political violence than other parties.

¹⁰³ Starting civil servant salaries in Anambra were reportedly pegged at N7000 in 2007.

¹⁰⁴ Human Rights Watch interview with cult member, Awka, February 14, 2007.

¹⁰⁵ Human Rights Watch interview, Port Harcourt, April 12, 2007.

¹⁰⁶ See below, *Rivers State case study*.

¹⁰⁷ Human Rights Watch interview, Ibadan, February 9, 2007.

¹⁰⁸ The OPC is a violent Yoruba self-determination group responsible for widespread human rights abuses in the past. See Human Rights Watch, *Nigeria— The O’odua People’s Congress: Fighting Violence with Violence*, vol. 15, no. 4(A), February 2003, <http://www.hrw.org/reports/2003/nigeria0203>.

¹⁰⁹ Human Rights Watch interview, Ibadan, April 8, 2007.

One former cult member in Port Harcourt, who had been involved in violence on behalf of the PDP during the 2003 elections, explained to Human Rights Watch that most armed groups in Rivers State prefer to work for the PDP even where alternative sponsors present themselves:

The PDP has ruled for eight years and so they have the money and they have the power...Other parties say, when we are in government you will enjoy money—but the PDP will pay you immediately, so people prefer this. What the PDP is, is guns and money.¹¹⁰

Other individuals interviewed by Human Rights Watch also expressed skepticism about the rewards involved in working against the PDP. One police officer in Oyo State expressed contempt for what he saw as an effort by the opposition Action Congress to buy the sympathy of the police in the state. He said that one official allegedly linked to the party's campaign efforts in the state gave cash to police commanders to be distributed throughout the force. "Every junior officer got N200," he said. "I left the money with my boss; it's not even enough for one beer!"¹¹¹

False Promises

Many politicians lure unemployed young men into committing acts of political violence by making extravagant promises of employment or other forms of illegal government patronage that those officials are unlikely, and perhaps unable, to deliver. Members of one criminal gang in Oyo State who said they had performed contract killings and other acts of violence for the PDP in 2007 told Human Rights Watch that they expected to be awarded "contracts for security, construction and logging" after the 2007 elections. One of the gang members added, "There is one man [another gang member] I know in Ogun state, he got a logging concession, he gets nine million Naira per month."¹¹² And another member of the same gang expressed an even more unlikely expectation of the possible rewards for carrying out electoral violence:

¹¹⁰ Human Rights Watch interview, Port Harcourt, April 12, 2007.

¹¹¹ Human Rights Watch interview with police sergeant, Ibadan, April 6, 2007.

¹¹² Human Rights Watch interview, Ibadan, April 6, 2007.

The best thing you can get is a multiple entry visa to the UK. If a godfather promised you that, you would do anything. To get a visa you need to submit bank statements but the godfathers are multi-millionaires, they can do it for you...godfathers usually give out around 20 [visas] per campaign for the top cult members and loyalists.

He laughed and added, “That is why you get the worst Nigerians in London!”¹¹³

The failure of politicians to deliver on such extravagant promises—all of which would be entirely illegal in and of themselves even *were* they honored—has had lasting consequences. In Rivers State, for example, state government officials armed and mobilized criminal gangs to rig the 2003 election in favor of the PDP.¹¹⁴ Many of those groups feel that they were subsequently “dumped” when the officials they helped rig into office failed to honor promises of government jobs and other forms of patronage. This has led to a breakdown in relations between armed cult groups and their former sponsors. Many of those former political thugs have put the arms and experience they acquired rigging the 2003 elections to use in more generalized forms of violent crime. This has given rise to a long and ongoing wave of uncontrolled criminal violence in the state. The situation in Rivers is discussed in more detail below.

Box 2: Direct State Sponsorship of Thugs in Katsina

In at least one Nigerian state, Katsina, the state government paid money directly to gangs of youth who were accused of carrying out widespread political violence in return for those payments. Nigerian President Umaru Yar’Adua served as Governor of Katsina State for eight years until being elected president in April 2007. According to former state government officials, civil society activists and PDP Youth members, his administration used state government money to maintain several thousand “PDP Youth” on a regular monthly stipend of N5000 (\$38). One former state government official told Human Rights Watch that this PDP youth organization was essentially a perversion of an initiative to empower unemployed youth in the state:

¹¹³ Human Rights Watch interview, Ibadan, April 6, 2007.

¹¹⁴ See below, *Rivers State case study*. See also Human Rights Watch, *Rivers and Blood* pp. 4-6.

Before 2003 the idea was brought at a Government House meeting to establish television viewing centers in all of the wards. Some of us vehemently opposed this on the basis that this was not an acceptable legacy to bequeath on the youth. [We] suggested computer training centers. The idea was accepted but [later] this thing suddenly became, “Let’s give them a N5000 allowance.” [These youth] have since become a reservoir of thugs.¹¹⁵

The same official told Human Rights Watch that the stipends were normally paid out of the state government’s security vote.¹¹⁶ The security vote is a budget line that is meant to act as a source of discretionary spending that the executive arms of government can use to respond quickly and effectively to threats to peace and security in their jurisdictions. However the use of those funds is notoriously opaque; there is generally no requirement that governors or local government chairpersons account for their use of those funds. In many cases security vote money has been used by state and local governments to foment violence and co-opt political opponents or has been lost to graft and patronage.¹¹⁷

The PDP youth organization had chapters in local governments throughout the state and its members had no formal obligation to perform any kind of service in exchange for their stipends.¹¹⁸

¹¹⁵ Human Rights Watch interview, Katsina, April 19, 2007.

¹¹⁶ Ibid.

¹¹⁷ For a detailed explanation of security votes and their links to corruption, see Human Rights Watch, *Chop Fine* pp. 32-33.

¹¹⁸ Human Rights Watch interviews with PDP Youth members, Katsina, April 23, 2007.

¹¹⁹ See “Nigeria: Presidential Election Marred by Fraud, Violence,” Human Rights Watch news release, April 25, 2007, <http://hrw.org/english/docs/2007/04/24/nigeri15763.htm>.

¹²⁰ Human Rights Watch interviews with PDP Youth members, Katsina, April 23, 2007.

¹²¹ Ibid.

¹²² Ibid.

¹²³ See Mu’iyawa Idris, “Police Cordon off Katsina Venue of Buhari Rally,” *Daily Triumph*, April 12, 2007, <http://www.triumphnewspapers.com/archive/DT12042007/police124207.html>, reporting that, “trouble started when a campaign vehicle of PDP arrived at the campaign revenue of Gen. Buhari and some PDP thugs came out from the vehicle and started harassing people.” Ibid.

During the 2007 elections, opposition supporters complained that PDP youth members were used as political thugs throughout the state, intimidating opposition supporters and voters. On election day itself Action Congress and ANPP supporters pointed to the PDP youth in several local governments as having been involved in widespread attacks on polling stations that saw many ballot boxes stolen by gangs of PDP supporters.¹¹⁹

Human Rights Watch interviewed two members of the PDP youth organization in Katsina town. Both acknowledged that they were paid N5000 per month and said that this money came to their superiors in the organization from Government House. They also said that some of their members had received other forms of patronage from government. “If we have a building they want to complete or want to buy a motorcycle...the government helps us.”¹²⁰

The two said that in return for the stipends they were expected to “go out for rallies, go out for campaigns, to follow the politicians.”¹²¹ They denied being used to attack or intimidate members of the opposition, saying that during the elections they were deployed as party agents to polling units throughout the city. However they did acknowledge that they had been involved in several violent clashes with ANPP supporters in the run-up to the elections. In one instance, they fought with supporters of ANPP presidential candidate Muhammadu Buhari at a rally in Katsina town two days before the 2007 gubernatorial elections. “When Buhari came in for his campaign, he came in with thugs who had been smoking hard drugs,” one of PDP youth members claimed. “They wanted to force people to raise their right hand for Buhari, so we had to react to the situation.”¹²² By contrast, press accounts of the clash reported that the fighting began when a group of PDP thugs arrived at a Buhari campaign event and began harassing people.¹²³

Entrenching Impunity: Federal Government Complicity, Human Rights Abuse and Corruption

“Many people have been killed in this system and no one has been held to account for it.”

—Hon. Ben Chuks, Anambra State

During its eight years in power the Obasanjo administration made little significant effort to ensure that government officials and members of the security forces implicated in violations of civil and political rights, including election-related violence, were held to account. While only a small minority of the human rights abuses documented in this report were directly carried out by federal government officials, the federal government’s failure to combat widespread impunity for abuses orchestrated by government and PDP officials at the state and local level has fostered the unabated continuation of those abuses.

Impunity and Governance in Nigeria

Throughout Nigeria there exists a deeply entrenched culture of impunity that developed at all levels of Nigeria’s government under military rule and remains as a source of the country’s worst human rights abuses since the return to civilian rule in 1999. On several occasions since then, the Nigerian military has carried out misdirected reprisals against civilian populations, destroying entire communities and murdering hundreds of Nigerian civilians.¹²⁴ No one has been held to account for ordering or participating in those atrocities. The Nigerian police routinely torture criminal suspects and others who fall into their custody. President Obasanjo’s rhetorical acknowledgement of the problem of police torture in 2005 was not

¹²⁴ In November 1999 the Nigerian military razed the town of Odi in apparent retaliation for the killing of several soldiers by an armed gang in the town. See Human Rights Watch, *Nigeria—The Destruction of Odi and Rape in Choba*, December 1999, <http://www.hrw.org/press/1999/dec/nibg1299.htm>. On October 22–24, 2001, several hundred soldiers of the Nigerian army killed more than 200 unarmed civilians and destroyed homes, shops, public buildings and other property in more than seven towns and villages in Benue State in central-eastern Nigeria. See Human Rights Watch, *Nigeria—Military Revenge in Benue: A Population Under Attack*, vol. 14, no. 2(A), April 2002, <http://hrw.org/reports/2002/nigeria/>. On August 24, 2006, the Nigerian military razed the community of Aker Base outside Port Harcourt after militants abducted an Italian oil worker and shot one soldier there. See “Nigeria: Military Must be held to Account for Razing of Community,” Human Rights Watch news release, August 29, 2006, <http://hrw.org/english/docs/2006/08/29/nigeri14087.htm>.

followed up by any meaningful action to bring those responsible to account or prevent future abuses.¹²⁵

More than 11,000 Nigerians were killed in hundreds of separate outbreaks of intercommunal and political violence during the Obasanjo administration.¹²⁶ Many of those deaths came about in large scale and apparently highly organized massacres along ethnic and religious lines. No one has been held to account for their role in organizing or inciting those massacres.¹²⁷ During the same period several high profile Nigerians were assassinated in attacks widely believed to be politically motivated, including Attorney General Bola Ige in December 2001.¹²⁸ No one has been held to account for any but one of those killings—and the government’s claim to have “solved” Ige’s murder days before Obasanjo left office provoked widespread skepticism.¹²⁹

Nigeria’s police force has the reputation of being a notoriously corrupt and ineffective institution whose failures lay at the heart of government failure to take effective action against impunity. In one recent public opinion survey carried out across Nigeria, respondents overwhelmingly voted the police to be the country’s most corrupt public institution.¹³⁰ At the same time, the police’s capacity to carry out criminal investigations is extremely lacking. As the director of one civil society organization that works to monitor police conduct in Nigeria put it: “The police do

¹²⁵ Human Rights Watch, *Nigeria—“Rest in Pieces”: Police Torture and Deaths in Custody in Nigeria*, vol. 17, no. 11(A), July 2005, <http://hrw.org/reports/2005/nigeria0705>; “Nigeria: Obasanjo Confirms Torture, Killing by Police,” Human Rights Watch news release, August 22, 2005, <http://hrw.org/english/docs/2005/08/22/nigeria11650.htm>. The UN Human Rights Council’s Special Rapporteur on Torture echoed Human Rights Watch’s findings of widespread police torture after a mission in early 2007. See “Torture Widespread in police custody in Nigeria, UN Rights Expert Says,” *UN News Center*, March 12, 2007, <http://www.un.org/apps/news/story.asp?NewsID=21822&Cr=torture&Cr1> (accessed July 12, 2007).

¹²⁶ See above, *The Scale of Nigeria’s Violence Epidemic*.

¹²⁷ *Ibid.*

¹²⁸ Prominent Nigerians who have been assassinated in unsolved crimes since the return to civilian rule include—along with Bola Ige—Marshall Harry, Funsho Williams, Aminasaori Dikibo, Barnabas Igwe, and Dele Arojo. See, e.g., Amnesty International, *Nigeria: Impunity for Political Violence in the run-up to Nigeria’s April 2007 elections*, AI Index: AFR 44/004/2007, April 12, 2007, <http://web.amnesty.org/library/Index/ENGAFR440042007> (accessed July 12, 2007).

¹²⁹ With just days to go to the end of his tenure, President Obasanjo announced that Ige’s murder had been “solved” after a delay of several years and that the mastermind behind the assassination was a drug baron who was behind bars at the time of Ige’s death. The announcement was greeted with widespread public skepticism. The *Daily Trust*, for example, noted in an editorial that “very few Nigerians believed Obasanjo and [Inspector General of Police] Ehindero” when they claimed to have solved the long-dormant case. “Reopen Unsolved Murders,” *Daily Trust*, June 19, 2007.

¹³⁰ See Abimbola Akosile, “Nigeria Police, Most Corrupt—Survey,” *This Day*, June 16, 2007.

not have the capacity to move forward with a case unless they were there when it happened. If you say you saw someone hanging around an armed robbery, they will get that person and torture him. If not, they suspect no one.”¹³¹

These failures are tremendous, but in fact the Nigerian government has done far worse than simply fail to address the problem of impunity effectively. Through many of its actions the federal government has encouraged the commission of human rights abuses at the state and local levels and has thereby undercut its own limited efforts at promoting reform and accountability. In many cases federal institutions have worked actively to prevent individuals accused of human rights abuses from being held to account.

Rewarding Abuse and Corruption

Many individuals facing credible allegations of human rights abuse and corruption have been rewarded with positions of influence and power by the government and the PDP. Anambra State political godfather Chris Uba—whose alleged crimes are detailed in the Anambra case study of this report—remains a member of the PDP board of trustees. Chris Uba’s brother Andy received the presidency’s political support for his bid for the governorship of Anambra State despite his implication in corrupt activities and his campaign team’s open recruitment of cult gangs to intimidate his electoral opponents. Oyo State political godfather Lamidi Adedibu has retained his position of political power within the PDP and Oyo politics as a whole despite his open involvement in fomenting political violence in the state. The situations in Oyo and Anambra States and the roles of the Uba brothers and Adedibu are discussed below in this report.¹³²

Corruption at the top

Top-level government officials have not only failed to rein in the corruption at lower levels; they have repeatedly been implicated in scandals themselves and escaped any form of sanction. Sunday Ehindero, Nigeria’s Inspector General of Police until June 2007, had publicly stated his commitment to combat corruption within the

¹³¹ Human Rights Watch interview with Innocent Chukwuma, Director, CLEEN Foundation, Lagos, February 6, 2007.

¹³² See below, *Oyo and Anambra State case studies*.

police force and address serious police abuses. When he stepped down as inspector general some of Ehindero's aides were reportedly caught trying to smuggle N21 million in stolen money (\$161,000) out of police headquarters and many reports indicated that the money was being taken on Ehindero's behalf.¹³³ No charges have been brought against him as of the time of writing and no public response to the allegations has been forthcoming from any federal government institution.

President Obasanjo himself was implicated in a number of scandals during his last years in power, including an alleged attempt by his aides to bribe members of the National Assembly to support Obasanjo's bid for a third term. Days before leaving office, Obasanjo controversially sold off two of Nigeria's three troubled oil refineries to a consortium of investors including Transcorp, a corporation that has purchased a number of high profile government and other assets since its formation in 2004.¹³⁴ Transcorp has itself been a target of controversy since it became known that Obasanjo had acquired 200 million shares of its stock by unknown means.¹³⁵ The Obasanjo administration's last-minute sale of the refineries to Transcorp aroused such controversy that it played a minor part in triggering a nationwide strike in June 2007.¹³⁶

Impunity and the 2007 Elections

Nigeria's fraudulent 2007 elections provided a vivid illustration of the unshakable confidence many Nigerian public officials and politicians have in their own impunity. Just as remarkable as the massive scale of the fraud that characterized the polls was the openness with which violence, vote theft and other abuses were carried out.

¹³³ See, e.g., "The Scandal at Force Headquarters," *The Daily Sun*, June 18, 2007, <http://www.sunnewsonline.com/webpages/opinion/editorial/2007/june/18/editorial-18-06-2007-001.htm> (accessed July 12, 2007).

¹³⁴ Transcorp press release, "Bluestar Consortium Wins Bid for Port Harcourt Refining Company," May 17, 2007, <http://www.transcornigeria.com/corporatecom/news.php?page=fullstory&nid=49> (accessed July 12, 2007). Bluestar consortium includes Transcorp, Dangote Group, Zenon Oil and the Rivers State Government. The heads of the Dangote Group and Zenon Oil are close to Obasanjo politically and the Rivers State government was one of Nigeria's most flagrantly corrupt state governments during the Obasanjo administration.

¹³⁵ See, e.g., "The Dirty Transcorp Deal," *Newswatch*, August 28, 2006. Available online at http://www.thetimesofnigeria.com/index.php?option=com_content&task=view&id=1031&Itemid=83&PHPSESSID=e1f16924491a5c766bfef4e017 (accessed July 12, 2007).

¹³⁶ A nationwide strike paralyzed Nigeria for several days in late June 2007. The demands of the strikers included reversing a recent fuel price increase along with Obasanjo's sale of the refineries to the consortium including Transcorp. The compromise settlement that was struck did not include reversing the refinery sale.

Human Rights Watch and election observer groups reported ballot box stuffing, intimidation and other abuses carried out in the most public manner possible.

In some cases political leaders openly bragged about their plans to rig elections and unleash violence on their opponents. In the town of Funtua in Katsina State, for example, residents complained that their local government chairman gave a public address several days before the elections during which he bragged that the elections would be rigged in favor of the PDP. One woman present at the event told Human Rights Watch that:

The chairman was stating publicly that people should just burn ANPP posters and that even if they cut ANPP supporters nothing will happen...He said Funtua is PDP and any other party is inconsequential and the PDP will win no matter what happens. He said whether through hook or by crook he had taken a promise to do whatever it takes to deliver Funtua. He said, "INEC is ours, the police is ours." The hoodlums follow him wherever he goes.¹³⁷

The PDP won the statewide elections in Funtua by a landslide and after the first round of voting the town erupted into violence between PDP and ANPP supporters. Several buildings including the local government secretariat were burned to the ground.¹³⁸

No one has been investigated, let alone held to account for the systematic rigging of Nigeria's 2007 elections. Addressing this failure depends upon President Yar'Adua and those around him. The dilemma, however, is that they all owe their offices to those same fraudulent elections.

The Nigerian Police and Impunity for Political Violence

The Nigerian police often lacks the capacity to work effectively and is riddled with corruption that dilutes its effectiveness further still. But just as important as the

¹³⁷ Human Rights Watch interview, Funtua, April 20, 2007.

¹³⁸ Human Rights Watch interviews, Funtua, April 20, 2007.

police's shortcomings as an institution are political pressures that often prevent the police from investigating abuses connected to politicians or other prominent allies of the ruling party. As one prominent politician from southwestern Nigeria said to Human Rights Watch, "Political crimes are not ordinary crimes. In such cases the [state's] Commissioner [of Police] becomes a messenger from above—he requires a nod from higher authorities to function effectively...so what needs to change is the mindset in Abuja."¹³⁹ One Lagos-based activist noted that "there is a lot of second-guessing also. Even if the president does not issue a directive [not to investigate someone], people try and guess what he would and would not like."¹⁴⁰

The effects of the police force's equivocal commitment to accountability were clearly evident during the months surrounding the 2007 elections. Rather than attempt to investigate and bring to account sponsors of election-related violence, the leadership of the police force largely fell into a pattern of refusing to respond to incidents of political violence orchestrated by leading politicians or influential members of the PDP.

Human Rights Watch interviewed then-Inspector General of Police Sunday Ehindero, an appointee of President Obasanjo, during the run-up to the election. Asked about the police response to scores of widely publicized instances of election-related violence, Ehindero said that he knew of "only one" incident of election-related violence that had taken place during the entire pre-election period—an incident that happened to occur in his physical presence.¹⁴¹ That level of public unconcern coming from Nigeria's top police official was remarkable, especially considering that lower-level police officers had promised robust investigations of many other clashes and attempted murders at the time.¹⁴²

¹³⁹ Human Rights Watch interview, Ibadan, February 9, 2007.

¹⁴⁰ Human Rights Watch interview with Innocent Chukwuma, Lagos, February 6, 2007.

¹⁴¹ Human Rights Watch interview with Sunday Ehindero, Abuja, February 21, 2007. The incident Ehindero referenced was a clash between rival PDP factions at a rally in the town of Akure. That clash is described in the Oyo State case study below.

¹⁴² By that point Nigeria had already witnessed more than 70 incidents of election-related violence that had been widely reported in the press, and in some instances lower-level police officers had promised investigations. See Human Rights Watch, *Election or "Selection"?*, pp. 19-21.

Similarly, after the elections had come and gone the Commissioner of Police in Oyo State at the time, Jonathan Johnson, insisted to Human Rights Watch that “there was no violence in Oyo State” during the entire electoral period aside from “a few areas of ballot-box snatching” on the days of actual voting.¹⁴³ In fact, Oyo was one of the bloodiest theaters of political violence in the whole of Nigeria before, during, and after the elections and the architects of much of that violence were widely known.¹⁴⁴

In several cases, police officials interviewed by Human Rights Watch lamented these problems but said that they were helpless to overcome the political resistance to investigations of prominent politicians responsible for violence and other abuses (see box 3 below). The Divisional Police Officer (DPO) in one town in Rivers State told Human Rights Watch that he witnessed a mob led by a local politician attack his police station on election day, destroying or stealing all of the election materials that had been stored there and driving off the officers inside. Human Rights Watch interviewed him hours after the incident at his home, where he had shed his uniform and was drinking beer in the early afternoon to calm his nerves. Asked if he would make any arrests since he knew some of the individuals involved, he replied, “No, it’s impossible. The thing has come and gone. The only thing to do is to pray.”¹⁴⁵

Box 3: A Commissioner of Police Discusses Impunity

The following is an excerpt from an interview with the Commissioner of Police in a state in southern Nigeria, conducted in advance of the April 2007 elections. The name and other identifying details of the commissioner have been withheld to protect him against possible reprisal:

Definitely cult members will be used by politicians [during the elections], without question. They know how to get at them... There are even policemen and soldiers who can be used by people in power to do what thugs would normally do...

¹⁴³ Human Rights Watch interview with Jonathan Johnson, Ibadan, April 26, 2007.

¹⁴⁴ See below, *Oyo case study*.

¹⁴⁵ Human Rights Watch interview with Divisional Police Officer, Rivers State, April 14, 2007.

One should expect by now that issues like cultism should have been taken seriously, very seriously, by the government...but the reverse appears to be the case...From what I can gather they have accepted cultism as a normal thing that should be expected in the universities. This is in spite of the fact that some of these cultists are murderers and armed robbers and they can be recruited easily by politicians to commit violent acts—they are like a cheap market, they are there in large numbers at all times to be recruited. So there is nothing actually to deter students from continuing to enlist in these various cult groups.

We learned that some politicians—I don't want to mention names—have empowered one of the cult groups—[name withheld]—and they were used in one of the recently concluded party primaries as touts to ensure that certain candidates were elected.

Law enforcement must be empowered to do the proper thing. If government is serious it is not that difficult. But where a policeman has not fed since the previous day, what can he do? In the past year the police in [this state] have lost 42 men, 28 of them killed violently. And it's nothing. It doesn't mean anything. It's not news that policemen are dying on a continuous basis.

If I had a way of paying my children's school fees I think I might just put in my resignation letter and retire.¹⁴⁶

Selective Use of Anti-Corruption Institutions

Nigeria's Economic and Financial Crimes Commission (EFCC) was set up by the Obasanjo government in 2003 to investigate and prosecute financial crimes, including fraud and corruption. The EFCC earned plaudits from many Nigerians and

¹⁴⁶ Human Rights Watch interview, Nigeria, February 2007.

from the international community in its first few years for aggressively pursuing corruption allegations against a range of prominent government officials including several sitting governors. One of the EFCC's greatest and most unprecedented successes came in securing the conviction of former Inspector General of Police Tafa Balogun on charges of corruption in 2005.¹⁴⁷

In the months leading up to the 2007 elections, however, the Obasanjo government manipulated the EFCC into selectively pursuing opposition politicians and opponents of President Obasanjo within the PDP.¹⁴⁸ This was done so openly that it destroyed much of the institution's credibility and effectiveness as both a deterrent and a mechanism of accountability.¹⁴⁹

Most controversially, the EFCC sought to bar a long list of candidates from standing in the April elections by cooperating in government efforts to issue so-called "indictments" on charges of corruption that made no pretense of adhering to basic standards of due process. Almost all of those on the EFCC's now-infamous "list" were members of the opposition or well-known opponents of Obasanjo within the PDP.¹⁵⁰

At the same time, prominent and notoriously corrupt members of the PDP have been left untouched by any sort of EFCC investigation. Many of the individuals who have escaped the attention of the EFCC are faced with credible evidence of precisely the kind of corruption that fuels many of the abuses described in this report. To cite just a few of many examples:

- Christopher Alao-Akala, then the PDP nominee for governor in Oyo State, was reportedly put on the EFCC list of candidates deemed "unfit" to run in the

¹⁴⁷ Balogun was charged with stealing some \$98 million while serving as Inspector General of Police. He was found guilty and sentenced to six months in prison. See "Nigerian ex-Police Chief Jailed," *BBC News Online*, November 22, 2005, <http://news.bbc.co.uk/2/hi/africa/4460740.stm> (accessed July 12, 2007). While news of his unprecedented conviction bolstered government anti-corruption efforts, his relatively lenient sentence inspired a great deal of controversy.

¹⁴⁸ See Human Rights Watch, *Election or "Selection?"*, pp. 31-37.

¹⁴⁹ In the wake of Nigeria's April elections the International Crisis Group called for a moratorium on all EFCC prosecutions until some acceptable degree of impartiality and credibility of the institution could be established. International Crisis Group, *Failed Elections, Failing State?*, Africa Report no. 126, May 30, 2007, <http://www.crisisgroup.org/home/index.cfm?id=4876&l=1> (accessed July 12, 2007).

¹⁵⁰ See Human Rights Watch, *Election or "Selection?"*, pp. 31-37. The entire list of individuals on the EFCC "blacklist" is available online at <http://www.saharareporters.com> (accessed July 12, 2007).

2007 elections but then taken off in response to political pressure. The same allegations were made regarding current Nigerian Vice President Goodluck Jonathan, then serving as governor of Bayelsa State.¹⁵¹

- An investigation into allegations of corruption by PDP chieftain Olabode George during his time as head of the Ports Authority was allowed to die without any convincing explanation on the part of the EFCC.¹⁵²
- The EFCC refused to investigate widespread allegations of corruption against Andy Uba, a powerful aide to President Obasanjo and ultimately the PDP candidate for Governor of Anambra State, even after he was caught by US customs officials attempting to smuggle \$170,000 in cash into the United States on board Nigeria's presidential jet.¹⁵³
- The EFCC made no real attempt to investigate credible allegations that officials in the presidency attempted to bribe members of the National Assembly into voting in favor of Obasanjo's abortive attempt at changing the constitution to allow himself a third term in office.¹⁵⁴

Where the EFCC did exercise its power under Obasanjo, it was often for the purpose of coercing individuals into acquiescing to the will of the presidency. In Anambra State, for example, PDP officials combined bribery with the threat of EFCC investigation to coerce legislators into impeaching opposition Governor Peter Obi. One of the legislators involved, who ultimately yielded to the demands being made of him, said "The way we see it, the EFCC, it has nothing to do with whether you have committed any offense or not. They will come and arrest a person for any reason and keep him

¹⁵¹ Human Rights Watch interviews with journalists and western diplomatic sources, Lagos and Abuja, early 2007.

¹⁵² Olabode George was accused of involvement in fraud after an EFCC investigation uncovered massive corruption at the NPA during his stewardship. It was alleged that George awarded nearly 30,000 separate contracts worth N85 billion as head of the NPA and that many of these were fraudulent. While EFCC investigations turned up evidence linking him to the fraud, charges were never pursued and no explanation was ever provided by the EFCC or the Presidency for this omission. See, e.g., "Nigeria Port Authority Fraud: Bode George's Many Lies," *The News*, June 6, 2007, available online at <http://www.saharareporters.com/www/report/detail/?prevpage=0&startpage=10025&x=2&id=310> (accessed July 12, 2007).

¹⁵³ See Human Rights Watch, *Chop Fine*, pp.98-99; Gilbert Da Costa, "Nigerian Opposition Leaders Seek Probe of Indicted Presidential Aide," *Voice of America*, November 8, 2006, <http://voanews.com/english/2006-11-08-voa61.cfm> (accessed November 8, 2006).

¹⁵⁴ Human Rights Watch, *Chop Fine*, p. 97.

behind bars until he succumbs to what they want him to do.”¹⁵⁵ Similar situations reportedly surrounded the impeachment of Bayelsa State governor Diepreye Alamiyeseigha and attempts at impeaching several other PDP Governors seen as hostile to the Presidency.¹⁵⁶

¹⁵⁵ Human Rights Watch interview with Anambra State legislator, Awka, February 12, 2007.

¹⁵⁶ See International Crisis Group, *Failed Elections, Failing State?*, p. 16, calling for a three-month moratorium on EFCC prosecutions and noting that “Most Nigerians...did not see Obasanjo’s pursuit of these men as a genuine campaign for good government.”

Case Study A: Oyo State

This is where democracy starts in Nigeria. This place hosted the first university in West Africa. Everything started here. But the situation is deteriorating and now we have a government of illiterates, we have a politics of hooliganism, of violence, of moneybags. These are the kinds of people Adedibu brought into all levels of government.

—Senior Advocate of Nigeria (name withheld), Ibadan¹⁵⁷

Nigeria's southwestern state of Oyo calls itself Nigeria's "pace setter," reflecting a deeply held pride in the state's reputation as a leader in the fields of commerce and education. Oyo's capital city of Ibadan is one of the largest commercial centers in West Africa and the University of Ibadan is Nigeria's oldest and one of its finest. But in recent years, Oyo has also pushed the frontiers of violence and corruption that characterize Nigeria's nascent "democracy."

The Godfather of Ibadan

Chief Lamidi Adedibu has been involved in Oyo politics since the 1950s. His many detractors allege that he got his start as a small-time organizer of political thugs for the Action Group party of Chief Obafemi Awolowo.¹⁵⁸ By the late 1980s, however, he had emerged as a powerful political force through a combination of populist politics, patronage, violence, and extortion.¹⁵⁹

Adedibu is an iconic figure in Nigerian politics, an example of the kind of power to which political godfathers aspire.¹⁶⁰ When Human Rights Watch visited Adedibu's Ibadan compound in the run-up to the 2007 elections, he held court sprawled across a large chair underneath a tin roof adjacent to his car park, which was crowded with

¹⁵⁷ Human Rights Watch interview, Ibadan, February 9, 2007.

¹⁵⁸ Ebenezer Obadare, "Lamidi Adedibu ou l'État Entre Contraction et Sous-Traitance," *Politique Africaine*, No. 106 (June 2007), pp. 115-116. Chief Awolowo was Nigeria's most prominent Yoruba politician at independence and one of three men commonly thought of as Nigeria's triumvirate of political "founding fathers" along with Ahmadu Bello and Nnamdi Azikwe.

¹⁵⁹ *Ibid.*, pp. 116-117.

¹⁶⁰ While Adedibu's statewide political influence is immense, many analysts argue that he is a truly dominant force only in Oyo's capital of Ibadan. Human Rights Watch interviews, Ibadan and Lagos, February and April 2007.

a long-line of would-be supplicants. Adedibu's every word brought nods or cheers from those who crowded around to listen, and several people who walked across his field of vision immediately prostrated themselves as a gesture of deference when he glanced up in their general direction.

Adedibu flaunts his political power quite openly, telling Human Rights Watch that, "I sponsor them, all of the politicians [in the state.]"¹⁶¹ Oyo's current governor, Christopher Alao-Akala, is a protégé of Adedibu's and told Human Rights Watch that "Chief Adedibu has sponsored everybody. Everybody who is who and who in Oyo State politics has passed through that place [Adedibu's compound in Ibadan]."¹⁶² Adeolu Adeleke, Speaker of the Oyo State House of Assembly until April 2007, eventually became an opponent of Adedibu's but confirmed that he had initially obtained his sponsorship in order to get elected. "I did go to Baba and he did sponsor me," he said. "I believed I could not do anything contrary to him. Some of my colleagues [in the House] also went to him."¹⁶³

Adedibu's power flows primarily from his tremendous ability to mobilize violence and money in support of the politicians he sponsors. He also distributes cash and food to supplicants on a daily basis from his Ibadan home, a brand of patronage frequently referred to as "*amala* politics," after a traditional dish common to Nigeria's southwest.¹⁶⁴

Many residents of Oyo prefer to use harsher terminology. As former PDP Senator Lekan Balogun put it: "He is notorious. He threatens people he wants to have vote for [his candidates] with machetes. His stock in trade is blackmail, violence and intimidation and everyone knows it."¹⁶⁵

¹⁶¹ Human Rights Watch interview with Chief Adedibu, Ibadan, February 7, 2007.

¹⁶² Human Rights Watch interview with Christopher Alao-Akala, Ibadan, February 10, 2007.

¹⁶³ Human Rights Watch interview with Adeolu Adeleke, Ibadan, February 9, 2007.

¹⁶⁴ See Estelle Shirbon, "Democracy in Nigeria: Godfathers, Guns and Graft," Reuters, April 2, 2007, <http://africa.reuters.com/nigeriaelection/features/news/usnLo2200107.html> (accessed July 12, 2007).

¹⁶⁵ Human Rights Watch interview with Lekan Balogun, Ibadan, February 9, 2007. See also Akeeb Alarape, "SSS Threatens to Arrest Adedibu," *Daily Sun*, January 22, 2007, quoting Senator Balogun as stating that, "I am demanding that Adedibu be arrested and Prosecuted. Ditto Tokyo. The two were the arrowhead of the attack against me."

Adedibu's War Against Ladoja

Rashidi Ladoja served as Governor of Oyo State from 2003 to 2007. Adedibu supported Ladoja as the PDP candidate in the 2003 elections Adedibu helped to rig, partly by providing the muscle needed to fix the polls. Ladoja confirmed this fact to Human Rights Watch but said that once he was in office, he tried immediately to break free of Adedibu's influence.¹⁶⁶

Ladoja told Human Rights Watch that he fell out with Adedibu shortly after coming into office in 2003 because he refused to allow Adedibu access to the treasury—he alleges that Adedibu ordered him to turn over 25 percent of the government's security vote—or roughly N15 million (\$115,000) per month—directly to him.¹⁶⁷ Ladoja also refused to allow Adedibu to name the Commissioners who would serve in his cabinet.¹⁶⁸

In an interview with Human Rights Watch, Adedibu described Ladoja as an “ingrate.”¹⁶⁹ Current Governor Christopher Alao-Akala agreed. “Ladoja should have involved him in forming the government,” he said. “You cannot exclude this man from decision-making.”¹⁷⁰ Former state Governor Kolapo Ishola, who met with Human Rights Watch at Adedibu's home, expressed a similar view: “The problem with Ladoja—he did not consult Baba on appointments, he did not ask whether he had candidates for appointments, for patronage, for contracts. Adedibu did not have a say, he was angry.”¹⁷¹

Violence Engulfs the Legislature

By August 2005 tensions between Ladoja and Adedibu had caused the State House of Assembly to split in two, with a majority of 18 out of 32 members publicly supporting Adedibu in every matter related to his struggle with Governor Ladoja for

¹⁶⁶ Human Rights Watch interview with Governor Rashidi Ladoja, Ibadan, February 8, 2007.

¹⁶⁷ Human Rights Watch interview with Governor Rashidi Ladoja, Ibadan, February 8, 2007.

¹⁶⁸ Ibid.

¹⁶⁹ Human Rights Watch interview with Chief Lamidi Adedibu, Ibadan, February 7, 2007.

¹⁷⁰ Human Rights Watch interview with Christopher Alao-Akala, Ibadan, February 10, 2007.

¹⁷¹ Human Rights Watch interview with Kolapo Ishola, Ibadan, February 7, 2007. Ishola served as Governor of Oyo State during the brief civilian interregnum between the 1992 elections that were annulled by General Ibrahim Babangida and General Sani Abacha's assumption of the Presidency.

control of the state government. The legislature largely ceased to function as a single house.¹⁷²

At the end of 2005 the so-called “G-18” of pro-Adedibu lawmakers set about trying to impeach Governor Ladoja. Their first attempt failed and resulted in an armed melee on the floor of the State legislature. One pro-Adedibu lawmaker stabbed one of his rivals with a knife and several others were also wounded; some lawmakers reportedly drew firearms and fired into the air to ward off attackers from the opposing camp.¹⁷³ The police made no arrests.

Just over one week later, armed policemen escorted the G-18 lawmakers to the State House of Assembly for a second try at moving the impeachment motion.¹⁷⁴ An hours-long gun battle erupted between the police and armed thugs supporting Ladoja who sought to prevent the pro-Adedibu legislators from entering the House. At least one civil servant was wounded in the crossfire and the fighting caused panic to spread throughout Ibadan.¹⁷⁵

Eventually the G-18 legislators broke into the locked House of Assembly and voted, on their own, to constitute a panel of inquiry to investigate allegations of misconduct including corruption against Ladoja. Immediately following the vote a large group of anti-Ladoja thugs stormed Government House and ran rampant through the premises, looting and destroying the Governor’s office. Some of this was captured on film by the thugs themselves.¹⁷⁶ The police made no arrests in connection with the sponsorship of any of this violence. Three weeks later the G-18 voted unanimously to remove Ladoja from office, replacing him with Deputy Governor and Adedibu loyalist Christopher Alao-Akala.

¹⁷² Human Rights Watch interviews with legislators, journalists, and civil society activists, Ibadan, February 2007.

¹⁷³ Human Rights Watch interview with Oyo State legislators, Ibadan, February 2007. See also “Nigerian state lawmaker knifed as rivalry heats up,” Reuters, December 14, 2005.

¹⁷⁴ Human Rights Watch interviews with Victor Olunloyo, Governor Ladoja, Deputy Governor Alao-Akala, Akin Oyedele, Punch Correspondent, Ibadan, February 2007.

¹⁷⁵ See Obafemi Afolabi, “Nigerian Governor Impeached After Bloody Feud,” *Reuters News*, January 12, 2006.

¹⁷⁶ Private DVD, on file with Human Rights Watch.

The attempt to impeach Ladoja ended in failure. In December 2006 Nigeria's Supreme Court reversed the move as illegal because his removal was not supported by the required two-thirds majority of the legislature.¹⁷⁷

Rival Armies of Political Thugs

After Ladoja resumed office in late 2006, the political struggle between the governor and Adedibu was waged mainly in the streets through regular battles between proxy gangs. Many of those thugs were armed with machetes and locally manufactured small arms that were—according to interviews with government officials, police officers and civil society activists—provided or paid for by their sponsors.¹⁷⁸ The depredations of those groups exacted a heavy toll on ordinary civilians who were subjected to violent crimes and looting, while few of the thugs and none of their sponsors were ever held to account.

Both Ladoja and Adedibu turned to Oyo State's chapter of the National Union of Road Transport Workers (NURTW) as a primary source of political thugs. NURTW has several thousand members in Oyo alone and is meant to represent the collective bargaining interests of drivers of commercial passenger vehicles. There is considerable evidence that NURTW's Oyo chapter has long been used as a tool of political violence by Adedibu and others. Some longtime members complain that the union has been largely captured by violent motor park "touts" who loiter about the motor parks harassing drivers and passengers alike.¹⁷⁹

Former Oyo State Senator Lekan Balogun told Human Rights Watch that "I would call for the complete proscription of NURTW. They do not have any purpose. They are available for negative activities including thuggery and they [politicians] draw their thugs from there."¹⁸⁰ The senator was beaten and nearly killed by a group of NURTW

¹⁷⁷ Section 188 of the Nigerian Constitution states that any impeachment motion against a sitting state governor must be supported by a two-thirds majority of the entire legislature, including the vote to constitute a panel of inquiry into allegations of misconduct that could warrant impeachment. The anti-Ladoja lawmakers simply disregarded this provision, making the untenable argument that they needed only a two-thirds majority of whoever happened to be present when the vote was held. Constitution of the Federal Republic of Nigeria, sec. 188.

¹⁷⁸ Human Rights Watch interviews, Oyo State, February and April 2007.

¹⁷⁹ Human Rights Watch interview with driver and member of NURTW, Ibadan, February 10, 2007.

¹⁸⁰ Human Rights Watch interview with Lekan Balogun, Ibadan, February 9, 2007.

thugs loyal to Adedibu while attempting to mediate the dispute between Ladoja and Adedibu in January 2007.¹⁸¹ Former Oyo State Governor Victor Olunloyo echoed these sentiments, adding, “It has always been that way, it was like that when I was governor.”¹⁸²

The Deputy Secretary of one NURTW branch in Ibadan acknowledged his members’ involvement in “politics,” explaining that, “We are supposed to be a separate body but the way they are playing politics in Nigeria, if you want to be anything you cannot rule out the godfather system. You must be somehow political. If one is elected they will want to thank us.”¹⁸³

Adedibu and Ladoja each supported rival factions of NURTW under two different leaders. The pro-Adedibu faction was led by Lateef Akinsola, commonly known as “Tokyo.” In 2003, Ladoja’s Attorney General charged Tokyo with several counts of murder and kept him in detention without bail for more than two and a half years while trying to convict him.¹⁸⁴ During Tokyo’s detention Ladoja backed a rival named Wasilu Adegboyega, commonly known as “Tawa,” to usurp Tokyo’s role.

Tokyo was released from prison in February 2006 under Akala’s watch, just weeks after Ladoja’s temporary “impeachment.”¹⁸⁵ He immediately moved to reassert his leadership over NURTW in violent fashion. Tokyo’s supporters, along with other thugs loyal to Adedibu, took over the car parks by force after violent clashes with supporters of Tawa’s faction. Several people were injured and at least one killed.¹⁸⁶

Human Rights Watch interviewed one man who said he was attacked with machetes at the time of Tokyo’s resurgence because he had led NURTW members in a prayer at the ceremony that had seen Tawa invested as NURTW chairman two years earlier. “I

¹⁸¹ Ibid and see below: *Federal Government Complicity*.

¹⁸² Human Rights Watch interview with Victor Olunloyo, Ibadan, February 8, 2007.

¹⁸³ Human Rights Watch interview with Alhaji Azan, Deputy Secretary of Egbeda Branch, National Union of Road Transport Workers, Ibadan, February 7, 2007.

¹⁸⁴ Human Rights Watch interview with Adeniyi Akintola, SAN, Ibadan, February 9, 2007.

¹⁸⁵ Ademola Adeyemo, “Tokyo, Adedibu’s Henchman, Regains Freedom,” *This Day*, February 3 2006.

¹⁸⁶ Ademola Adeyemo, “One Killed as Rival Unions Clash in Oyo,” *This Day*, February 14, 2007.

saw four or five people and they just attacked me, all carrying cutlasses,” he said. “They really beat me, all of the women were shouting. There was all blood everywhere and I had to take my car and go to the hospital.”¹⁸⁷ He said that two people had died in the fighting at his motor park that day, and that he had not reported the incident to the police lest the pro-Tokyo union leadership bar him from working out of the motor parks altogether.¹⁸⁸ The police reportedly did not intervene or hold to account any of those responsible for that violence.¹⁸⁹

With Tokyo back in control of NURTW, Tawa and his supporters were exiled from most of the motor parks in Oyo. Some of them, including Tawa, took up residence inside the compound that includes the governor’s lodge for mutual protection. Governor Ladoja acknowledged this in an interview with Human Rights Watch.¹⁹⁰

By this point, Ladoja and Adedibu were jockeying for position ahead of the 2007 elections. Ladoja sought to regain the PDP nomination for governor to run for a second term while Adedibu, along with President Obasanjo in Abuja, supported Deputy Governor Christopher Alao-Akala in his bid to obtain the party’s ticket. The result was a series of bloody clashes between supporters of Adedibu and Ladoja. The Tokyo and Tawa factions of NURTW were again at the front lines of these clashes.

Pre-Election Escalation

In the months leading up to the 2007 elections, Ladoja and Adedibu’s factions fought each other regularly. On the weekend of February 4, 2007, the two factions at a PDP rally in neighboring Osun state when the party hierarchy formally awarded the ticket to Akala. At least four people were killed.¹⁹¹ Adedibu and Ladoja both blamed one another for instigating the clash.

¹⁸⁷ Human Rights Watch interview, Ibadan, February 10, 2007.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

¹⁹⁰ Human Rights Watch interview with Rashidi Ladoja, Ibadan, February 8, 2007.

¹⁹¹ Human Rights Watch interviews with NURTW officials, Deputy Governor Christopher Alao-Akala and Alhaji Lamidi Adedibu, Ibadan, February 2007. See also Akin Oyedele, “Akure Rally Stampede: Ladoja Sues for Calm,” *The Punch*, February 5, 2007.

Human Rights Watch interviewed four NURTW members who had been shot and wounded by members of the pro-Ladoja wing of NURTW in February 2007. The victims each said that their rivals had descended on their vehicles not far from the motor park they worked out of, smashed the windows of their vehicles and then fired at them as they fled. All of the victims bore fresh gunshot wounds days after the incident and said that the police did not make any arrests in connection with the incident.¹⁹²

Violence and insecurity became the norm in Ibadan and other parts of Oyo in the run-up to the April polls. On several occasions thugs loyal to Adedibu rampaged through the streets of Ibadan, attacking motorists and looting shops along the road.¹⁹³ According to media and other sources, clashes between the two factions in the run-up to the elections claimed more than a dozen lives, with many more wounded.¹⁹⁴

On April 11, a few days before the gubernatorial poll, Akala's campaign convoy passed by the campaign office of ANPP gubernatorial candidate Abiola Ajimobi on its way to a rally. Eyewitnesses described several cars pulling to a halt and PDP thugs descending and shooting at the ANPP office. They also destroyed two cars in the compound and a stall selling food outside the gate of the office.¹⁹⁵ An elderly woman selling food outside the gates told Human Rights Watch: "There were many people, so many buses, so many cars. They came with cutlasses, guns. They shout 'We are the governor! We are Akala!' Everybody ran immediately because of the guns."¹⁹⁶

Oyo's 2007 Elections: A Victory for Corruption and Impunity

Oyo's 2007 elections saw the same open vote rigging and intimidation of voters that derailed the exercise across most of Nigeria. Observers and journalists reported attacks by thugs on polling stations who stole ballot boxes and several voters were reportedly shot or stabbed while trying to cast their ballots in Ogbomosho and

¹⁹² Human Rights Watch interviews, Ibadan, February 9, 2007.

¹⁹³ Human Rights Watch interviews with journalists and civil society activists, Ibadan, February 2007.

¹⁹⁴ Press archives on file with Human Rights Watch.

¹⁹⁵ Human Rights Watch interviews, Ibadan, April 26, 2007.

¹⁹⁶ Human Rights Watch interview, Ibadan, April 26, 2007.

Ibadan.¹⁹⁷ Especially in Ibadan, Adedibu's proxy thugs from NURTW and elsewhere were implicated in much of this violence.

Human Rights Watch interviewed Labour Party, AC and ANPP activists in Iseyin who were beaten, robbed, or had their houses looted allegedly by PDP thugs on the two days of voting.¹⁹⁸ Human Rights Watch interviewed one opposition party agent in Iseyin who was beaten and stripped half-naked in the street by supporters of Akala when he tried to investigate reports of ballot box stuffing at a polling unit near his home.¹⁹⁹

One foreign election observer summarized her impressions of the polls in Oyo succinctly to Human Rights Watch: "The elections were stolen."²⁰⁰ The end result was a comfortable victory for PDP candidate and Adedibu protégé Christopher Alao-Akala.²⁰¹

Akala came into office already facing allegations of corruption. Ladoja alleged that during Akala's brief tenure as governor during the 2006 impeachment saga, he had indulged in corruption on a massive scale, funneling money into the hands of Adedibu, himself, and his supporters and derailing existing government programs.²⁰²

Adeolu Adeleke, Speaker of the State House of Assembly under Ladoja, told Human Rights Watch that during Akala's previous 11-month tenure his supporters in the legislature siphoned off more than N45 million (\$346,000) each month for their own personal use.²⁰³ Governor Ladoja described one scheme whereby Akala allegedly ordered each local government chairman to purchase an ambulance at a cost of N14 million (\$107,000), even though the true cost of each ambulance was only N5 million.

¹⁹⁷ Human Rights Watch interviews, Ibadan, April 2007. See also George Okoh, "9 Policemen killed in Nassarawa; 2 People in Ibadan," *This Day*, April 22, 2007.

¹⁹⁸ Human Rights Watch interviews, Iseyin, April 27, 2007.

¹⁹⁹ Human Rights Watch interview, Iseyin, April 27, 2007.

²⁰⁰ Human Rights Watch email correspondence with international election observer, June 29, 2007.

²⁰¹ According to INEC, Akala won 357,972 votes as against 239,189 for his closest opponent, Senator Abiola Abimoji of the ANPP. http://www.inecnigeria.org/election/show_index_result.php?ele_id=2556 (accessed July 12, 2007).

²⁰² Human Rights Watch interview with Rashidi Ladoja, Ibadan, February 8, 2007. See also Tunde Sanni, "Panel Indicts Akala, AC Guber Candidate," *This Day*, March 27, 2007; Ola Ajayi, "Akala Disrupted my Development Plans, Says Ladoja," *Vanguard*, December 21, 2006.

²⁰³ Human Rights Watch interview with Adeolu Adeleke, Ibadan, February 8, 2007. The speaker alleged that this money include N20 million stolen from the monthly allocation towards the functioning of the legislature and the allowances of their opponents in the legislature; N16 million in funds meant for the state's local governments; and N9 million in other funds. *Ibid.*

He suggested that “the attraction of the ambulances was simply the surplus N9 million,” which he alleged went into the pockets of Adedibu, Akala and the participating local government chairmen.²⁰⁴

In an interview with Human Rights Watch, Akala strenuously denied that any acts of corruption took place under his watch as governor.²⁰⁵

Prior to the elections a spokesman for Governor Ladoja claimed that corruption and mismanagement under Akala’s previous tenure had a disastrous effect on government programs meant to provide for education, potable water, and health care services. “We had made a budget of N50 billion,” he said. “Within one month [of coming to power] they increased it, and then they increased it [again] to N60 billion, with nothing to show for it. Water stopped flowing, projects were abandoned.”²⁰⁶

Akala’s New Administration

All signs indicate that Akala’s administration is likely to further entrench the culture of impunity that allowed him to come into office. One of Akala’s earliest acts as governor was to replace the state’s acting Chief Judge, who was investigating an array of corruption allegations that had been brought against Akala before the 2007 election. The judge’s replacement immediately halted the investigation.²⁰⁷

By the time Akala was sworn in as Governor, he and Adedibu had already left a trail of violence, fraud and corruption in their wake, and neither they nor anyone else has been held to account for any of it. Adedibu’s position appears to be secure as well. In an interview with Human Rights Watch, Akala described his relationship with his “godfather” (see box 4 below).

²⁰⁴ Human Rights Watch interview with Rashidi Ladoja, Ibadan, February 8, 2007; Human Rights Watch interview with Prince Ade Adeganmbi, Special Advisor on Media and Strategy, Ibadan, February 7, 2007.

²⁰⁵ Human Rights Watch interview with Christopher Alao-Akala, Ibadan, February 10, 2007.

²⁰⁶ Human Rights Watch interview with Prince Ade Adeganmbi, Special Advisor on Media and Strategy, Ibadan, February 7, 2007.

²⁰⁷ Tunde Sanni, “New Acting Chief Justice Quashes Akala’s Indictment” *Guardian*, June 9, 2007. The move sparked protest among Oyo’s legal community, which staged a boycott of all proceedings held in the new Chief Justice’s courtroom. Tunde Sani, “Lawyers Boycott Oyo CJ’s court,” *This Day*, June 10, 2007.

Box 4: A Future Governor Discusses his Political Godfather

The following is an excerpt from an interview with Christopher Alao Akala at his campaign office in Ibadan two months prior to his election as Governor of Oyo State. Human Rights Watch asked Alao-Akala to explain his relationship with Chief Adedibu as well as Adedibu's role in the politics of Oyo State:

For God's sake, this man is an old man, you cannot reform him, you can only manage him. This man has been in politics since politics began in Nigeria. Can you just wish him away like that? If you go to his house you will see pictures of all the past leaders he has worked with...Chief Adedibu has sponsored everybody—everybody who is who and who in Oyo state politics has passed through that place.

This man belongs to an old school of thought. If, for example, he asked me, Mr. Governor, I want you to kill this one tomorrow I would say, "Yes, sir." Then I would go back the following day and say, "Why do you want us to kill that man?" Then I will provide another solution—we will not kill him, let us bring him to order. If he asked me for N100, I will say, "Yes, sir." But then the next day, I will say, "Baba, I am sorry, I don't have the N100, here is N20 for you to manage." That is only an example.

I will recommend Baba [Adedibu] as a lecturer at the University [of Ibadan] to teach, to lecture students about practical politics.²⁰⁸

Federal Government Complicity

Police Failures and Partisanship

The Nigerian police have made no effort to investigate Adedibu's involvement in orchestrating political violence, corruption or electoral fraud despite evidence

²⁰⁸ Human Rights Watch interview with Christopher Alao-Akala, February 10, 2007.

implicating him in all three. Former Senator Lekan Balogun, who was attacked along with his security detail by Adedibu's thugs at the State House of Assembly in January 2007, said of his attackers:

I knew them very well—I even gave them money sometimes [at Adedibu's home], they are NURTW boys, Adedibu's agents. I gave 11 or 12 names to the police and...not a single arrest has been made...The commissioner said he has been unable to locate them. I said I could tell him where one or two of them were found. How can you say we have laws in this country?²⁰⁹

Governor Ladoja, along with several journalists and civil society activists, alleged to Human Rights Watch that then-State Commissioner of Police Jonathan Johnson was “compromised” and an active supporter of Adedibu.²¹⁰ Ladoja also argued that Johnson's partiality justified his own reliance on NURTW thugs led by Tawa to augment his security, as he doubted the police would intervene effectively to protect him from Adedibu's own thugs.²¹¹

Human Rights Watch interviewed two policemen in Ibadan who complained that they were restrained by the police leadership from doing their job correctly. One of them stated that, “We have been put in a position to protect life and property. It's not that we don't know what to do, but if you try to do your job, you are playing with your life. When PDP people are arrested [during the election campaigns] we are told to let them go.”²¹² He also claimed that he had been ordered by his direct superiors not to intervene to stop violence on Election Day. Another police source confirmed the same.²¹³

During Nigeria's chaotic voter registration period, Adedibu was discovered to have induced INEC staff to divert six voter registration machines to his home for the

²⁰⁹ Human Rights Watch interview with Lekan Balogun, Ibadan, February 9, 2007.

²¹⁰ Human Rights Watch interview with Rashidi Ladoja, Ibadan, February 8, 2007; Human Rights Watch interviews with civil society activists, opposition politicians and journalists, Ibadan, February and April 2007. See also Ola Ajayi, “Security—Pro-Ladoja Speaker Accuses Police of Partiality,” *The Vanguard*, December 21, 2006.

²¹¹ *Ibid.*

²¹² Human Rights Watch interview with police officer, Ibadan, April 8, 2007.

²¹³ Human Rights Watch interview with police sergeant, Ibadan, April 6, 2007.

apparent purpose of creating lists of nonexistent voters.²¹⁴ Nigeria's electoral law provides for a sentence of up to one year of imprisonment for such malfeasance, but Adedibu was not held to account in any way.²¹⁵ INEC officials publicly confirmed the incident and blamed the police for failing to investigate the crime.²¹⁶ Jonathan Johnson, the Commissioner of Police in Oyo state at the time, responded to those complaints by asking rhetorically, "If you hear a rumor and then you call the man and he says he doesn't know anything about it, what more can you do about it?"²¹⁷

A Lack of Political Will

Echoing the complaints of many other activists and citizens of Oyo State, one dissident politician told Human Rights Watch that, "Adedibu is there not because the PDP does not know that he is a criminal but because they need him to win elections."²¹⁸ President Obasanjo himself dismissed the idea that Adedibu should be held to account or even made to change his behavior. "Baba has become a dried fish, he cannot be bent anymore," Obasanjo said on one occasion. "So let us continue to manage him."²¹⁹ Then-PDP chairman Ahmadu Ali went further, calling Adedibu the "commander" of the PDP's "garrison" in Oyo state in early 2006 and suggesting that Ladoja should not have accepted the job of Governor if he was not willing to take orders from Adedibu.²²⁰

The result of this complacent attitude on the part of the federal government is that Adedibu has enjoyed more than just impunity; the Obasanjo government treated him as though his capacity to mobilize violence and corruption made him a legitimate part of the political process in Oyo. Not only has he not been investigated by the police, but he is assigned a permanent security detail of Mobile Police (MOPOL)

²¹⁴ Human Rights Watch interview with Alh. I.K. Maigoro, Oyo State INEC office, Ibadan, February 8, 2007. This incident was widely reported in the Nigerian press.

²¹⁵ Electoral Act, no. 2 of 2006, sec. 124 (h) and (i).

²¹⁶ Human Rights Watch interview with Alh. I.K. Maigoro, Oyo State INEC office, Ibadan, February 8, 2007.

²¹⁷ Human Rights Watch interview with Johnson Johnson, Ibadan, April 26, 2007. Johnson was redeployed away from Oyo State in July 2007.

²¹⁸ Human Rights Watch interview, Awka, February 12, 2007.

²¹⁹ Sola Adeyemo, "Ibadan: Rescue mission for battered city," *The Nation*, April 9, 2007.

²²⁰ See, e.g., "Ali's New Democracy," *The Vanguard*, January 5, 2006.

officers who are stationed at his home and accompany him wherever he goes. It remains to be seen whether any of this will change under the Yar'Adua government.

Aftermath

Some residents of Oyo State expressed the hope that once the political battles surrounding the election were over, they could at least hope for peace to take root in Oyo. As one activist put it before the elections, “The whole problem is that he [Adedibu] is the godfather and his authority was toppled and he will not stand for it. Once he has won it will become quiet.”²²¹

Unfortunately this has not come to pass and violence has continued since the elections came to a close. Much of that violence has seen Ladoja’s former supporters harassed and attacked. Tawa, leader of the pro-Ladoja faction of NURTW, was reportedly abducted, attacked with machetes and badly wounded by Tokyo’s supporters just days before Ladoja handed over to Akala as governor.²²² A pro-Tawa NURTW leader in Ogbomoso was murdered on June 22.²²³ And in early July 2007 Ladoja’s own house was attacked by armed thugs alleged in the employ of Adedibu and Governor Akala.²²⁴ The police made no arrests.

There are also signs that Oyo’s culture of political violence has become so entrenched that it is continuing to worsen in relation to issues not connected with the election at all. On June 27, 2007, a group of NURTW thugs armed with clubs and machetes allegedly attacked a group of state government employees who were staging a peaceful protest against the Akala administration’s recent decision to reduce their salaries. Twenty protesters suffered machete and club wounds in the attack and at least three of them were hospitalized. The workers accused the state government of masterminding the attack and demanded an investigation. Commissioner of Police Jonathan Johnson responded by publicly accusing the civil

²²¹ Human Rights Watch interview, Ibadan, February 8, 2007.

²²² Human Rights Watch email correspondence with Ibadan-based activist, June 2007.

²²³ Tunde Sanni, “Police Arrest 11 over Murder of NURTW chief,” *This Day*, June 25, 2007.

²²⁴ See Akeeb Alarape, “Adedibu, Akala Behind Attack on my House—Ladoja,” *Daily Sun*, July 6, 2007.

servants of attacking the NURTW men.²²⁵ As of the time of writing no one has been held to account for the attack.

²²⁵ See, e.g., Iyabo Lawal, "Thugs attack protesting workers in Oyo," *The Guardian*, June 27, 2007.

Case Study B: Anambra State

“Anambra is a very hot place, a place where everyone has to be very careful.”

—PDP “Godfather” and Board of Trustees Member, Chris Uba, Enugu, February 12, 2007

Anambra State lies near the geographic heart of Nigeria’s Igbo-dominated southeast. Since 1999 the violence, corruption, and “godfatherism” occurring elsewhere in Nigeria have run rampant in Anambra. But Anambra also evinces some examples of the tenuous reasons for optimism that systemic abuses could be reversed if the federal government would support far-reaching reform.

Godfatherism in Anambra State

A wealthy member of the powerful Uba political family, Chris Uba is an iconic example of the godfather phenomenon in Nigeria.²²⁶ When Human Rights Watch visited his home in Enugu (situated on a street named after himself) in early 2007, he proudly displayed a large collection of luxury vehicles and a police car with blacked-out license plates that he said belonged to him and not to the police.²²⁷ Security men with handguns tucked inside of their belts wandered about the compound.

Chris Uba, a member of the PDP Board of Trustees, was at the apex of his power during the 2003 elections, when he “sponsored” PDP candidates and rigged their election to office across Anambra. After that election he publicly declared himself “the greatest godfather in Nigeria,” noting that “this is the first time an individual single-handedly put in position every politician in the state.”²²⁸

²²⁶ Uba’s brother Andy served as special advisor to President Obasanjo for nearly the entirety of the Obasanjo Administration and ran for Governor of Anambra State in 2007; his other brother Ugochukwu Uba was a senator representing Anambra South Senatorial District until losing in the PDP primaries in late 2006.

²²⁷ Human Rights Watch interview with Chris Uba, Enugu, February 12, 2007.

²²⁸ Jibrin Ibrahim, “The Rise of Nigeria’s Godfathers.”

Among the politicians Chris Uba “sponsored” in 2003 was PDP gubernatorial candidate Chris Ngige. The terms of their relationship were spelled out in remarkably explicit fashion in a written “contract” and “declaration of loyalty” that Ngige signed prior to the election. Chris Uba provided Human Rights Watch with a copy of this document to bolster his contention that Ngige later failed to live up to the terms of their agreement.

Ngige promised in writing to “exercise and manifest absolute loyalty to the person of Chief Chris Uba as my mentor, benefactor and sponsor” and agreed to allow Uba control over all important government appointments and the awarding of all government contracts. The contract referred to Governor Ngige as the “Administrator” and to the unelected Uba as “Leader/Financier.” It also empowered Uba to “AVENGE HIMSELF IN THE WAY AND MANNER ADJUDGED BY HIM AS FITTING AND ADEQUATE” (emphasis in original) in case of any breach by Ngige that could not be settled through mediation.²²⁹ These documents, which spelled out the subordination of the Governor to Chris Uba in some detail, are printed as an annex to this report.²³⁰

In an interview with Human Rights Watch, Ngige did not deny that Chris Uba rigged his election into office but claims that he tried to break away from Uba’s control immediately after the 2003 election.²³¹ This was no easy task; Ngige said that from the moment he assumed office, Uba was continually “making personal demands that I go to the treasury and take money and give it to him.”²³² Ngige also claims that shortly before his inauguration, armed men broke into his home and forced him, at gunpoint, to sign a pledge that he would pay Chris Uba the sum of N3 billion (\$23

²²⁹ Agreement “Among the Parties as Partners in the Project of Government of Anambra State and Nigeria,” on file with Human Rights Watch.

²³⁰ See below, Annex: Contract and Oath of Loyalty Between Chris Uba and Chris Ngige.

²³¹ Human Rights Watch interview with Chris Ngige, Bethesda, Maryland, January 18, 2007. Ngige told Human Rights Watch that “Later events proved that almost all of the [2003] elections including Obasanjo’s own were not legitimate.”

²³² Ibid.

million) immediately after assuming office.²³³ In an interview with Human Rights Watch, Uba denied that he ever demanded cash payments from Governor Ngige.²³⁴

Relations between Ngige and Uba deteriorated rapidly. In July 2003 Governor Ngige was kidnapped by armed policemen and forced at gunpoint to sign a “letter of resignation.”²³⁵ In an interview with Human Rights Watch Ngige alleged that Uba was responsible for this and cites the episode as illustrative of why, even as governor, he could not turn to the police for help against Uba’s attempts at extortion.²³⁶ Uba dismissed the allegations of extortion as being completely without any basis in fact.²³⁷

Ngige’s “resignation” was eagerly accepted by the State House of Assembly despite the circumstances under which it was obtained. One Anambra State legislator told Human Rights Watch that at the time most members of the legislature were “in bondage” to Chris Uba in much the same manner as Ngige.²³⁸

Ngige successfully petitioned to have his “resignation” thrown out by the federal courts and remained in office but quickly found himself under siege yet again. In 2004 thugs armed with firearms and crude explosives attacked Government House in Awka and burned part of it to the ground while policemen stood aside and watched.²³⁹ Other gangs then staged several attacks on other government buildings throughout the state.²⁴⁰ As many as 24 people were killed during the ensuing violent clashes and looting.²⁴¹

²³³ Ibid. At that time N3 billion was roughly three times the total federal monthly allocation of revenue to the Anambra State Government. Those figures are available online through the Nigerian Ministry of Finance at <http://www.fmf.gov.ng/detail.php?link=faac> (accessed July 12, 2007).

²³⁴ Human Rights Watch interview with Chris Uba, Enugu, February 12, 2007. Uba redacted unknown portions of the “contract” or other signed agreements before providing Human Rights Watch with a copy of what remained.

²³⁵ Human Rights Watch interview with Chris Ngige, Bethesda, Maryland, January 18, 2007. See also Anayo Okoli, “Anarchy in Anambra,” *The Vanguard*, July 11, 2003.

²³⁶ Human Rights Watch interview with Chris Ngige, Bethesda, Maryland, January 18, 2007. See also Anayo Okoli, “Anarchy in Anambra,” *The Vanguard*, July 11, 2003.

²³⁷ Human Rights Watch interview with Chris Uba, Enugu, February 12, 2007.

²³⁸ Human Rights Watch interview with Anambra state legislator, Awka, February 12, 2007.

²³⁹ Human Rights Watch interview with Chris Ngige, Bethesda, Maryland, January 18, 2007. See also “‘Tensions high’ in Nigeria State,” *BBC News Online*, November 12, 2004, <http://news.bbc.co.uk/2/hi/africa/4006215.stm> (accessed July 16, 2007).

²⁴⁰ Ibid. Nigeria’s *Vanguard* newspaper reported at the time that Anambra “is now ruled by hoodlums who have taken over every nook and cranny of the state maiming, killing and attacking public buildings without any resistance by the retinue of

Ngige—like much of the Nigerian press and many civil society groups—alleges that Chris Uba was behind the attack.²⁴² Several well-placed sources told Human Rights Watch that Chris Uba had recruited an Ogoni youth leader from Rivers State to help organize the attack on Government House in conjunction with thugs sourced locally in Anambra.²⁴³ Chris Uba denied any involvement in the matter.²⁴⁴ The police’s failure to investigate who was behind the attack, and specifically Uba’s alleged involvement, stands as a stark example of the impunity he has consistently enjoyed.

Box 5: A Godfather’s Views on Governance

The following are excerpts from a Human Rights Watch interview with Anambra State political “godfather” Chris Uba at his Enugu residence in February 2007:

I have been in politics from 1999 and even before, but 2003 is the time I produced a Governor for the State. Since that 2003 I have been handling the party—the PDP—and we have been doing well and we did not have any problem in the party.

When he [Ngige] became Governor he started playing funny. That is where we disagree, we signed before he became governor. We said that I am going to produce [appoint] six to seven Commissioners. He is going to produce [some] because he is governor already. I am going to produce more; he is going to produce lesser...

I spent a lot of money to put him there but I never asked him for my money back. Ngige was trying to be smart, trying to run the

policemen deployed to maintain law and order.” Tony Edike, “Awka: A City Where Anarchy Reigned,” *The Vanguard*, November 15, 2004.

²⁴¹ Ibid.

²⁴² Human Rights Watch interview with Chris Ngige, Bethesda, Maryland, January 18, 2007; Human Rights Watch interviews with civil society activists and opposition politicians, Lagos, Abuja and Awka, February 2007.

²⁴³ Human Rights Watch interviews, Abuja and Port Harcourt, February and April 2007. Both sources are acquaintances of the Ogoni youth leader concerned and said that they had been given this information by him.

²⁴⁴ Human Rights Watch interview with Chris Uba, Enugu, February 12, 2007.

government on his own....The problem is Ngige being a politician who did not invest one naira, not even one kobo, wanted to run away with everything and not even share one appointment.

That is why he heaped this blackmail upon me...I cannot tell him to give me N3 billion because I know that he does not have it! The allocation to Anambra in one month is not up to N3 billion!

I am supposed to bring the Commissioner for Finance, this man who funded the campaign is supposed to be Commissioner of Works, I said, look, you signed it, and not under duress. The problem is the immunity the governors are having, everything they are having, you spend your money to bring them into power and they say "Go to hell." It should be just like, you invest in a bank and then you have power to make some decisions because of your controlling shares. But he blackmails you and pays the press to go say all sorts of bad things about you and put it in the internet.²⁴⁵

Impeachment through Corruption and Intimidation

The Ngige-Uba saga came to an end in March 2006 when a Federal Court of Appeal ruled that Ngige's 2003 election victory was fraudulent and therefore null and void. The result was Ngige's replacement with his 2003 electoral opponent from the opposition All Progressives Grand Alliance (APGA), Peter Obi.²⁴⁶ Obi had produced massive evidence of electoral fraud and his installation as governor was widely hailed as a victory for democracy in Anambra.²⁴⁷

Just seven months after Obi assumed office, a group of legislators in the PDP-dominated State House of Assembly voted to impeach him. The events leading up to

²⁴⁵ Human Rights Watch interview with Chris Uba, Enugu, February 12, 2007.

²⁴⁶ See Bolade Ominjo, "Obi Sworn in, Promises New Dawn in Anambra," *The Vanguard*, March 18, 2006.

²⁴⁷ Obi was reportedly able to produce result sheets from polling stations across the state that displayed results completely different from those later recorded for those polling units.

that purported “impeachment” provide a clear illustration of the ways in which state and federal government institutions and law enforcement agencies were manipulated, misused, and influenced by corruption under Obasanjo’s stewardship.

Human Rights Watch interviewed several legislators in the Anambra State House of Assembly who said that they were persuaded to support the impeachment bid through a combination of bribery and coercion that they believed was at least tacitly supported by the presidency in Abuja.²⁴⁸

In October 2006 the PDP leadership in the Anambra legislature transported a group of 18 Anambra legislators to the Grand Hotel, a sprawling luxury resort on the banks of the Niger River in Asaba, the capital of neighboring Delta State. They remained at the hotel for several weeks as party leaders worked to build consensus for a move against Obi. Members interviewed by Human Rights Watch said that they received moral support from and had meetings in Asaba and Abuja with powerful PDP member Olabode George, Anambra State PDP Chairman Tony Nwoye and Chris Uba’s brother Andy Uba, then serving as President Obasanjo’s Special Advisor on Domestic Affairs.²⁴⁹ The legislators said that in those meetings they were repeatedly urged to impeach Governor Obi.²⁵⁰

Human Rights Watch interviewed three legislators who were among those at Asaba. They said that the House leadership gave them funds not only to cover their considerable expenses at the resort, but also frequent infusions of “pocket money” ranging from N50,000 to N200,000 (\$385 to \$1540).²⁵¹ A senior member of the PDP leadership in the State House of Assembly reportedly told them that the funds had arrived from Abuja but refused to spell out its precise source. They said that the most significant inducement the state’s PDP leadership offered them was the promise of

²⁴⁸ Human Rights Watch interviews with Anambra state legislators, Awka, February 2007.

²⁴⁹ Human Rights Watch interviews with Anambra state legislators, Awka, February 2007.

²⁵⁰ *Ibid.*

²⁵¹ Human Rights Watch interviews with Anambra state legislators, Awka, February 2007. When Human Rights Watch visited the Grand Hotel in February 2007, the price of a single room was \$223 for one night.

an “automatic ticket” in the 2007 elections—that is, that their victory in the PDP primaries would be assured regardless of who might chose to run against them.²⁵²

To complement these inducements, three separate legislators told Human Rights Watch that PDP leaders in the legislature threatened that any member who did not support impeachment would be targeted for EFCC prosecution. While the members acknowledged that they could not confirm whether there was any basis to that threat, they had no trouble believing it. “The way we see it, the EFCC, it has nothing to do with whether you have committed any offense or not,” said one legislator who ultimately voted in favor of impeachment. “They will come and arrest a person for any reason and keep him behind bars until he succumbs to what they want him to do.”²⁵³

Three PDP legislators who opposed the impeachment move ultimately left the party and were then placed on the EFCC’s controversial list of politicians to be disallowed from contesting the 2007 elections due to alleged evidence of corruption—three of only four Anambra politicians to make the list aside from former Governor Ngige.²⁵⁴

On November 2, 2006, a group of pro-impeachment lawmakers returned to Anambra at dawn and voted to impeach Governor Obi without the presence of other lawmakers, even though they did not have sufficient numbers present to meet the constitutional requirement of a two-thirds majority of the full legislature for a successful impeachment.²⁵⁵ Obi was deposed as governor despite the clear illegality of the move against him.

²⁵² Ibid. The promise of “automatic tickets” was not kept, according to the legislators, who cited this perceived betrayal as a primary reason for speaking out.

²⁵³ Human Rights Watch interview, Awka, February 12, 2007.

²⁵⁴ Report of the Administrative Panel of Inquiry on Alleged Corrupt Practices of Some Public Officers and Other Persons, on file with Human Rights Watch. See also: Abdul Jimoh, “EFCC Release lists of candidates adjudged corrupt and unfit for elections,” Sahara Reporters.com available at <http://www.saharareporters.com/www/report/detail/?id=220> (accessed March 16, 2007). The list also included a surprisingly large number of PDP politicians from the vice president’s home state of Adamawa. The full list is available online at <http://www.saharareporters.com>.

²⁵⁵ Article 188 of the Nigerian constitution requires a two-thirds majority of all legislators in support of any move to impeach a sitting Governor. Constitution of the Federal Republic of Nigeria, Article 188.

Peter Obi was reinstated in February 2007 by the Federal Court of Appeal. But INEC disqualified Obi from standing in the 2007 elections on a technicality stemming from a factional dispute within Obi's APGA party from standing in the 2007 elections.²⁵⁶

Mobilizing Cult Groups for the 2007 Elections

The 2007 polls were an especially high-stakes affair in Anambra because the PDP candidate for governor, Andy Uba, reportedly enjoyed the strong political backing of President Obasanjo. Andy Uba had served as an influential Special Advisor to Obasanjo for most of his eight years as president. Voicing a common complaint among many activists and community leaders in Anambra, one member of the state's Elders Forum alleged that Obasanjo "wants to award Andy Uba the governorship of Anambra for having served him well for 7 ½ years" whether the people of Anambra wanted him or not.²⁵⁷

Andy Uba is the brother of Chris Uba, and his designs on the governor's office caused a rift between the two. Andy Uba took over the Anambra State PDP in a move Chris Uba described as a "coup" and installed Tony Nwoye, a former student union leader, as state chairman of the party.²⁵⁸ In interviews with Human Rights Watch, numerous sources including police officials, a spokesman for Governor Peter Obi, opposition politicians and cult members identified Nwoye as a prominent member of the Black Axe cult.

According to press reports, opposition complaints and police sources in Anambra, Andy Uba's campaign appeared to be unusually well-funded, and Nwoye immediately set about mobilizing funds to recruit thugs to ensure Andy Uba's victory in the PDP primaries in December 2006.²⁵⁹ Human Rights Watch interviewed several cult members who were described how they were paid to rig the primaries in Uba's favor by stuffing ballot boxes and chasing off legitimate voters. For example, one

²⁵⁶ Patrick Ugeh, et al. "Court Condemns INEC on Anambra Guber List" *This Day*, March 20, 2007.

²⁵⁷ Human Rights Watch interview, Enugu, February 12, 2007.

²⁵⁸ Chris Uba complained to Human Rights Watch that all of the state PDP officials allied to him were ousted from office while Uba was on vacation in California. Human Rights Watch interview, Enugu, February 12, 2007.

²⁵⁹ Human Rights Watch interviews with PDP legislators, opposition candidates, police officials and others, Awka and Enugu, February 2007.

member of the Buccaneers cult described how he, along with other Buccaneers and members of other cult groups were actively involved in voter intimidation: “In the primaries we carried axes and machetes and chased away any voters that came near while we were voting.”²⁶⁰ Uba won the PDP nomination after being awarded 97 percent of all votes cast.²⁶¹

Nwoye did not introduce the problem of cultism into Anambra politics; there are many cult groups active in the state, and several civil society activists allege that several members of the State House of Assembly who predated Nwoye’s tenure were cult members.²⁶² Under Nwoye, however, PDP sponsorship of cult groups has become extremely brazen; one leading anti-cult activist complained to Human Rights Watch that “they have made PDP a cult affair.”²⁶³

Opposition figures, community leaders, and even members of the PDP alleged to Human Rights Watch that Andy Uba’s campaign used its capacity to mobilize violence to stifle any opposition to Uba’s eventual election.

At a January 2007 meeting called by the state PDP at the Parktonian Hotel in Awka, two men stood up and complained that they had been robbed of victory in the party primaries even though they had paid Tony Nwoye money in return for the promise of an “automatic ticket.” According to a state legislator and another PDP member who were present at the meeting, Nwoye responded by ordering several thugs who were standing nearby to “beat them to a pulp.”²⁶⁴ “They started slapping and beating them,” the legislator said. “One man, his clothing was torn to shreds and no one ordered them to stop...Andy Uba was there and said nothing.”²⁶⁵

²⁶⁰ Human Rights Watch interview with Buccaneers member, Awka, February 14, 2007.

²⁶¹ <http://www.vanguardngr.com/articles/2002/cover/december06/10122006/f210122006.html>.

²⁶² Human Rights Watch interviews with cultists, politicians, policemen, activists, and church officials, Awka, February and April 2007.

²⁶³ Human Rights Watch interview with anti-cult NGO official [name withheld], Awka, April 18, 2007.

²⁶⁴ Human Rights Watch interviews, Enugu and Awka, February 2007.

²⁶⁵ Human Rights Watch interview, Enugu, February 12, 2007.

Fighting Over the Spoils

According to police, cults, and other sources, after the PDP primaries Nwoye began channeling funds into the hands of members of his own Black Axe cult to the exclusion of other cult groups in the state.²⁶⁶ Several cult groups including the Vikings and the Buccaneers saw this as deeply unfair and reacted violently. Some also complained that they were not paid in full for working on behalf of Andy Uba's campaign during the primaries.²⁶⁷

Human Rights Watch interviewed several cult members in Anambra in February 2007, two months before the April elections. According to then-Police Commissioner Haruna John and to cult members themselves, at least seven people were killed in a series of tit-for-tat assassinations between Black Axe and other cult members in the week prior to those interviews alone. Several of those killed had been gunned down in the streets of Awka, and the violence had the effect of terrorizing local residents.²⁶⁸

Two members of the Vikings cult who had been involved in planning the February 2007 wave of violence compared Andy Uba's gubernatorial campaign to an "oil well" whose revenues they should be entitled to share.²⁶⁹ One of them explained:

In our tertiary institutions we have a lot of secret cult families. The politicians use the secret cults. The problem [now] is other families are fighting the Black Axe so that we can come in and get work. Tony [Nwoye] is hijacking everything for the Black Axe because he is Black Axe. Other families are asking questions—why is the money meant for use in Anambra being hijacked for use only by this other group? That money is what they want to eat alone without sharing with other groups.²⁷⁰

²⁶⁶ Human Rights Watch interviews with cult members and police sources, Awka, February 2007.

²⁶⁷ Ibid.

²⁶⁸ Human Rights Watch interview with Haruna John, Awka, February 14, 2007; Human Rights Watch interviews with cult members, Awka, February 2007.

²⁶⁹ Human Rights Watch interview with Vikings members, Awka, February 14, 2007.

²⁷⁰ Ibid.

The Vikings members were under the impression that Nwoye had recently distributed N10 million (\$77,000) to Black Axe members to the exclusion of all other cult groups. Faced with this unacceptable situation, one of them said, “Either we attack them, to get Andy’s attention, or we go to another party.”²⁷¹

While police sources told Human Rights Watch that they were very much aware of the causes of the wave of cult violence ahead of the elections, they said that they were unlikely to carry out any criminal investigation implicating prominent members of the PDP “because we would not want to be kicked out [of the police force] or transferred or forcibly retired.”²⁷²

The 2007 Elections and their Aftermath

By the time Election Day arrived, Andy Uba was facing only weak and fragmented opposition. INEC had eliminated his two most prominent opponents, Governor Peter Obi and Chris Ngige from the ballot.²⁷³ Nonetheless the elections were meticulously rigged in Uba’s favor.

Human Rights Watch observed the gubernatorial elections in Anambra and corroborated the reports of other observers. Voting did not even take place across much of Anambra State, leaving out any possibility of unexpected developments at the polling stations. Human Rights Watch witnessed widespread evidence of the intimidation of would-be voters, fraud and the fabrication of results by electoral officials and members of the PDP.²⁷⁴ In most cases, polling stations across several different communities visited by Human Rights Watch simply did not open at all, with no officials and no voting materials present.²⁷⁵ Other independent election observers

²⁷¹ Ibid.

²⁷² Human Rights Watch interview with police officials, Awka, February 2007.

²⁷³ Obi was disqualified from standing due to a technicality that grew out of infighting within his APGA party, while Ngige won a court decision ordering his name to be placed on the ballot but was nonetheless left off where Human Rights Watch witnessed voting and, according to accredited observers, throughout the state. INEC gave no public explanation for the omission.

²⁷⁴ See “Nigeria: Polls Marred by Violence, Fraud,” Human Rights Watch news release, April 17, 2007, <http://hrw.org/english/docs/2007/04/16/nigeri15708.htm>.

²⁷⁵ Ibid.

in Anambra reached the same conclusions and witnessed the same widespread fraud during the Presidential polls there one week later.²⁷⁶

Protest riots ensued in some areas as angry would-be voters and opposition supporters burned down government buildings, INEC offices and burned tires in the streets, but the heavy-handed efforts of the PDP to rig the election appeared to yield dividends. The official results indicated a crushing victory for Andy Uba as Governor and fabricated voter turnout figures far higher than anything observed by credible observers in any part of the state.²⁷⁷

When Human Rights Watch went to the INEC office on the morning after the gubernatorial polls to seek an official copy of the results, staff suggested the INEC officials with access to the results could be found at the Grand Hotel in Awka, where Andy Uba's campaign was holding its victory party. At the hotel, no one had any idea of the results, but the victory party was in full swing as armed men and uniformed police mingled by the pool drinking champagne.

Uba's celebration was short-lived, however. Months prior to the elections Governor Peter Obi had filed a lawsuit arguing that he had been robbed of his term in office because of the years-long delay in declaring him the winner of the 2003 election. Days after Uba was sworn in as governor, Nigeria's Supreme Court ruled in favor of Obi in that case, granting Obi the right to serve a full four years in office. Uba's election was null and void, and gubernatorial elections will not be held in Anambra State until 2010.²⁷⁸

That court ruling did not address the open rigging of the 2007 polls in Anambra; it simply ruled that gubernatorial elections should never have been held in Anambra in the first place. The fabricated results in other races across Anambra are being challenged but still stand as of this writing. The ruling itself is also not without

²⁷⁶ Human Rights Watch interviews with international and domestic election observers stationed in Anambra State on April 14 and April 21, 2007, Awka and Abuja, April 2007.

²⁷⁷ Andy Uba was awarded 1,093,004 votes as against 71,296 for Virgy Etiaba of APGA, in second-place.

²⁷⁸ Editorial "Anambra and the Peter Obi case: matters arising" *The Guardian* June 27, 2007. Essentially, the Supreme Court ruled that Obi was entitled to a full four-year term in office *from the date of his swearing-in as Governor*. Because of the years-long delay in resolving his legal challenge to the 2003 elections, that term did not begin until 2006.

controversy, as its effect will be to force Anambra's voters to wait seven years from their last chance at voting for a governor to the next election. Nonetheless, in unseating one of the PDP's most powerful and well connected gubernatorial aspirants, the Supreme Court highlighted the impartiality and independence with which the Nigerian judiciary has generally comported itself in political cases surrounding the 2007 elections.

Anambra's example, however, also illustrates the limitations of what the judiciary can accomplish by itself. The authors of Anambra's worst abuses—including murder, illegal possession of weapons, and the wholesale rigging of the 2007 electoral process in the state—continue to enjoy complete impunity for their crimes. Chris Uba no longer has the same political influence as previously, but this was largely the result of his brother Andy's actions, and he remains a powerful member of the PDP's national Board of Trustees. Andy Uba may have lost the election, but there has been no effort to investigate him or his associates for his campaign's open recruitment of cult groups as political muscle. The government and electoral officials responsible for the brazen rigging of Anambra's elections have not been held to account and there has been no move made to do so. There has also been no investigation into the use of corruption and the threat of selective prosecution to bring about Peter Obi's impeachment in November 2006.

Anambra's citizens have remained without a meaningful voice in the selection of their political leaders since at least 2003. Without sustained action against cult gangs and their backers, violence, fraud and corruption are likely to remain features of the state's political landscape.

Case Study C: Rivers State

They buy guns for our youths; destroy our schools and our amenities, and our communities. They ask our youths to kill one another and do others of their biddings...Most of these youths that the state had turned into cultists, hostage-takers, armed robbers, assassins, prostitutes and thugs would have been great and meaningful to this society, but today their future is rocked with violence and evil.

—Patrick Naagbantou, Port Harcourt journalist and activist.²⁷⁹

Rivers State is the unofficial capital of Nigeria's booming oil industry and its state government is the wealthiest in Nigeria, with a budget of \$1.4 billion in 2007.²⁸⁰ Unfortunately Rivers state's relative wealth has exacerbated rather than solved its many problems. Not least, the state's wealth has led to high-stakes political competition and a resulting level of political violence that considerably exceeds even the nationwide norm.

Sowing the seeds of Violence: The 2003 Elections in Rivers

Since 1999, the PDP has maintained a virtual monopoly on elective office in Rivers State and throughout the Niger Delta through rigged elections. The 2003 elections in Rivers were both more violent and more brazenly rigged than in most other parts of the country. One local civil society group compared the 2003 electoral period to a "low-intensity armed struggle."²⁸¹ Despite a widespread lack of voting, massive voter turnout was reported and the PDP swept elective offices across the state in landslide victories.²⁸²

²⁷⁹ Patrick Naagbantou, "Funeral Song for Prince Igodo and Others," *The Port Harcourt Telegraph*, June 6, 2007.

²⁸⁰ "2007: Assembly Approves N183 Billion as Rivers Budget," Rivers State House of Assembly Press Release, http://www.riversassembly.org/news/58-2007%253A_ASSEMBLY_APPROVES_N183BN_AS_RIVERS_BUDGET.php (accessed July 13, 2007). This is roughly five times the national average across all state governments. See Human Rights Watch, *Chop Fine*, pp. 75-79.

²⁸¹ Election monitoring report on the ongoing Nigeria federal and state general elections, April/May 2003 (executive summary), Environmental Rights Action. Reproduced in *Nigeria Today*, April 26, 2003.

²⁸² Governor Peter Odili reportedly won roughly 98% of all votes cast. Human Rights Watch interviews with member of 2003 election observer mission, Abuja, February 2007.

Human Rights Watch interviewed more than a dozen people, including gang leaders, cultists and low-level thugs, who acknowledged having organized or carried out acts of paid violence on behalf of the PDP in order to rig the 2003 elections in Rivers. All of them said that they worked on behalf of the state government or PDP candidates for office to intimidate voters, attack their sponsors' opponents or rig the voting directly in favor of then-Governor Peter Odili and the PDP.²⁸³

The PDP's primary instruments in using violence to rig the 2003 polls in Rivers were two gangs that have since been at the forefront of violent crimes and "militant" activity throughout the state: the Niger Delta Peoples Volunteer Force (NDPVF), led by Asari Dukobo, and the Niger Delta Vigilante (NDV), led by Ateke Tom. State government officials have vehemently denied their sponsorship of these groups, but the activities of some officials have been documented by Human Rights Watch, Nigerian civil society groups and journalists.²⁸⁴ Ateke Tom himself acknowledged the role he played in the 2003 elections, telling Human Rights Watch that then-Governor Odili had promised cash and jobs in great quantities for himself and his 'boys' and that in return, "Any place Odili sent me, I conquer[ed] for him. I conquer[ed] everywhere."²⁸⁵ Governor Odili has consistently denied any relationship with Ateke, Asari, or any other gang leader.

The Legacy of the 2003 Polls in Rivers

Much of the compensation that PDP politicians promised to the groups they helped finance and arm during the 2003 elections never materialized. Specifically, many youth recruited by politicians to carry out electoral violence complain that they were promised additional cash payments and, more importantly, government jobs after the elections. Many gang members interviewed by Human Rights Watch point to poverty and unemployment as the sole factors motivating them to participate in political violence and crime.²⁸⁶

²⁸³ Human Rights Watch interviews, Port Harcourt, December 2005, August 2006 and April 2007.

²⁸⁴ Along with Governor Peter Odili, former Secretary to the State Government and Federal Transportation Minister Abiye Sekibo reportedly played a central role in sponsoring the violent activities of Ateke Tom's NDV in particular. See Human Rights Watch, *Rivers and Blood*, pp. 2-3 and 4-6 ; Human Rights Watch, *Nigeria's 2003 Elections: The Unacknowledged Violence*, pp. 14-19.

²⁸⁵ Human Rights Watch interview with Ateke Tom, Rivers State, April 13, 2007.

²⁸⁶ Human Rights Watch interviews, Port Harcourt, August 2006 and April 2007.

There are widespread complaints among these youth and their leaders that rather than fulfill these promises, their sponsors including then-Governor Peter Odili simply “dumped” them once comfortably ensconced in office. As one civil society activist who works to discourage youth from participating in cult activities explained to Human Rights Watch, “The armed groups, particularly the youth, felt betrayed by the kind of contracts they made with the politicians in 2003. They felt that having participated in rigging the election, they deserved a stake.”²⁸⁷

The result of these broken promises was a rapid deterioration of relations between many armed groups and their former sponsors. Rivers State has been awash with guns since the 2003 polls, when politicians sparked the ongoing influx of arms into the region to arm their proxy gangs.²⁸⁸ Many groups subsequently moved into using their weaponry to spark an ongoing wave of violent crime, providing protection for or asserting control over oil bunkering operations and other criminal activities to make up for their loss of lucrative political sponsors.²⁸⁹ Local civil society groups, along with many current and former Rivers state government interviewed by Human Rights Watch, are unanimous in pointing to the mobilization by politicians of gangs—most of them linked to cult groups—to rig the 2003 elections as the beginning of the state’s current epidemic of violent crime and proliferation of unaccountable armed gangs.²⁹⁰

The trend towards armed criminality sparked by the emergence and political sponsorship of armed groups during the 2003 elections has now spiraled out of control in Rivers. Militias and gangs have proliferated, maintaining camps of fighters in the creeks that engage in oil bunkering and stage bank robberies and street battles in Port Harcourt. Some of these groups have turned kidnappings for ransom of expatriate oil workers, wealthy Nigerians and their family members into a profitable business. Kidnappings have become commonplace since the beginning of 2006 and armed gangs seized more than one hundred oil workers in the first six

²⁸⁷ Human Rights Watch interview, Port Harcourt, April 11, 2007.

²⁸⁸ See Human Rights Watch, *Rivers and Blood*, pp. 4-6 and 9-10.

²⁸⁹ See Human Rights Watch, *Rivers and Blood*.

²⁹⁰ Human Rights Watch interviews, Port Harcourt, August 2006 and April 2007.

months of 2007 alone.²⁹¹ In early 2007 the kidnapping epidemic took an even more disturbing new turn with the seizure of several young children for ransom by armed attackers.²⁹²

Turf Wars, Extortion and Impunity

Aside from overtly political violence in the months surrounding elections, insecurity for the residents of Rivers State has been worst when armed groups have turned against one another. This infighting is linked to claims on political patronage, competition over territory, oil bunkering networks, or other sources of revenue and influence.

Beginning in late 2003, a drawn-out armed conflict between the PDP's erstwhile agents—Asari's NDPVF and Ateke's NDV—plunged parts of Port Harcourt and surrounding communities into a state of terror. Dozens of local people were killed along with hundreds of fighters, tens of thousands fled their homes and riverine communities along the creeks were devastated. Human Rights Watch documented the human rights impact of that conflict in detail in a 2004 report.²⁹³ That violence is generally acknowledged to have been sparked by a power play on the part of the state government. Having fallen out with former ally Asari Dukobo after Asari helped rig the 2003 elections, the Odili administration sponsored Ateke Tom in a failed and bloody attempt to crush Asari's group.²⁹⁴

The spiral of violence that followed the 2003 elections repeated itself after the 2007 polls. In May 2007 gang members linked to another prominent militant, Soboma George, murdered armed group leader Price Igodo and as many as a dozen others. Numerous sources indicated told Human Rights Watch that Soboma was paid to carry out the attack by supporters of current Governor Celestine Omehia partly in

²⁹¹ See "Foreign Hostages Freed in Nigeria," *BBC News Online*, June 23, 2007, <http://news.bbc.co.uk/2/hi/africa/6234008.stm> (accessed July 16, 2007).

²⁹² As of July 16, 2007, three young children had been taken hostage and subsequently released by armed groups in the Delta. These included two children of wealthy Nigerians and the three-year old daughter of an expatriate resident of Port Harcourt. See "Nigeria kidnappers free UK girl," *BBC News Online*, July 9, 2007, <http://news.bbc.co.uk/2/hi/africa/6282846.stm> (accessed July 16, 2007).

²⁹³ Human Rights Watch, *Rivers and Blood*.

²⁹⁴ Human Rights Watch interviews with civil society activists and gang members, Port Harcourt, August 2006 and April 2007.

response to concerns that Igodo was planning to disrupt the new government's May 29 inauguration.²⁹⁵

Soboma and his Outlaws gang were reportedly hired by the PDP to help rig the 2007 elections in Rivers.²⁹⁶ One cult member described a meeting in Government House in Port Harcourt just prior to the April 14 polls during which he saw government officials hand out between N5 million and N10 million (\$38,500 to \$77,000) to several different cult groups in return for their assisting or simply accepting the PDP's plans to rig the polls.²⁹⁷ Several other sources confirmed the substance of the meeting.²⁹⁸

In August 2007, Port Harcourt descended into chaos, with armed gangs waging ongoing battles in the streets of the city and wreaking devastation on the surrounding communities. Civil society activists in Port Harcourt described this fighting as being linked to struggles between various gangs to assert claims on political patronage including money and oil bunkering routes from the state government and anger on the part of some gangs at Soboma George's preeminent role in securing such patronage. As one prominent activist put it, "It's the same old story—people who were used for elections on April 14 and 21, having won the election are trying to establish supremacy against the other groups in the state."²⁹⁹ And indeed the fighting bore a grim resemblance to the events that followed the 2003 elections in Rivers—not least because one of its central belligerents was none other than Ateke Tom.

After weeks of violence, the Nigerian military's Joint Task Force (JTF) intervened, engaging in a bloody battle with the gangs in Port Harcourt. The JTF is comprised of forces drawn from different branches of the Nigerian military and is currently under the command of Army Brigadier General Yaki Sakin Bello. A tenuous calm was

²⁹⁵ Human Rights Watch telephone interviews and email correspondence with civil society activists, journalists and former cult members, June and July 2007.

²⁹⁶ Human Rights Watch interviews with activists and cult members, Port Harcourt, April 2007. See also Patrick Naagbantou, "Funeral Song for Prince Igodo and Others," *The Port Harcourt Telegraph*, June 6, 2007.

²⁹⁷ Human Rights Watch interview, Port Harcourt, April 16, 2007.

²⁹⁸ Human Rights Watch interviews, Port Harcourt and Abuja, April 2007. See also Robyn Dixon, "Niger Delta's politicians ease way into office by using thugs," *Los Angeles Times*, April 21, 2007, citing a member of the Buccaneers cult group claiming that cult groups were paid N10 million to help rig the elections.

²⁹⁹ Human Rights Watch telephone interview with Anyakwee Nsirimovu, Port Harcourt, August 21, 2007.

quickly restored after a street battle that reportedly saw dozens of gang members killed, including many killed by attack helicopter. The toll in lives exacted by the fighting was heavy: local civil society groups reported that dozens of innocent bystanders were killed or wounded along with unknown numbers of gang members. One MSF-run trauma center in Port Harcourt reported treating 72 gunshot wounds in July 2007—then its worst month on record—followed by 71 further gunshot victims during the first two weeks of August alone.³⁰⁰

Most of the wounded treated at the MSF trauma center were suffering from high-velocity gunshot wounds and most reported having been fired on at random by marauding gang members or caught in the crossfire between rival gangs.³⁰¹ Days after the MSF's numbers above were compiled, the military intervened in fighting that yielded still further casualties.³⁰² Local newspapers reported roughly 40 dead during a day of heavy fighting between gangs and military forces in the densely populated confines of Port Harcourt.³⁰³ Local civil society activists estimated that the true number was significantly higher.³⁰⁴ A military spokesperson told Human Rights Watch that he could not offer any estimate of casualties on any side.³⁰⁵

Box 6: A Gang Leader Discusses his Role in Politics

The following is drawn from the testimony of a gang leader in Port Harcourt who was interviewed by Human Rights Watch on the eve of the 2007 elections. He, along with other youth who told HRW that they had worked to rig the 2003 elections, blamed broken promises on the part of the state government for much of the violence in which they had been involved:

³⁰⁰ Doctors Without Borders, "Field News: MSF Trauma Center Admits 71 Over Two Weeks in Port Harcourt, Nigeria," August 13, 2007, <http://www.doctorswithoutborders.org/news/2007/08-14-2007.cfm> (accessed August 21, 2007).

³⁰¹ *Ibid.*

³⁰² *Ibid.*

³⁰³ Voice of America, "Tenuous Calm Returns to Nigerian Oil City After Deadly Battles," August 19, 2007, <http://www.voanews.com/english/2007-08-19-voa16.cfm> (accessed August 21, 2007).

³⁰⁴ Human Rights Watch telephone interviews, Port Harcourt, August 21, 2007.

³⁰⁵ Human Rights Watch telephone interview with military spokesperson, Port Harcourt, August 21, 2007.

In 1999 and 2003, [Governor] Odili called us and told us we should work for him. He called other faction leaders of different groups in Port Harcourt. He worked through Asari [Dukobo of the NDPVF]...They gave some groups N5 million, 3 million, 10 million...We disrupted the election in favor of our governor and his candidates—we stood at the election ground so people would not come. There was no election.

After 1999, we waited and waited and there was nothing. In 2003 they called us again and said we should work for them and again they broke their promises. They promised us opportunities, empowerment. Instead [after the elections] they started chasing us and calling us cultists...They declared me “wanted” on radio and television.

After 2003 they went and called Ateke Tom and said he should chase us and kill the members of our group. We were chased out of our areas by Ateke who was working with law enforcement groups. They killed many of my boys.

We went for a peace parlay with Ateke in Abuja. They government promised us employment, empowerment... They then said we should refund our guns to them. We did. But we kept some for ourselves because we knew we could not trust them. We have not had to acquire new weapons—we had enough arsenal.

The government people approached me to mobilize my boys for the elections [in 2007] but they are not sincere. They destroyed my house and killed many of my members with JTF [the Joint Task Force of security agencies deployed to combat unrest in the Delta]. They now approached us again and asked us to work for them but we said no, because they are not sincere.

³⁰⁶ Human Rights Watch interview, Port Harcourt, April 12, 2007.

There won't be any problems here if they work with us. The message we are going to give them is, they should create employment, job opportunities and social amenities for the youth of the Niger Delta...In this area we have oil and gas in abundance but we are not being carried along.³⁰⁶

Impunity for Violence

Recent clashes with the military aside, for the most part armed groups in Rivers State have been left to operate with near-total impunity, even where they have evolved almost entirely into purely criminal organizations willing to work for the highest bidder or simply carry out violent crime on their own. Ateke Tom and his NDV is the most glaring example.

Human Rights Watch met with Ateke Tom along with several journalists the day before the first round of voting in the 2007 polls. On paper, Ateke has been a wanted man for several years, as he has been implicated in numerous murders and bank robberies, but the camp where the meeting took place was hidden in plain view just off a major waterway and a short boat ride away from Port Harcourt.³⁰⁷ Scores of armed men dressed mostly in plastic sandals and ragged but colorful t-shirts loitered about the camp, not bothering to seek cover even when a helicopter buzzed almost directly overhead.

Asked by Human Rights Watch to explain his primary aims, Ateke demanded that the government provide jobs to him and his “boys” and that he be repaid for property he alleged the Nigerian military had destroyed during a previous military operation to break the power of his armed group. “The weapons that are with us, we can use them for any fight,” he said.³⁰⁸ Several of the armed men present in Ateke’s camp openly bragged that they would travel to Port Harcourt the next day, the day of the gubernatorial elections, to “destroy.”³⁰⁹

³⁰⁷ Like other prominent militia leaders, Ateke and his militia have several different camps scattered throughout the creeks.

³⁰⁸ Human Rights Watch interview with Ateke Tom, Rivers State, April 13, 2007.

³⁰⁹ Human Rights Watch interviews, camp of Ateke Tom, Rivers State, April 13, 2007.

The night before the April 14 elections, Ateke's men attacked two police stations in Port Harcourt, murdering several officers and burning the police stations to the ground.³¹⁰ The attackers reportedly locked one policeman inside a Hilux pickup and then tossed in a stick of locally-made "dynamite" that killed him and set the truck ablaze.³¹¹ In one press interview after the attack, Ateke said that he had no regrets for ordering the attack. "If you are fighting, people will die," he said.³¹²

Some reports indicate that the purpose of the attack was to free some NDV fighters who had supposedly been arrested; other sources believed the goal was simply to demonstrate Ateke's capacity for mayhem in order to strengthen his bargaining position and extort some payment in return for refraining from causing any further disruption on Election Day.³¹³ Later the same day Ateke reportedly reached a settlement with the local government chairman in his home town of Okrika to refrain from disrupting the elections there in exchange for an unspecified payment.³¹⁴ The results in Okrika were then massively rigged in favor of the PDP.³¹⁵

Since the August fighting between Rivers' gangs and the military, Soboma George and Ateke Tom are, once again, being described as wanted men. A military spokesperson told Human Rights Watch that he "suspected" Soboma George was killed in the August fighting but these claims were widely dismissed by civil society activists. The same spokesperson affirmed that "God willing, we will catch Ateke."³¹⁶ As of this writing Ateke remained at large.

³¹⁰ See "Nigeria: Polls Marred by Violence, Fraud," Human Rights Watch news release, April 17, 2007, <http://hrw.org/english/docs/2007/04/16/nigeri15708.htm>.

³¹¹ Human Rights Watch interview with activist, Port Harcourt, April 14, 2007.

³¹² Robyn Dixon, "Niger Delta's politicians ease way into office by using thugs," *Los Angeles Times*, April 21, 2007.

³¹³ Human Rights Watch interviews, Port Harcourt, April 2007; civil society activist reports on file with Human Rights Watch.

³¹⁴ Human Rights Watch interviews with cult members and civil society groups, Port Harcourt and Abuja, April 2007.

³¹⁵ See "Nigeria: Polls Marred by Violence, Fraud," Human Rights Watch news release, April 17, 2007, <http://hrw.org/english/docs/2007/04/16/nigeri15708.htm>.

³¹⁶ Human Rights Watch telephone interview with military spokesperson Major Sagir Musa, Port Harcourt, August 21, 2007.

Impunity for the Sponsors of Violence in Rivers

One of the most notorious theatres of pre-election violence in 2006 and 2007 occurred in the town of Bodo in Gokana local government, where armed groups sponsored by two prominent Rivers politicians, including the current Secretary to the State Government, unleashed mayhem in the course of a long-running political turf war.³¹⁷

The example of Bodo is by no means atypical. No government official has been held to account or even presented with criminal charges for having helped to arm the criminal gangs that have grown so powerful in Rivers State in the years since 2003, least of all former Governor Peter Odili. The impunity enjoyed by politicians is so widespread that some residents of the state are not even aware that their sponsorship of armed gangs is in and of itself illegal. One former gang member in Port Harcourt suggested to Human Rights Watch that, “If the government would pass a law preventing the politicians from giving arms to our people, it would help Rivers a lot.”³¹⁸

Impunity and 2007’s Post-Election Crisis

Soon after being sworn into office in June 2007, current Rivers Governor Celestine Omehia announced a plan to award payments of N1 million (\$7700) each to any youths in armed groups who agree to “renounce violence.”

The Rivers State government’s “policy” was harshly criticized by local activists who complained that it was unaccompanied by any measure to reintegrate members of cults and other armed gangs into society, did not spell out who or how people would qualify, and in fact did not appear to be part of any rational policy at all. The government also made no mention of any plan to hold accountable individuals responsible for large numbers of murders and other violent abuses, such as Ateke

³¹⁷ Two prominent Rivers State politicians hail from Gokana— Kenneth Kobani, the State Commissioner for Finance, and Gabriel Pidomson, a member of the Rivers State House of Assembly. In what local analysts called a struggle for position ahead of the 2007 elections, gangs allegedly linked to the two politicians carried out a series of brutal attacks on one another in and around Bodo during August 2006. At least a dozen people were killed and the community was plunged into a state of insecurity and terror for several weeks. Apparently alarmed by the scale of the violence and worried that it might set a precedent for the 2007 elections, the federal government’s State Security Service took the unusual step of arresting both Kobani and Pidomson. After several weeks in detention, however, both men were released and left to resume their posts in government. Neither was charged with any crime or received any other sort of formal sanction. See Patrick Naagbantou, “The Bodo War of Attrition,” July 31, 2006, http://www.cehrd.org/files/The_Bodo_War_of_Attrition2.doc (accessed July 12, 2007).

³¹⁸ Human Rights Watch interview, Port Harcourt, April 12, 2007.

Tom, or their former political sponsors such as ex-Governor Peter Odili or some current government officials in the state.

In a July 2007 interview, Hassan Douglas, Chairman of Rivers State Niger Delta Peace and Crisis Resolution Committee—one of six committees announced under a federal coordinating committee—derided the plan’s critics and said that the program had already brought peace to the entirety of Rivers State. “Rivers State right now is a heaven for investors,” Douglas said to Human Rights Watch. “No panic, no more militias, no more hostage taking. No more fighting in any part of the state right now. Rivers State is now like it was before 1999, within the space of only one month our Governor has done this.”³¹⁹ Weeks later, Port Harcourt was engulfed in the violent chaos described above.

Government policies, exemplified by the Rivers State Government’s “millionaires” program, have not only been ineffective but have largely missed the point. When the military’s Joint Task Force intervened in August 2007 to combat warring gangs, many Port Harcourt residents welcomed the move in principle but worried that the bloodshed would prove pointless unless the politicians who sponsored and helped arm those gangs were held to account. As one leading human rights activist put it:

What will this military intervention do to the whole idea of the politicians paying, motivating, recruiting and keeping and protecting these militants? That is the whole problem...The politicians just a couple of months ago paid these boys to win the elections for them—they paid them and also gave them the [unofficial] license to go and do oil bunkering. I don’t see anything coming out of this unless these politicians are dealt with.³²⁰

³¹⁹ Human Rights Watch telephone interview with Alh. Hassan Douglas, Chairman, Niger Delta Peace and Crisis Resolution Committee, July 16, 2007.

³²⁰ Human Rights Watch telephone interview with Anyakwee Nisirmovu, April 20, 2007.

Case Study D: Gombe State

“We are ruled by gangsters. The major source of criminal activity in Gombe is the politicians and their militias. Two out of three places the governor goes, people are injured afterwards.”

—Member of Gombe Elder’s Forum [name withheld], Gombe, April 20, 2007³²¹

Ahead of Nigeria’s 2003 polls, the PDP and to a lesser extent other parties in Nigeria’s north-eastern Gombe State “mobilized” large numbers of young men, ostensibly to “protect their votes” from attempts at rigging by rival parties.³²² According to community leaders, civil society activists and other residents of the state interviewed by Human Rights Watch, those youths were used to help rig the PDP to victory that year by stealing and stuffing ballot boxes, chasing away voters and intimidating INEC officials. This was the origin of a continuing wave of violence that had, by the time of Nigeria’s 2007 polls, gotten entirely out of control. These organized gangs are now a constant feature of Gombe’s political scene. Beyond politics, they have been implicated in numerous acts of criminal activity and violence against ordinary Gombe residents.

Gombe’s “Kalare” Gangs

Gombe State, like the rest of Nigeria, is home to large numbers of unemployed young men who have little opportunity for legitimate employment or socio-economic advancement. As is also true across many other parts of Nigeria, in Gombe some of these youth have formed loosely organized criminal gangs and turned to violent crime to make a living. Residents of Gombe generally refer to the members of these gangs collectively as *Kalare* or “*Kalare* Boys.”³²³

³²¹ Human Rights Watch interview, Gombe, April 20, 2007.

³²² Human Rights Watch interviews with opposition party members, journalists, NGO activists, doctors, and lawyers in Gombe, April 2007.

³²³ While boys as young as fourteen are involved in *Kalare*, most are over 18 years of age. However common practice in Nigeria is to refer to young men, particularly those unemployed, as boys.

In parallel with other situations discussed in this report, the *Kalare* boys have proven easy prey for politicians who offer them small amounts of money, drugs, alcohol, and weapons in exchange for engaging in acts of intimidation and assault or simply to accompany their campaigns in a demonstration of muscle. An activist who works to rehabilitate ex-*Kalare* youth who have turned away from violence and crime told Human Rights Watch that “they take drugs, they are out of their minds, but that is what government wants. [Politicians], g[o] to their temples [meeting places] and giv[e] them money, motorbikes, alcohol.”³²⁴

Since 2003 Gombe’s *Kalare* gangs have committed not only politically related crimes but also other forms of violent abuses with complete impunity. Law enforcement agencies have made no meaningful attempt to rein them in. As one senior civil servant put it: “they are an authority unto themselves, they do what they want in Gombe.”³²⁵ From politically motivated attacks in 2003, their activities have degenerated into assault, rape, harassment, and extortion of ordinary civilians alongside their continuing political role, most notably during the election period of 2007. Many *Kalare* youth are armed, most commonly with machetes, clubs and similar weaponry.

The Gombe Elders Forum, an association of respected former state and federal government ministers, doctors, religious figures, and civil servants, commissioned research by local doctors into the scale of the human rights impact of the *Kalare* on their state and published their findings in the national press.³²⁶ They allege that between December 2003 and April 2007, at least 115 people were killed and scores more injured as a result of *Kalare* violence in Gombe state. It is not clear how many of the dead were innocent bystanders as opposed to participants in fighting between rival gangs or political factions.³²⁷

³²⁴ Activist [name withheld], Interview with Human Rights Watch, April 20, 2007.

³²⁵ Senior Civil Servant in Gombe State Government, [name withheld], interview with Human Rights Watch, Gombe town, April 20, 2007.

³²⁶ See *Leadership*, February 7, 2007, data also on file with Human Rights Watch.

³²⁷ The report also claimed that between December 2003 and December 2006, the bodies of 60 people killed by *Kalare* violence were brought to Gombe Specialist Hospital. In an interview with Human Rights Watch, the Director of the Specialist Hospital disputed that figure but declined to provide an alternative estimate. Human Rights Watch interview with Dr. James Maadi, Medical Director, Gombe Specialist Hospital, April 24, 2007.

Political Sponsorship of Kalare Gangs

Civil society, opposition and other sources in Gombe allege that prior to the elections of 2003, PDP officials in Gombe recruited unemployed young men, paid them and armed them to intimidate their opponents, chase away voters from polling stations and disrupt voting. They played a significant role in rigging the outcome to oust the incumbent All Peoples' Party (APP) Governor Abubakar Hashidu and pave the way for the installation of Danjuma Goje of the PDP.

The *Kalare* gangs continued to engage in acts of intimidation of political opponents even after the 2003 elections. One former Commissioner in the State government who had left the PDP for an opposition party alleged that his farm was burned by *Kalare* boys in 2005. “*Kalare* came to my farm and burnt it,” he said. “They burnt orchards, livestock, crops. Two of my workers were beaten as well. One was lucky to escape with his life. Now, every time I go to the farm, I go armed.”³²⁸ In September 2006 two All Nigeria Peoples Party (ANPP) governorship aspirants were attacked by political thugs. The youths attacked the convoy of the national secretary of the party, Senator Saidi Umar Kumo, destroying over 20 vehicles and injuring many of his followers.³²⁹

Prominent former politicians in Gombe told Human Rights Watch that many powerful figures within the *Kalare* gangs are in fact on Gombe's state and local government payrolls.³³⁰ One former government official gave Human Rights Watch a list of *Kalare* leaders, many of whom, it was claimed, occupy senior positions within the state government, including as special advisors and personal assistants to the governor. Other activists, lawyers and civil servants in Gombe town confirmed the connection, adding that these leaders and their associations are well known in Gombe.³³¹

³²⁸ Human Rights Watch interview with Dr. Garba, former Permanent Secretary, Gombe State Government, Gombe town, April 24, 2007.

³²⁹ IDASA, Conflict Tracking Dossier, Issue 4, December 2006.

³³⁰ Human Rights Watch interview, April 23, 2007.

³³¹ Human Rights Watch interviews with former government official, civil society activists and opposition politicians, Gombe, April 2007. In several other interviews with anti-kalare activists and opposition officials, Human Rights Watch was provided with names of persons on the government payroll, allegedly involved in directing Kalare activity.

Kalare Violence and the 2007 Elections in Gombe

During the 2007 election campaign and on the election days, *Kalare* thugs played a significant role committing violence and intimidation on behalf of all major political parties. One international election observer told Human Rights Watch, “They are all using *Kalare*...the other [opposition] parties need to protect themselves.”³³² However, several credible reports, along with Human Rights Watch’s own observations, indicate that the clear majority of *Kalare* thugs active during the electoral period were working for the PDP. As even Abu Ma’azu, the PDP youth leader in Gombe state put it to Human Rights Watch, “thank God we have more boys than the opposition.”³³³ According to many activists and other sources, the PDP’s edge in terms of *Kalare* recruitment was due largely to the fact that the ruling party had more resources to spend on hiring them.³³⁴

The electoral period in Gombe was exceptionally violent: the Director of the Gombe Specialist Hospital confirmed to Human Rights Watch that his hospital alone treated 41 people for injuries sustained as a result of political violence during the ten days surrounding 2007’s general elections.³³⁵

The Run-Up to the 2007 Elections

In March 2007, DPP gubernatorial candidate and former State Governor Abubakar Hashidu was arrested for inciting a public disturbance after his supporters allegedly rampaged through the streets of Gombe town, looting and burning buildings. When a magistrate judge ordered that Hashidu be remanded to prison, *Kalare* thugs disrupted the proceedings of the court and freed him from the dock, attacking and wounding the magistrate with machetes in the process.³³⁶ Hashidu walked free from the courtroom and was never re-arrested.

³³² Human Rights Watch interview with activist [name withheld], Gombe town, April 20, 2007.

³³³ Human Rights Watch interview with Abu Maazu, PDP Youth Chairman, Gombe town, April 22, 2007.

³³⁴ Ibid

³³⁵ Dr. James Maadi, Medical Director, Gombe Specialist Hospital, Interview with Human Rights Watch, April 24, 2007.

³³⁶ See, eg, Segun Owofadeji, “Politicians Attack Magistrate, Free Suspect,” *This Day*, March 21, 2007.

During March and April 2007, convoys of supporters of both the PDP and AC candidates were attacked by those believed to be *Kalare* gangs in the east of the state. On one occasion six cars were burnt and one child was killed in a clash at Deba.³³⁷

One woman, a broadcast journalist who was intending to run as a PDP candidate for the State House of Assembly, Balanga constituency in 2007, was threatened by *Kalare* youths in August 2006 after purchasing her nomination forms from the PDP party. She told Human Rights Watch that:

Kalare came to my house in Gombe town. Four of them were armed with machetes, and they asked me to withdraw my candidacy or face the consequences. They knocked at the door, I opened, they pushed me inside. They said I am not the governor's candidate.³³⁸

After a further threatening phone call several days later, she decided not to enter the race.

Election Day Abuses

On Election Day, *Kalare* members played an integral role in the efforts of the PDP to rig the polls. According to a report by a local observer group, the Network for National Stability, *Kalare* members were seen snatching ballot boxes from polling stations to prevent voting in nine wards in Gombe state during the state polls. Local observers from the Network identified and named many of the individuals involved in intimidation and stealing of ballot boxes in their report on the elections.³³⁹ The ANPP reported to INEC and the police that voters had been chased away and ballot boxes snatched by *Kalare* gangs in every Local Government Area in the state.³⁴⁰

³³⁷ Human Rights Watch interview with District Police Officer, Talasee, Balanga Local Government, April 21, 2004.

³³⁸ Human Rights Watch interview, Gombe town, April 24, 2007.

³³⁹ Network for National Stability, "Observation Report of Gombe State 2007" April 16, 2007, on file with Human Rights Watch.

³⁴⁰ Letters to INEC National Chairman, Maurice Iwu, from ANPP Gombe State Secretariat, Gombe, April 14th and 16th 2007, copies on file with Human Rights Watch.

International observers told Human Rights Watch that they witnessed the same kinds of abuses as those reported by local monitors. IDASA political violence monitors in Gombe reported seeing an INEC official stopped by a *Kalare* roadblock and threatened. He and his car were doused in petrol but the match they tried to use went out, leaving the monitors time to intervene and get the man out. The boys then forced the IDASA monitors to signal their support for the PDP before they allowed them to drive off.³⁴¹

Human Rights Watch witnessed *Kalare* thugs driving around with machetes in Balanga, Deba and Gombe towns. In the vote collation center in Gombe town, Human Rights Watch witnessed three thugs men wearing PDP campaign paraphernalia surrounding a lone INEC staff member who was trying to complete his results sheet for his polling station in the INEC office (already a violation of established procedure, as the sheets are supposed to be filled in and signed at the polling station). The three men, who had surrounded the official at his desk, shouted at him because he could not make the figures tally to include extra numbers that they wanted him to include. The handwritten sheet the INEC staff member held showed a majority for ANPP in one color ink. However, another figure adding over 200 votes had been added in red in the PDP column. This was the figure that finally made it into the official results form.

Once the form was filled in by the INEC officer, the *Kalare* members left the office and Human Rights Watch asked the officer about the discrepancy between the two colored inks. He said that the number in red reflected another ballot box that his colleagues had not considered. However, when pressed, he was unable to identify the colleagues in the room.³⁴²

Many of those who attempted to stand up for a free and fair election in Gombe suffered reprisals, meted out by alleged *Kalare* members, sometimes in the presence of the police. Abubakar Yunus, the ANPP Senatorial candidate for Gombe Central Senatorial District said that when he witnessed *Kalare* members stealing ballot boxes in Kumo town, he and his supporters surrounded the vehicle carrying the

³⁴¹ Human Rights Watch interview with IDASA monitor [name withheld], Gombe town, April 22, 2007.

³⁴² Human Rights Watch interview with INEC polling clerk, Gombe Local government office, April 21, 2007.

stolen materials and called the police. The police escorted the car to Kumo police station, but a senior police officer on duty then allowed PDP party agents to take the ballot papers away. Yunus told Human Rights Watch that when he protested, the PDP supporters beat and kicked him, “in full view of the police who did nothing, they simply watched.” He alleges that, among other *Kalare* thugs, his assailants included Ismail Muazu Hassan, the Gombe State commissioner of rural development.³⁴³

A 21-year-old student who accompanied his grandmother to vote in the gubernatorial election described to Human Rights Watch how he was assaulted when a group of *Kalare* members supporting the PDP candidate overheard him suggest that she vote for the opposition Democratic Peoples Party (DPP):

On Saturday at around 10am I went to vote on Haruna street with my grandmother. She asked me for advice on who to vote for. When I told her the DPP, the *Kalare* boys there started cutting me with their knives. They started beating me. The police came. They did not stop. The police just watched. I tried to run away. When I ran they started to stone me but they did not follow me.

The boy’s grandmother was unharmed. When he later went to report the incident to the police, they did not take any written report. An officer escorted the boy to the hospital and the police reportedly took no further action.³⁴⁴

The results of Gombe’s elections were predictably one-sided. PDP candidate and incumbent Governor Muhammed Danjuma Goje was awarded more than 985,000 out of 1,083,862 votes reportedly cast (about 91 percent), according to INEC. His nearest competitor, Abubakar Hashidu of the DPP, won just 3.5 percent of the vote.³⁴⁵ Goje

³⁴³ Human Rights Watch interview with Ahmed Abubakar Yunus, ANPP Senatorial candidate, Gombe central, Gombe town, April 23, 2007 and confirmed by Elders Forum, Election Report, Human Rights Watch interview with Suleiman Kumo, April 24, 2007.

³⁴⁴ Human Rights Watch interview with victim [name withheld], Gombe town, April 20, 2007.

³⁴⁵ 38,030 votes, according to Vanguard: Jimoh Babatunde, “Street Fighting and Mayhem Precede Elections in Gombe,” VG, May 4, 2007.

reportedly urged his disgruntled opponents to “understand that they cannot go against the will of God” and accept the results of the elections.³⁴⁶

The Elections and Non-Political Violent Crime: Rape, Murder and Robbery

The violence perpetrated by *Kalare* members has not been confined to election periods. Gombe state residents, caught between political violence and the epidemic of violent crime these political activities spawned, have been trapped in a state of persistent insecurity. “We are ruled by gangsters,” one member of the Gombe Elders Forum complained to Human Rights Watch. “The major source of criminal activity in Gombe is the politicians and their militias.”³⁴⁷

The *Kalare* boys are easily identifiable by their weapons—most often machetes—and their identities are known to many residents. Once procured in preparation for the polls, the machetes remain in the hands of the thugs and are used for other purposes. Unofficial road blocks created by these armed thugs are a common feature on Gombe’s roads. One civil society activist told Human Rights Watch that as often as once a week *Kalare* thugs rampage through his own neighborhood in Gombe town. “You see them in a group; they clear everything in their path,” he said. “If they come across a motorbike, they smash it, if they come across a car, they smash it, if they come across a shop, they smash it.”³⁴⁸ Another victim of *Kalare* depredations told Human Rights Watch how he was held up by youths brandishing machetes and robbed of his mobile phone at a roadblock they had set up. While robbing him they smashed the windscreen and stole his mobile phone.³⁴⁹ He added, “At times, they don’t find the target they want and then innocent civilians are the victims.”

This was the case in March 2007 when a young boy was caught in the middle of a fight between two *Kalare* factions near his secondary school and stabbed to death. It was not clear what they were fighting over. The boy had gone to school to collect results from a recent exam, but arrived to find the *Kalare* battling it out nearby.

³⁴⁶ Ibid.

³⁴⁷ Human Rights Watch interview [name withheld] Gombe Town, April 20, 2007.

³⁴⁸ Human Rights Watch interview with activist [name withheld], Gombe town, April 20, 2007.

³⁴⁹ Human Rights Watch interview [name withheld], Gombe town, April 20, 2007.

“Other people were running away but he didn’t,” said one eyewitness to the killing. “Because of that he was stabbed in the stomach and fell down in front of my house. After five to ten minutes the police came and took the body to the hospital.”³⁵⁰ Several other eyewitnesses confirmed the incident to Human Rights Watch.³⁵¹

According to Gombe’s Federation of Muslim Women Association who treated and interviewed the victim, in the same month as the boy’s murder, a group of *Kalare* raped a girl of fourteen who was hawking food on the street after she asked them for the money they owed her for their food. Two *Kalare* youth put her on a motorbike between them and drove her to the outskirts of town where she was gang-raped by five men.³⁵² A representative of the women’s organization that helped the victim after the incident told Human Rights Watch that “her dress was shredded and drenched in blood. She could not walk for several days afterwards.” The girl recognized some of the perpetrators and named them to police. According to the activists who followed the case, the accused, a known *Kalare* gang member, was arrested but then released on bail and has since disappeared.³⁵³

Several months after the polls, the Nigerian media reported that the price of machetes had fallen sharply throughout Gombe state. Market traders interviewed by local journalists attributed this to the end of a spike in demand for new machetes for use in election-related violence. One trader was quoted as complaining that, “Before the conduct of the general elections, I was selling a minimum of seven machetes daily but can hardly sell one a day now.”³⁵⁴

Police Inaction and Abuse

The widespread impunity enjoyed by *Kalare* gang members compounds the problems of political violence and violent crime in Gombe. It emboldens the gangs

³⁵⁰ Human Rights Watch interview with activist [name withheld], Gombe town, April 20, 2007.

³⁵¹ Human Rights Watch interview with Dr. Garba, former Permanent Secretary, Gombe State Government, Gombe town, April 24, 2007 and Human Rights Watch interview with eyewitness [name withheld], Gombe town, April 20, 2007.

³⁵² Human Rights Watch interview with official from the Federation of Muslim Women Association, Gombe, April 24, 2007 and a doctor from Gombe Specialist Hospital [name withheld], Gombe, April 25, 2007.

³⁵³ Human Rights Watch interview with official from the Federation of Muslim Women Association, Gombe, April 24, 2007.

³⁵⁴ “Price of Machetes Drops in Nigeria After Elections,” Reuters, July 2, 2007.

and encourages a greater scale of lawlessness the longer their conduct goes unpunished. Civil society leaders, human rights activists and other sources widely accused the police of turning a blind eye to the abuses of *Kalare* thugs, especially those working on behalf of the PDP. During the elections, one police officer complained confidentially to Human Rights Watch: “Politics is making our life very difficult. PDP supporters are not arrested, or if they are, [police officials] han[d] them over to the governor.”³⁵⁵

Several sources alleged to Human Rights Watch that PDP youth leader Abu Maazu extorts regular payments from the eleven local government chairmen in the state for “protection” services provided by *Kalare*, who are also members of his PDP youth organization. One senior lawyer who had interviewed the local government chairmen put these payments at N500,000 [US\$4000] per month for each local government, and there are 11 local governments in the state.³⁵⁶ Other activists and the Gombe Elders Forum alleged the same.³⁵⁷ In an interview with Human Rights Watch, Maazu denied any such arrangement, claiming that, “individual politicians contribute to the youth wing of the party on an individual basis.”³⁵⁸ The police allegedly took no action to investigate these allegations and Gombe’s Commissioner of Police would not comment on the matter to Human Rights Watch.

Several civil society sources described instances where police officers themselves were working on behalf of the PDP, violating the law as well as the principle of electoral neutrality. For example, on gubernatorial Election Day in Tal, a town in Bildiri district, IDASA monitors told Human Rights Watch what transpired when police in the company of PDP officials tried to remove ballot boxes from a polling station before people had finished voting:

The crowds tried to stop them [police and PDP officials] taking the boxes away. The police fired into the air to disperse the crowds. One of the bullets went into a house

³⁵⁵ Human Rights Watch interview with police officer [name withheld], Gombe town, April 20, 2007.

³⁵⁶ Human Rights Watch interview with Mohammed Ibrahim Hussein, Gombe town, April 23, 2007.

³⁵⁷ Human Rights Watch interview with activist [name withheld], Gombe town, April 20, 2007 and Suleiman Humo, Gombe town, April 20, 2007.

³⁵⁸ Human Rights Watch interview with Abu Maazu, PDP Youth Leader, Gombe town, April 22, 2007.

and killed a child, a girl. The residents chased the PDP officials out of the town and set fire to the police station. Two PDP members were injured with machetes and were committed to the Federal Medical Centre in Gombe town.³⁵⁹

Prior to the April 2007 elections, the police in Gombe detained dozens of opposition supporters, mostly Action Congress members, in the run-up to the elections. Many activists and community leaders complained to Human Rights Watch about the number of political detainees being kept in Gombe prison ahead of the elections. Even the Emir, the traditional ruler of Gombe, a government sympathizer, expressed concern about politically-motivated detentions. In an interview with Human Rights Watch he said, “These are not robbers who have committed any crime. The approach of the police is not humane, they are simply grabbing people and throwing them into jail...The police should help the public, not terrorize them.”³⁶⁰ One opposition lawyer told Human Rights Watch that he was representing over 200 cases of opposition party members who had been unlawfully detained without trial in the months preceding the elections.³⁶¹

On April 20, 2007, the night before the presidential elections, Human Rights Watch interviewed ten opposition supporters being held in one cell in Gombe police headquarters. Their police guards acknowledged that they had been detained for purely political reasons. “They should be released,” one of the policeman said. “They should be free, they are human beings like you; they have human rights.”³⁶² The police officers and the prisoners claimed that there were many more detainees being held in separate cells in the Criminal Investigation Department. The head of Gombe’s Criminal Investigation Department told Human Rights Watch there were no political detainees in CID custody, but refused to allow access to the CID cells, stating: “If I say we don’t have such people here, then we don’t have.”³⁶³

³⁵⁹ Human Rights Watch interview with IDASA monitor [name withheld], Gombe town, April 22, 2007.

³⁶⁰ Human Rights Watch interview with the Emir of Gombe, Gombe town, April 20, 2007.

³⁶¹ Human Rights Watch interview with Yusuf Mailouma, Barrister, Mailouma and Co., Gombe town, April 20, 2007.

³⁶² Human Rights Watch interview with prisoners [names on file with HRW] and with Unnamed Police Officer, Gombe police station, April 20, 2007.

³⁶³ Human Rights Watch interview with Assistant Commissioner of Police, Salisu A.Fagge, Head of CID, Gombe State, April 20, 2007.

A few minutes earlier, international election observers had been told by the Commissioner of Police that there were no political detainees on the premises, in CID custody or otherwise.³⁶⁴

On the day of the presidential poll, Human Rights Watch spoke to a government official of the federal government's National Orientation Agency in one local government area. He confirmed that opposition party officials had been arrested in his area to allow for rigging by the ruling party and INEC:

Do you understand our tricks here? All of the opposition leaders here have been arrested so there is no one to lead the protest...There were 10 arrested here this morning, the police said they were troublemakers.³⁶⁵

Fourteen detainees, members of the Action Congress Party, were arrested on April 14, the day of the gubernatorial polls, and then moved to the central police station in Abuja almost immediately. According to lawyers representing them, at least twelve remained in custody as of July 2007.³⁶⁶

³⁶⁴ Human Rights Watch interview with international election observers [names withheld], Gombe police station, April 20, 2007.

³⁶⁵ Human Rights Watch interview with member of National Orientation Agency official, [name withheld], Deba, April 21, 2007.

³⁶⁶ Human Rights Watch interview with Zac Sofa, Barrister, by phone, Abuja, May 17, 2007.

Role of Nigeria's Federal Government

Many activists and ordinary Nigerians with whom Human Rights Watch has spoken have described the situation in the country since the return to civilian rule in 1999 as one of betrayal. As described in this report, many of Nigeria's worst human rights problems have become deeply entrenched over the past eight years along with the openly corrupt, abusive and criminal conduct of many government and political party officials. Government at all levels denies ordinary Nigerians a genuine voice in selecting their leaders, fails to protect the populace from the violence linked to power struggles between members of the political elite, and has been selective and ineffectual in combating the corruption and mismanagement that have led government to fail in meeting some of its most basic human rights obligations. During the Obasanjo administration, the limited and inconsistent efforts to address corruption and improve governance had little impact curtailing abuses.

Challenges and Possibilities

If President Yar'Adua's government is to succeed where its predecessor failed, it will need to implement a broadly based and persistent reform effort. This is a daunting and long term task, but there are some discreet and relatively straightforward policy steps the administration could undertake that could generate momentum towards more far reaching reforms and real benefit for the Nigerian population. Human Rights Watch's recommendations to the Nigerian government and international community are set forth at the beginning of this report.

As a first and very important step, the Yar'Adua government must acknowledge the genuine problem before it, which is not primarily one of imperfect institutions, but rather a failure of those in power to obey existing laws or ensure accountability for politically motivated offenses. It may be unrealistic to expect President Yar'Adua to publicly acknowledge the extent to which his own government's election was the product of fraud and abuse, but if his administration's response to Nigeria's crisis of governance is to be meaningful and far-reaching, it must at least implicitly take that reality into account. The problems that derailed the 2007 elections are the same

problems that have crippled the capacity of Nigeria's government and left it riddled with corruption and abuse.

The Yar'Adua government must also undertake an impartial and comprehensive inquiry into the most serious allegations of corruption and human rights abuses implicating elected officials at all levels of government since the return to civilian rule. Evidence of criminal wrongdoing by politicians and government officials should result in criminal investigations. In particular, the Yar'Adua government should set a new tone by responding to credible allegations of corruption and political violence by government officials with criminal investigations and, where warranted, prosecutions.

President Yar'Adua's reformation of two key institutions that were central to securing the widespread PDP victories will be a crucial undertaking. In 2007 Nigeria's Independent National Electoral Commission (INEC) discredited itself by trying to force opponents of President Obasanjo off of the ballot papers and by enthusiastically embracing the fraudulent results of the process it had organized. Nigeria's federal police force and the EFCC have also suffered devastating blows to their effectiveness and credibility. The EFCC's reputation was so badly tarnished during the election that the International Crisis Group called for a moratorium on all EFCC prosecutions until the institution's independence and neutrality could be guaranteed.³⁶⁷ These and other institutions are in need of effective and comprehensive reform. But the best way to improve upon the integrity of the police, INEC, the EFCC and other institutions is to make it impossible for those in government to attempt to subvert those institutions with impunity.

The administration of President Yar'Adua will face daunting challenges should it seek to tackle the corruption, violence and impunity deeply rooted in Nigeria's governance. President Yar'Adua came into office with a reputation for personal probity relative to other Nigerian politicians. Nonetheless, as described above, during Yar'Adua's tenure as governor in Katsina State his administration sponsored groups that carried out political violence in support of the PDP.³⁶⁸ In the 2007

³⁶⁷ International Crisis Group, "Failed Elections, Failing State?"

³⁶⁸ See above, *Government Sponsorship of Political Thugs in Katsina State*.

elections, Yar'Adua rode to power on the back of elections in which violence and fraud ensured victory for the ruling party. Seriously addressing the patterns of corruption, violence, and impunity at the heart of Nigeria's governance crisis could be perceived as weakening the very foundations of the PDP's hold on power by rewriting the rules of a game in which it has been the dominant player.

Signs of Reform

Since being sworn into office on May 29, 2007 President Yar'Adua made some encouraging gestures of respect for the rule of law and the notion of transparency in government. When Nigeria's Supreme Court overturned the gubernatorial election of powerful PDP candidate Andy Uba in Anambra State, Yar'Adua made no effort to interfere with the implementation of that ruling. In July 2007, Yar'Adua gave a nod to demands for increased transparency by publicly declaring the value of his private assets.³⁶⁹ That gesture aroused no small degree of concern among some other elected officials who found themselves questioned by the Nigerian press about their reasons for failing to follow the president's example.³⁷⁰

President Yar'Adua has publicly acknowledged that the elections that brought him to power were "not perfect" and contained "lapses and shortcomings."³⁷¹ He also promised to make a priority out of reforming the country's electoral institutions, calling it a "national duty" to "raise the standard and quality of the conduct of our general elections."³⁷² To this end, the president convened a 22-member Electoral Reform Panel which is due to report back to him with recommendations within one year. The panel's membership includes numerous widely-respected members of civil society, former judges and government representatives.

³⁶⁹ The total value of Yar'Adua's total assets was \$5 million. See "Nigeria's New Leader 'Worth \$5 million,'" BBC News Online, June 29, 2007, <http://news.bbc.co.uk/2/hi/africa/6252442.stm> (accessed July 17, 2007). Some commentators urged that Yar'Adua explain an alleged discrepancy of several million dollars between this figure and the value of the assets he declared upon assuming the office of Katsina Governor in 1999.

³⁷⁰ Emmanuel Aziken, "Senators Divided Over Yar'Adua Assets Declaration," *The Vanguard*, July 1, 2007. As of the time of writing, no high-ranking government official at the federal level has followed Yar'Adua's example.

³⁷¹ Tom Ashby, "Yar'Adua takes helm of crisis-ridden Nigeria" Reuters, May 29, 2007.

³⁷² "Nigeria electoral chief slams local, foreign observers over polls", BBC monitoring Africa, May 3, 2007.

Yar'Adua has also promised to strengthen the capacity, independence and integrity of Nigeria's police force and other institutions. Signs of the Nigerian judiciary's independence and integrity in high-profile political cases have continued to present themselves since Yar'Adua's inauguration. Yar'Adua has stated that respect for the rule of law will form a pillar of his administration.

In and of themselves such gestures along with limited promises of reform mark steps in the right direction. However, it is by its actions that the administration will be judged; deep and wide-reaching reforms are needed to transform the corruption, violence and abuse that have become part of daily politics in Nigeria.

Role of Nigeria's International Partners

Since 1999, Nigeria's foreign partners have generally failed to apply meaningful pressure on the Nigerian government to end patterns of human rights abuse or make government more accountable. In urging adherence to basic standards of human rights or good governance, Nigeria's key diplomatic allies have routinely set the bar so low that the Nigerian government can clear it without registering any meaningful improvement. This problem has been most obvious during each of the elections Nigeria has held since returning to civilian rule. But the problem is not limited to elections: the polls simply provide a window onto a political system whose built-in incentives for violence and abuse are reinforced every time an election is stolen. If left unchecked, that system will both further embolden perpetrators and likely generate more frequent and serious human rights abuses over time.

In 1999, the international community largely welcomed the results of polls that were widely condemned by international and local observers, the independent press, and the opposition as being marred by widespread fraud. Officials explained their uncritical embrace of the badly flawed process by articulating a fear that criticism could destabilize Nigeria's transition away from military rule. Nigeria's 2003 elections were by all accounts more fraudulent and more violent than those of 1999 but again drew only muted criticism from Nigeria's foreign partners.³⁷³ The United States government, for example, responded to the 2003 rigged elections with a statement that read "[t]he United States congratulates the people of Nigeria for what was largely a peaceful expression and exercise of their right to vote."³⁷⁴ European and African governments, along with the European Union and African Union, also offered no meaningful public criticism of the polls.

³⁷³ See for example, "Final Report on the National Assembly, Presidential, Gubernatorial and State Houses of Assembly Elections," European Union Election Observation Mission (EUEOM), http://ec.europa.eu/comm/external_relations/human_rights/eu_election_ass_observ/nigeria/repo3.pdf (accessed March 12, 2007), p. 28.

³⁷⁴ Statement on Nigerian Elections by the Office of the Press Secretary of the White House, May 2, 2003. African governments and the AU offered no criticism of the elections.

The International Response to Nigeria's 2007 Elections

Several of Nigeria's key allies took a more robust rhetorical position in advance of the 2007 polls than they had in previous years. The United Kingdom publicly insisted that the elections mark some improvement over the 2003 process and stated that anything less would be "unacceptable."³⁷⁵ Officials from other Western governments echoed these sentiments albeit in less forceful terms. However, US and European officials were reluctant to spell out what their insistence on improvement would mean should the Nigerian government simply ignore it. Months before the polls, one British official told Human Rights Watch that, "Nigeria can't take for granted our response to the outcome of the elections."³⁷⁶ But in the absence of any clearly articulated consequences, the Nigerian government appeared to do precisely that, and in the end, was proven right.

The disastrous direction in which Nigeria's 2007 electoral process was heading was clear to many observers well ahead of the polls. Nearly two months before the elections, one official with an international organization that fielded an election monitoring team told Human Rights Watch that, "It's either the most brazen attempt to rig I've ever seen or a combination of ineptitude, outright contempt for the people and disregard for the democratic process...This election, you can already call it."³⁷⁷

Nigeria's foreign partners were unwilling to criticize the well publicized problems in organizing the process or even forcefully demand that the Nigerian government attempt to put things back on track. One western diplomatic source acknowledged to Human Rights Watch during the run-up to the polls that "there has probably not been nearly enough of that [criticism in response to early indications that the elections would be rigged] going on" from the US side.³⁷⁸ Another Abuja-based diplomat acknowledged prior to the elections that, "most heads of mission here are just not saying anything."³⁷⁹

³⁷⁵ Human Rights Watch interviews with UK diplomatic officials, Abuja, August 2006 and February 26, 2007.

³⁷⁶ Ibid.

³⁷⁷ Human Rights Watch interview with international election monitoring team leader [name withheld], Abuja, February 20, 2007.

³⁷⁸ Human Rights Watch interview with Western diplomat [name withheld], Abuja, February 20, 2007.

³⁷⁹ Human Rights Watch interview with Head of Western diplomatic mission, [name withheld], Abuja, February 21, 2007.

On the day of Nigeria's fraudulent state elections, one Port Harcourt-based activist told Human Rights Watch:

In the midst of all the lies and corruption going on here many people still have some hope in the international community. So they must speak out about these elections...A lot of people are waiting to see what the international community will say about all of this; it is important to us.³⁸⁰

Unfortunately, while the response of key foreign allies to the failed polls was more robust than in 2003 it remained muted and devoid of real consequence. The United States issued a terse statement expressing “regret” at the “seriously flawed”³⁸¹ polls, but has not followed this up with any further public criticism or specific demands for reform or accountability. Washington's inaction has been mirrored by the conduct of European governments. The EU's own election observation mission described the polls as “not credible” and issued a scathing report, but individual European governments did not echo that forthright criticism. German Chancellor Angela Merkel welcomed Yar'Adua to the G8 summit in Heiligendamm, Germany on 6-8 June 2007—just a week after his inauguration—where he was received without any public word of criticism or concern.

The key contribution of Western governments was to field election observer teams that universally issued well documented and scathing reports on the polls. But some governments seemed reluctant to accept the conclusions of their own observers. Election observers with the EU Election Observation Mission told Human Rights Watch that the first reaction to their reports in Brussels was displeasure at their harsh conclusions and mild pressure that they be watered down.³⁸²

Nigeria's African partners were even less critical. Neither the AU nor ECOWAS made any public statements of concern in the run-up to the 2007 polls. Their comments

³⁸⁰ Human Rights Watch interview with Damka Pueba, Port Harcourt, April 14, 2007.

³⁸¹ “Nigeria's Elections,” United States Department of State Press Statement, April 27, 2007, <http://www.state.gov/r/pa/prs/ps/2007/apr/83938.htm> (accessed July 16, 2007).

³⁸² Human Rights Watch interview with EU observer missions staff, April 25 and 27, 2007.

after the rigged elections made no mention of the violence, corruption and disenfranchisement that characterized the new government's path to power. The ECOWAS observer team described Nigeria's violent and fraudulent state elections as "relatively fair and peaceful."³⁸³ After the Presidential elections, President Mbeki of South Africa was the first foreign head of state to publicly congratulate Yar'Adua on his victory.

The international willingness to embrace the results of what has been widely described as the most fraudulent election in Nigerian history shocked many Nigerians and international observers alike. One professor at the University of Port Harcourt described the uncritical reaction from Nigeria's foreign partners after the first round of voting as "very sad," adding that, "[i]t gives room for some kind of despondency."³⁸⁴ An official with an international observer mission told Human Rights Watch after the polls that, "I never thought the international community could be so duped—duped willingly."³⁸⁵

International Engagement with the Yar'Adua Government

The international community's largely uncritical acceptance of the openly rigged 2007 polls leaves its members in a weaker position than they might have been in dealing with the Yar'Adua government. Since Western demands for reform ahead of the April polls proved hollow, many Nigerian officials may see little reason to take future demands seriously. Nonetheless, there remains ample room for constructive use of international pressure to bring about reform. President Yar'Adua himself has acknowledged that "we have to face a very serious challenge both internationally and locally, as regards the outcome of the general election."³⁸⁶

Making that "challenge" a reality for the Nigerian government is crucial for the credibility of the stated goal of Western governments to promote democracy on the continent. Without a coherent response to such a flagrant flaunting of the democratic

³⁸³ "ECOWAS: Nigerian Polls Relatively Free," Agence France-Presse, April 16, 2007.

³⁸⁴ Human Rights Watch interview with Ben Naanen, Port Harcourt, April 16, 2007.

³⁸⁵ Human Rights Watch interview, May 14, 2007.

³⁸⁶ "PDP Launches Fresh Move to Pacify Opposition' by Umaru Henry and Paul Odenyi," *The Guardian* June 26, 2007.

rights of Nigerians, Western human rights policy towards Africa is in danger of becoming irrelevant.

There are several steps that could be taken to signal a change in attitude towards issues of human rights and democratization in Nigeria. From now, the country's foreign partners should set several indispensable, yet reasonable benchmarks necessary to improve the chances for free and fair elections in 2011. They should follow-up by articulating clear and meaningful policy consequences that will follow if Nigeria fails to adhere to these benchmarks for progress. The first of these benchmarks should include urgent action to reconstitute INEC into a more transparent, inclusive and genuinely independent body. Nigeria's partners could also go some way towards making amends for their timid response to the 2007 polls by urging a public inquiry into abuses committed in connection with those polls and serious investigations into future cases of corruption and abuse.

Nigeria's foreign partners should also insist on the passage and robust implementation of basic reforms such as Nigeria's long-delayed Freedom of Information Bill; enhanced independence for the EFCC; and reform of Nigeria's corrupt, abusive and overly politicized police force. Nigeria's government should be pressed to end the impunity that continues to surround flagrant acts of corruption and human rights abuse attributed to state governors and other high-ranking officials, and foreign countries should make it harder for corrupt officials to hide the proceeds of corruption in bank accounts abroad. More straightforward but equally important, Nigeria's foreign partners should speak out forcefully on serious human rights abuses where they do occur.

Such initiatives could signal the beginning of a break with business as usual in relations with Nigeria, help generate momentum for change, and lend moral support to the efforts of Nigerians working to transform their country. But to date there has been no clear sign that the relationships between Nigeria's new government and its foreign partners will be anything other than business as usual. US Undersecretary of State for Africa Jendayi Frazer publicly warned Congress against doing anything to "isolate"³⁸⁷ Nigeria in response to the elections, but in fact US policy has remained

³⁸⁷ Ike Nnamadi, "US urged to withhold election assistance," *Daily Sun*, June 26, 2007.

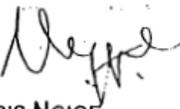
firmly fixed at the opposite extreme. In this Washington mirrors the stance adopted by Nigeria's other key foreign partners in Africa and Europe.

**Annex: Agreements between Chris Uba (Godfather) and Chris Ngige
(former Anambra State Governor)**

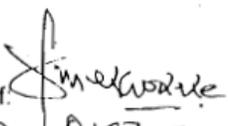
**MEMORANDUM OF IRREVOCABLE UNDERTAKING TO SERVE AS
GOVERNOR OF ANAMBRA STATE FOR ONE TERM OF FOUR YEARS**

1. I DR CHRIS NGIGE, hereby irrevocable undertake to steer the ship of administration of Anambra State as the Executive Governor thereof effective from the 29th day of May, 2003, for a single term of 4 (four) years only.
2. I HEREBY SOLEMNLY DECLARE that at the expiration of the single term of 4 (four) years aforesaid, I SHALL NOT seek re-election or stand for nomination to recontest the gubernatorial seat of Anambra State for a second term.
3. I FURTHER DECLARE that at the expiration of my mandate and immediately after the expiration of the said single term of four years, I shall relinquish the reins and mantle of governorship of Anambra State and vacate my seat as governor of Anambra State without any ado or prompting.

Date at Awka this 5TH day of MAY 2003.

Signed: 

DR. CHRIS NGIGE

In the presence of: 

ENGR. EMERKA OKERE

PROT 72/74 UDOKA HOUSING STATE

AWKA

DECLARATION OF LOYALTY

1. **WHEREAS** I aspire to run for the governorship of Anambra State of Nigeria under the platform of the People Democratic Party.

2. **WHEREAS** I am financially incapacitated and unable to fund myself for the said election.

3. **WHEREAS** I have approached, belief Chief Chris Uba (*Eselu Uga*) and requested him to sponsor me financially and also support my campaign by handing over to me his teeming followers and political structure in Anambra State.

4. **WHEREAS** Chief Chris Uba (*Eselu Uga*) have accepted to sponsor me in consideration of my exercise and manifestation of absolute loyalty to him.

NOW THEREFORE I HEREBY DECLARE AS FOLLOWS:

1. That I DR. CHRIS NGIGE shall at all times during my tenure as the Governor of Anambra State exercise and manifest absolute loyalty to the person of Chief Chris Uba (*Eselu Uga*) as my mentor, benefactor and sponsor.
2. That I shall at all times during my tenure as Governor of Anambra State consult and seek the consent, understanding and support of Chief Chris Uba (*Eselu Uga*) in all my actions and activities as Governor of Anambra State.

3. That I shall not run the government of Anambra State as my personal business.
4. That I shall be unreservedly loyal to Chief Chris Uba (Eselu Uga) throughout my tenure as Governor of Anambra State.

I HEREBY freely make this declaration of loyalty solemnly, honestly, consensiously, and bonafide, and I HOLD myself bound by the content of this declaration of loyalty.

Dated at Awka this 5TH day of MAY 2003.

Signed:


CHIEF CHRIS NGIGE.

In the presence of: Emeka Okeke
ENGR: EMEKA OKIKE
PLOT 72/74 UDOKA HOMEWORK ESTATE
AWKA

CAUCUS MEETING
MONDAY, 19TH MAY 2003

In Attendance:

- 1, Dr, Chris N. Ngige Gov. Elect
- 2, Dr Okey Odunze DG, Campaign Org.
- 3, Dr. Ugochukwu Uba Senator, Elect
- 4, Sir, I.G. Abana Senator Elect
- 5, Chief Chuma Nzeribe Member Elect, FHR

The meeting started at about 6.00pm on 19th May 2003 with the above named members of the caucus present. We deliberated on a wide range of issues including pending court cases arising out of the elections, structure of the In-coming.govt. and our interpersonal and official relationship.

It was unanimously agreed as follows:

- 1, That we engage immediately the services of four senior Advocates of Nigeria (SAN) lawyers to file papers at the Anambra State Election tribunal on behalf of all our PDP members elects including Governor elect, Senators elect, House of Rep members elect, and House of Assembly members elect.
- 2, That the in-coming government will revolve around the caucus leader Chief Chris Uba, and where he so expressly directs members of the caucus. The Governor Elect must ensure he clears in advance all policy routine administration issues including all contracts, appointments and decisions with the caucus leader, Chief Chris Uba before implementation.
- 3, That the following appointments shall be made immediately by the caucus leader, and where he directs, nominations from members of the caucus and signed by the Governor Elect before the swearing in.
 - i, All Commissioners
 - ii, All Special Advisers / Assistants
 - iii, All Chairmen / Members of Commissions and Boards
 - iv, All Local Govt Area transition Chairmen and members
 - v, Secretary to State Government and Head of Service
 - vi, All leadership positions in the State House of Assembly.

4. The following nominations / appointments are to be made by the caucus leader upon the inauguration of the new Govt.
 - i. Nominations for Federal appointments as they become due
 - ii. All Local Govt Chairmanship candidates of the PDP for the entire 21 LGAs of the State together with the Concillorship candidates
 - iii. All Chief Executives of parastatals
 - iv. Constitution of the State Council of Chiefs
 - v. All leadership positions of the party at Federal, State, and Local Government levels.
5. All bank borrowings and payments due and outstanding to persons or organisations without exception.
6. All contracts of the state government.
7. Dealings with international and multi-national organisations.
8. All immediate family members of the governor are prohibited from interfering, meddling or participating with the running of the state government.
9. Any person in this Caucus holding a public office must see himself as working for the caucus and the caucus leader and must therefore clear with him in all matters of state interest and be completely loyal to Chief Chris Uba and Mr. President and C-in-C of the Federal Republic of Nigeria.
10. All the above stated terms and conditions shall be effective within the period 29th May 2003 to 29th May 2007.


CHIEF CHRIS UBA
Caucus Leader.


DR. CHRIS N. NGIGE
Governor-Elect.

II

THIS AGREEMENT IS MADE THE DAY OF 2003
AMONG THE PARTIES AS PARTNERS IN THE PROJECT OF
GOVERNMENT OF ANAMBRA STATE OF NIGERIA AND ARE:

1. DR. CHRIS NGIGE – Administrator (Governor)
2. CHIEF CHRIS UBA - Leader / Financier

AND WITNESSETH AS FOLLOWS:

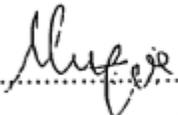
- i. THAT THE PARTIES HEREBY AGREE to fully and jointly partake in decision-making on ALL matters relating to the governance and administration of Anambra State of Nigeria.
- ii. THAT neither party especially, the Administrator, shall take any decision whatsoever on the following subject matter without due consultation and concurrence of the other parties first had and obtained, that is to say:
 - A) Appointments into the top echelon of the State Civil Service and parastatals, committees, commissions or other bodies however arising or constituted for or on behalf of the state;
 - B) Appointment of political nature including Commissioners, Special Adviser / Assistants, nomination into federal positions falling due to Anambra State;
 - C) Award of contracts of whatever nature requiring approval of the State Tenders Board;
 - D) Any other dealings affecting state funds whether internally generated or obtained from the Federal Government or any other source howsoever.
- iii. THAT THE ADMINISTRATOR so referred to in this agreement shall swear to an oath of allegiance to the Leader / Financier and exhibit utmost good faith in regard to any matter to which this agreement relates.

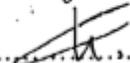
- iv. THAT THIS AGREEMENT is IRREVOCABLE AND BINDING.
- v. THAT NO ASPECT OF THIS AGREEMENT MAY BE ALTERED OR DEPARTED FROM without a written consent of the Leader / Financier first obtained.
- vi. THAT in the event of unfair and / or malicious exclusion of the Leader / Financier from any party of this agreement or decision whatsoever to which this agreement relates, the parties hereby agree as follows:
 - (a) The first time such wrongful conduct occurs, the Leader may call the a Administrator to account for such action who must give full explanation for such wrongful conduct(s). If satisfied, the wronged party may ratify such decision.
 - (b) Where the Leader is not satisfied with the explanation given under discussion he may insist that such decision be reversed or that he be compensated as may be agreed between the parties or both.
 - (c) The Administrator must swear to an oath of allegiance to the Leader and to the terms of this agreement even after any or all the steps stated in (vi a-d) have been taken and against future usurpation of the power conferred on the parties by this agreement.
 - (d) In the case of subsequent or continuing unfair and / or malicious wrongful conduct(s) by the Administrator that may be adverse to the terms of this agreement and interest of the Leader, it is hereby MUTUALLY agreed by the parties that:

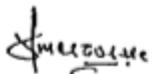
THAT THE LEADER / FINANCIER MAY AVENGE HIMSELF IN THE WAY AND MANNER ADJUDGED BY HIM AS FITTING AND ADEQUATE INCLUDING DEMANDING THE IMMEDIATE RESIGNATION FROM OFFICE OF GOVERNOR BY THE ADMINISTRATOR. THE AMINISTRATOR (GOVERNOR) IS UNDER FIRM OBLIGATION OF THIS AGREEMENT TO RESIGN HIS OFFICE OF GOVERNOR OF ANAMBRA STATE WITHIN SEVEN DAYS.

(vii) THAT there shall be regular meetings OF THE PARTIES to review matters affected by this agreement once every month.

SWORN TO BY THE ABOVE NAMED PARTIES THIS.....DAY OF
.....2003 AS FOLLOWS:

DR CHRIS NGIGE 

CHIEF CHRIS UBA 

WITNESS: 
Engr. Emeka Okeke

Acknowledgments

This report was written and researched by Chris Albin-Lackey, senior researcher in the Africa Division of Human Rights Watch, and Ben Rawlence, consultant to the Africa Division. It was reviewed and edited by Corinne Dufka, senior researcher and West Africa team leader in the Africa Division; James Ross, legal and policy director of Human Rights Watch; and Andrew Mawson, deputy program director of Human Rights Watch. Andrea Holley, publications director of Human Rights Watch, and Veronica Matushaj, Creative Director and Photo Editor of Human Rights Watch, provided assistance with the cover photograph. Fitzroy Hepkins, mail manager, made possible the production of the report.

Human Rights Watch wishes to thank the many individuals who came forward to offer the testimony and additional information that made this report possible.

We also wish to thank the organizations and individuals throughout Nigeria who offered their assistance in facilitating this research and helping to review sections of the final report. Their names have been withheld to avoid any possibility of reprisal.

Human Rights Watch wishes to thank the John D. and Catharine T. MacArthur Foundation for funding its work in Nigeria.