

Immigration and Refugee Board of Canada

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Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

12 December 2011

NGA103912.E

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Nigeria: Whether police in Southern Nigeria arrested members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) in 2010; if so, their treatment by the police; whether the Nigerian Police Force pursues people who use bribes to flee detention and who have no charges against them

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Arrests of MASSOB members in 2010

In correspondence with the Research Directorate, a representative of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) stated that in 2010, over 1,000 cases of MASSOB members being detained by the police were documented by MASSOB and other civil society organizations (23 Nov. 2011). According to the MASSOB representative, these incidents involved both "ordinary" and "high-ranking" members who were taking part in peaceful protests (23 Nov. 2011). Corroborating statistics could not be found among the sources consulted by the Research Directorate.

In January 2010, the leader of MASSOB, Chief Ralph Uwazuruike, was arrested for allegedly kidnapping and imprisoning a Nigerian-American man (*Daily Champion* 14 Jan. 2010; *Leadership* 15 Jan. 2010). Media sources report that Uwazuruike was detained until May 2010, when he was granted bail (*This Day* 15 May 2010; *Daily Champion* 17 May 2010). Nigerian newspapers report that in March 2010, MASSOB members were arrested for protesting Uwazuruike's detention in peaceful demonstrations held in Enugu (*This Day* 11 Mar. 2010; *Daily Independent* 10 Mar. 2010) and in Umuahia, Abia state (ibid. 16 Mar. 2010; *This Day* 11 Mar. 2010). Newspapers also report that, in April 2010, police shot at least one person, arrested at least another 27, and deployed tear gas on a crowd that included MASSOB members who had gathered to support Uwazuruike as he was brought to High Court for trial in Owerri, Imo state (*Daily Independent* 27 Apr. 2010; *Daily Champion* 28 Apr. 2010). In July 2010, 68 MASSOB members travelling near Owerri in buses displaying the Biafran flag were reported to have been arrested (*Daily Independent* 19 July 2010; *Daily Champion* 11 July 2010). The *Daily Champion* indicates that the arrested members were detained because they were said to be "intimidating" other motorists (ibid.). African media source *Pointblanknews.com* reported in July 2010 that three MASSOB leaders alleged to have been arrested

in January and February 2010 had not yet been released and that their whereabouts were unknown (12 July 2010).

Police treatment of MASSOB detainees

According to the MASSOB representative, it is "standard procedure for arrested and detained MASSOB members" to be "physical[ly] torture[d] during interrogation" (7 Dec. 2011). He also says that after being arrested, some MASSOB members in police custody are killed or "disappear," or they are transferred to police facilities outside of eastern Nigeria for further interrogation (MASSOB 7 Dec. 2011). Though not specifically referencing the treatment of MASSOB members, several sources report on the use by police of "enforced disappearances" (AI 9 Dec. 2009, 1), "torture" (ibid.; Human Rights Watch 17 Aug. 2010, 44, 75, 40; NOPRIN and Open Society Institute 2010, 11), and "extrajudicial" (ibid.; Human Rights Watch 17 Aug. 2010, 44, 75, 40) or "unlawful killings" (AI 9 Dec. 2009, 1). The MASSOB representative also states that members of his group are typically charged with treason, which allows them to be held indefinitely without bail, or inciting disturbances and belonging to a "proscribed group" (7 Dec. 2011).

Police use of powers of arrest

In correspondence with the Research Directorate, a representative of the Committee for the Defence of Human Rights (CDHR), a Nigerian human rights organization founded in 1989 (CDHR n.d.), noted that police detention, as opposed to prison, involves keeping suspected offenders in custody while police investigate the alleged crimes before charging them and bringing them to court (21 Nov. 2011). According to a United States (US) Department of State report, police and security forces can arrest, without a warrant, persons suspected of committing an offence and detain them for 48 hours before charging them with an offence (US 8 Apr. 2011, 16). The report also indicates that police often abuse their power of arrest, and that "[p]ersons who happened to be in the vicinity of a crime" have been held for interrogation "for periods ranging from a few hours to several months" (ibid., 16, 17). Similarly, Human Rights Watch reports of the "many cases" of people being arrested and detained "for days or even weeks" (17 Aug. 2010, 32).

Numerous sources report that the practice of collecting bribes is common within the police force (NOPRIN and Open Society Institute 2010, 81-83; AI 9 Dec. 2009, 3; CDHR 21 Nov. 2011; US 8 Apr. 2011, 17). Sources suggest, further, that the police arrest and detain citizens in order to extort bribes for their release (Human Rights Watch 17 Aug. 2010, 31-34; NOPRIN and Open Society Institute 2010, 83), despite police regulations prohibiting officers from accepting money for releasing a person in custody (Human Rights Watch 17 Aug. 2010, 34). According to Human Rights Watch's interviews with "[n]umerous police officers, legal professionals, and civil society leaders," the "unlawful detention of citizens" as a source of extortion money is a "widespread and growing problem throughout Nigeria," one which government officials have reportedly acknowledged on numerous occasions (ibid., 31, 34).

Human Rights Watch also notes that in the "vast majority" of cases it has reviewed, detainees who were released after paying a bribe were never formally charged with a crime nor interrogated by police (ibid., 33). A joint study by the Network on Police Reform in Nigeria (NOPRIN) and the Open Society Institute states that

[p]osters hanging in police stations in Nigeria may claim that bail is free, but all detainees and their families know that police bail has a price tag which varies with location, the nature of the offense charged, the perceived wealth of the victim, and the degree of greed of the commanding police officers in the location where the case is reported. (2010, 83)

Police pursuit of detainees freed through bribes

According to the CDHR representative, "[t]he likelihood of police pursuing [a] freed detainee may not arise unless a higher authority wants to recall the case and the officer in charge of the case

is questioned" (21 Nov. 2011). The representative explained that a detainee who had been "illegally" freed would make an effort to avoid further attention from the police and may relocate or take other measures to "erase any record that will portray him/her as a wanted person" (CDHR 21 Nov. 2011). The representative added, further, that police officers are often transferred between states and do not hand over their cases when they leave (ibid.). In contrast, however, the US Department of State reports that people who have been detained and questioned by the police are "frequently" asked by the authorities to return for further interrogation (8 Apr. 2011, 17).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact representatives of the CLEEN Foundation, the Human Rights Monitor in Nigeria, and the Nigeria Human Rights Commission were unsuccessful. A representative of the Network on Police Reform in Nigeria was unable to provide information within the time constraints of this Reponse.

Internet sites, including: African Police Resource Network; African Policing Civilian Oversight Forum; Agence France-Presse; Europa World Plus; Factiva; Freedom House; International Crisis Group; International Federation for Human Rights; *Jeune Afrique*; Nigeria – Nigeria Police Force, Police Service Commission; Nigeria Police Watch; *Vanguard*.

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