



INTERNATIONAL  
SOCIETY FOR CIVIL  
LIBERTIES AND  
RULE OF LAW



Jeoma Francisco  
Pauline anyanwu  
Grace samuel  
Rebecca Ilesanusi  
Ebere uchieshi  
Emmanuel Oluwalanu  
Olorun dele  
Peace amaka  
Eberechi Ibe  
Estina silver  
Grace anawaka  
Ibbo anigbo  
Modestus umegile  
Blessing Pauline  
Joy anolie  
Amarachukwu believe  
Amadi chineke  
Onwaka utoma  
Chidinma ukachukwu  
Chioma isiao  
Peace isiao  
Ekechi anolie  
Mirabel angel  
Ikenna anigbo  
Ikeanna Queen  
Sarah oia  
Sandra avoh  
Cynthia evoh  
Bridget odo  
Eriose ndubisi  
Ochi mercy  
Uchendu priscilla  
Goodness kalima  
Olanrewaju  
Ikenna nnamdi  
Ikenna odionna  
Ikeji Mary  
Rosemary ogudike  
Happiness odionna  
Georgina umunne  
Nigosi white  
Atumofa charity  
Atumofa precious  
Anastasia chineke

# NIGERIA: INSIDE NYESOM WIKE'S BLOODY ERA IN (OBIGBO) RIVER STATE

(Unspeakable Account Of Nigerian Army War-Grade Invasion,  
Crackdown And Deadly Use Of Force)

## ■ 150 Deadly Wounded

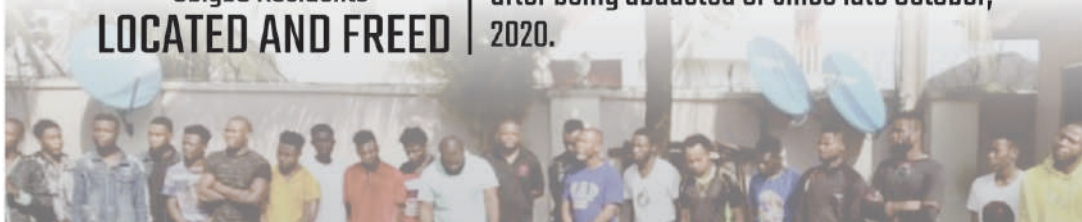
- 620 Including 540 Men in Productive Age-brackets and 80 Non-menopausal Women abducted and held incommunicado for several months in Army and other Security Dungeons scattered in Northern Nigeria.



- 130 Defenseless Obigbo Residents Massacred In 20 Days (October 21 - Nov 10, 2020)
- Dozens of Non-Menopausal Women alleged being severely harassed and abused sexually in captivity.

- **468** of the 620 Abducted Obigbo Residents **LOCATED AND FREED**

152 Still Missing Without Traces three years after being abducted or since late October, 2020.



# ABOUT INTERSOCIETY

---

**T**he International Society for Civil Liberties and Rule of Law (Intersociety) is a Respected Democracy and Human Rights Voice in Nigeria and beyond since 2008. We independently advocate for democracy and public governance accountability; civil liberties and rule of law and public security and safety. Our core objectives are promotion and deepening of Democracy and its Free Speeches within and beyond Nigeria; ending public governance impunity and abuse of power and ensuring advancement of civil and criminal justice including their periodic reforms. We also seek to ensure justice for victims of state and non state actor crimes and hold perpetrators accountable. We have earned a name and international respectability in research and investigations, documentation and publications through our formidable team of 'Expert-Volunteers': criminologists, lawyers, graduates and post graduates of security, peace and conflict resolution studies; media practitioners, etc.

## CONTACTS

+2348174090052, +2348100098016

Email: [info@intersociety-ng.org](mailto:info@intersociety-ng.org)

Website: <https://intersociety-ng.org>

Follow Us On: FB, Linked-in,

Twitter, Instagram





# INVESTIGATIVE SUMMARY OF THE OBIGBO ARMY MASSACRE AND ABDUCTIONS

**T**he Nigerian Army massacre in Obigbo, Rivers State, a densely Igbo populated area occurred as a result of the ENDSARS protests across Nigeria in October 2020 and crackdown measures and responses adopted by the Nigeria's security forces. The ENDSARS protests were organized by aggrieved citizens against the atrocious conducts of the dreaded Special Anti Robbery Squad (SARS) of the Nigeria Police Force which was swiftly renamed "SWAT" but restored as "SARS" since 2022. In the killings and property destructions that followed, estimated number of deaths was put at no fewer than 400 defenseless citizens and scores of police personnel and soldiers across the country during which properties worth billions of naira were burned down or wantonly destroyed. Lagos State where not less than 130 defenseless persons were killed and properties worth billions lost, was the hardest hit. The 'End-SARS' protests took a violent dimension on October 20, 2020 following widely suspected planting of Islamic hoodlums by then Buhari-led Government of Nigeria to counter the protests, attack the protesters (leading to killing of dozens of peaceful protesters and burning down or wanton destruction of their properties. The above were sinisterly hatched so as to make the protests look like "all

Southern Christian affair"; by making the peaceful protests to look violent leading to the Nigerian Army killings of October 20, 2020 at Lekki Tollgate in Lagos State during which not less than 20 defenseless protesters were killed and over 30 others deadly injured.

In Rivers State, South-South Nigeria, Gov Nyesom Wike (as he then was) took the protests personal and turned same into a political weapon and settlement of scores with leadership of IPOB. He not only incited security agencies including Police and Army against Igbo residents in Obigbo and environs but also politicized the mob killing of some security personnel during the ENDSARS protests in Rivers State as 'terrorist acts perpetrated by IPOB'. This was even when dozens of defenseless citizens were also shot at close range and killed during the protests by soldiers and police personnel in the State and the rest of the country where not less than 400 unarmed citizens and dozens of security personnel including soldiers and police personnel also lost their lives. In addition to the politicization of the Obigbo EndSARS protests, Governor Nyesom Wike (as he then was) on October 21, 2020 declared a curfew in Obigbo and environs and invited Nigerian

Army to "flush out IPOB terrorists in the area who killed six soldiers and four police personnel and burned police stations".

In response, the Northern Muslim dominated and controlled Nigerian Army under former Chief of Army Staff, Lt Gen Tukur Yusuf Buratai (as he then was) went on unspeakable execution of ethnic and religious cleansing by unleashing war-grade invasion and massacre targeting defenseless residents of Obigbo and environs and in the end, no fewer than 130 defenseless residents were killed, 150 deadly injured and 540 men and 80 women of productive age-brackets abducted. Dozens of the 80 abducted Obigbo women were also alleged to have been sexually abused in military captivity. The most shocking was the fact that no fewer than 152 of the 620 abducted Obigbo residents are still missing in the hands of soldiers of the Nigerian Army since late October 2020.

*In Rivers State, South-South Nigeria, Gov Nyesom Wike (as he then was) took the protests personal and turned same into a political weapon and settlement of scores with leadership of IPOB.*

A total of 468 of the 620 abductees were traced to different secret Army dungeons scattered in Niger State, Abuja, Nasarawa and Kaduna and freed through court



bails. The civilian houses and other properties burned down or wantonly destroyed were valued at over N20billion then (today's market value of N100billion). The Nigerian Army massacre and abductions in Obigbo lasted for 20 days from Oct 21 to Nov 10, 2020 and Army siege in the area lasted from October 21, 2020 to December 2021.

## Section B

### LIST OF NIGERIAN ARMY'S GROSS HUMAN RIGHTS ABUSES AND VIOLATIONS SINCE 2015

The list of horrendous Human Rights abuses, violations and security sabotages by Nigerian Army since 2015 are: (1) 30<sup>th</sup> August 2015 massacre of 40 defenseless citizens during peaceful protests in Onitsha, Enugu, Yenagoa, Uyo, Port Harcourt and Asaba; (2) 2<sup>nd</sup> and 17<sup>th</sup> Dec 2015 massacre of 30 defenseless citizens in Onitsha; (3) 14<sup>th</sup>-15<sup>th</sup> Dec 2015 massacre of 1000 unarmed Shiite Muslims during their religious processions in Zaria (Nigerian Government later admitted killing 348); (4) 18<sup>th</sup> and 29<sup>th</sup> Jan 2016 massacre of 20 defenseless citizens during peaceful protests in Aba; (5) 9<sup>th</sup> Feb 2016 massacre of 30 unarmed protesters in Aba; (6) 29<sup>th</sup> and 30<sup>th</sup> May 2016 massacre of 140 defenseless citizens during the Igbo Heroes Day in Onitsha and Nkpor (110 deaths) and Asaba (30 deaths); (7) 2016 starvation to death of 240 civilian detainees including 29 children with ages between newborn and five years at Giwa Army Barracks in Maiduguri, Borno State (AI Report: 2016); (8) 7<sup>th</sup> Jan 2017 military massacre (air bombing) of 236 internally displaced

Christian IDPs in Kala-Balge in Borno State; (9) 20th Jan 2017 massacre of 20 unarmed citizens during pro-Trump rally in Port Harcourt; (10) 4<sup>th</sup> Dec 2017 massacre (air bombing) of 50 rural Christians in Numan, Adamawa State during which Jihadist Fulani Herdsmen blocked those fleeing the bombardment and slaughtered not less 30 more defenseless Christians.

**Others are:** (11) 11<sup>th</sup> to 14<sup>th</sup> Sept 2017 massacre of over 180 unarmed and defenseless citizens in Ogwe, Aba, Isiala-Ngwa and Umuhia in Abia State; (12) 29<sup>th</sup> and 30<sup>th</sup> Oct 2018 massacre of 47 Shiite Muslims in Abuja; (13) 29<sup>th</sup>/30<sup>th</sup> June 2020 Army massacre of 30 unarmed Tiv Christians in Taraba State; (14) 23<sup>rd</sup> August 2020 Army massacre of 30 Judeo-Christian worshippers and sports activists in Emene, Enugu State; (15) 20<sup>th</sup> night of Oct 2020 massacre of at least 20 defenseless protesters in Lekki and 130 across Lagos State; (16) Oct 2020 massacre by Army and Police of no fewer than 400 unarmed citizens across Nigeria during EndSARS protests including not less than 130 killed in Lagos and 60 killed in the Southeast; (17) Oct/Nov 2020 massacre by Nigerian Army of more than 105 defenseless Igbo residents of Obigbo (excluding 25 killed in military captivity), Rivers State; (18) abduction between Oct 21 and Nov 10, 2020 of 620 defenseless Obigbo residents in Rivers State and their incommunicado detention in different military and spy police dungeons in Northern Nigeria during which more than 25 were tortured or starved to death in Army captivity and 152 others

disappeared till date.

**Included in the list are:** (19) Jan 2021-Oct 2023 abductions, disappearances, torture, maiming, killings and burnings by Nigerian Army and Police Crack Squads in Imo State leading to unlawful death of more 1,100 unarmed citizens involving Army/other military and Police personnel and unlawful killing of not less than 1000 defenseless citizens by armed criminal entities during which more than 1,600 civilian houses and thousands of automobiles, electronics, market stores, trucks of goods, etc were burned down or wantonly destroyed (see **Intersociety's Special Investigative Report of May 21, 2023 and its updates at <https://intersociety-ng.org>**); (20) involvement of Nigerian Army/Military and other armed state and non state actors in the unlawful killing of over 7000 unarmed and defenseless Eastern citizens (non Muslims) between Jan 2021 and November 2023 in Igbo dominated States of Delta, Rivers, Anambra, Enugu, Imo, Abia and Ebonyi, during which over 3,200 civilian houses and tens of thousands of other properties including market bushes, trucks of goods and automobiles, etc were burned or wantonly destroyed.

**The rest are:** (21) protection, aiding and abetting by Army and Military of the Jihadist Fulani Herdsmen terrorism in forests, bushes, farmlands, major roadways and triangles across the Five Igbo Land States of Anambra, Enugu, Imo, Ebonyi and Abia and their neighboring Delta, Edo, Rivers, Cross River, Akwa Ibom and Bayelsa States; (22) repeated involvement of the Nigerian Army/Military in sundry roadway corruption and



brutalities including extortion, solid mineral thefts and aiding and abetting roadway/highway kidnappings and armed robberies in the East; (23) the Nigerian Army's brazen operational partisanship resulting to indiscriminate bombings, destructions, abductions, disappearances, killings, maiming of defenseless Christians and their properties in Christian villages or areas in Plateau, Southern Kaduna, Taraba and Munya, Shiroro, Rafi and Paikoro Local Government Areas in Niger State, etc;

**There are also:** (24) strong accusation of the involvement of the Nigerian Army/Military and police special squads of conniving with and protecting Jihadist Killer Fulani Herdsmen who go about, unchecked, slaughtering defenseless Christians and wantonly destroying their properties across Nigeria particularly in the East and Middle-Belt; (25) constant refusal by the Nigerian Army/Military to come to the rescue of defenseless Christians and their properties under attack by Jihadist Fulani Herdsmen and their allies and deployment of war grade weapons and personnel in situations of disproportionate reprisals and self defense by those constantly under attack including indiscriminately arresting or cracking down and falsely labeling their youths and leaders as "terrorists and bandits" while turning blind eyes on Jihadist Fulani Herdsmen and Jihadist Fulani Bandits; (26) indiscriminate bombing and razing of defenseless civilian villages and homes by Nigerian Army/Military in the South-East particularly in Imo, Anambra and Abia States since 2021 and their refusal to carry out 'clearance

operations' in hideouts and enclosures where Jihadist Fulani Herdsmen and their allies are militarily protected including places like Leru, Lokpanta, Isiukwuato, Nneochi, Umunneochi, Okigwe, Ihube (Aku-Ihube), Umulolo, Umunze (and its neighbors), Uturu, Eke-Udi (Ugwu Onyeama) and Ugwuogo-Nike-Opi-Nsukka forest areas, etc; with a clear case in point being the recent (October 2023) announcement by Gov Alex Otti of Abia State of discovery of not less than 80 dead bodies including 20 headless bodies at the Lokpanta Fulani Cattle Market.

## Section C

### O BIGBO ARMY MASSACRE AS WIKE'S LIFETIME NIGHTMARE

**T**he Obigbo Army Massacre will remain former Gov Nyesom Wike's nightmare for the rest of his life and will one day keep him behind iron bars of the prison locally or internationally. The Obigbo Massacre clearly constitutes "crimes against humanity" and war crimes. The Massacre was perpetrated under Nyesom Wike as Rivers Gov which lasted between Oct 21 and Nov 10, 2020 or a period of 20 days. The ethnic and faith identities of those killed, maimed, abducted, disappeared, sexually abused and houses and other properties burned down or wantonly destroyed; the time and space under which the Massacre occurred collectively qualified the Massacre as "war crimes" or "crimes against humanity"; and "other internationally prohibited acts or conducts". All of the above are to

the extent that till date, not a single combatant-perpetrator or command-cadre perpetrator or instigator including former Gov Nyesom Wike has been apprehended and put on trial. It is our firm stand that former Gov Nyesom Wike should be declared permanently unfit to occupy any elective or appointive public office locally and internationally for the rest of his life following his ignoble role in the Obigbo massacre and abductions and should be placed on permanent visa ban and stopped from traveling abroad especially to human rights respecter and compliant western world and other lawful countries.

### WIKE ONCE A FIERY AND RESPECTED RIVERS GOV

From available official records, Ezenwo Nyesom (Onyesom) Wike (Nwaike) is 56 years of age born in Dec 1967 and Ikwerre-Igbo from Umuekipiri-Ikom (Rumuepirikom) in Obio-Akpor Local Government Area of Rivers State, South-South Nigeria. Nyesom Wike is also a lawyer and was one of the three fiery and respected Govs in Nigeria in the past ten years. He was democratically and popularly elected as Governor of Rivers State and governed the State from May 29, 2015 to May 29, 2023. The two other fiery and respected former Govs are Peter Gregory Obi of Anambra State and Peter Ayodele Fasoye of Ekiti State who stood firm and never compromised throughout their periods as democratically and popularly elected Govs of their respective States during which they governed lawfully and earned respect. It must be remembered that in his capacity as Rivers State Governor, Barr Onyesom Nwike earned a name



and respectability and refused to be dictated by antagonistic Federal Government of Nigeria including withstanding its might and vitriolic attacks and sabotages. Totality of the above characterized Wike's first tenure (2015-2019) as fiery and respected Governor of Rivers State during which he also left an imprint of good governance.

#### **DOWNFALL OF WIKE AND HIS RISE AS ENEMY OF THE DEFENSELESS: OCT 2020-MAY 2023**

The downfall of Gov Nyesom Wike (as he then was) started as a result of his poor and crude handling of the 'ENDSARS' protests in Rivers State particularly in Oyiibo (Obigbo) Local Government Area of the State. The 'ENDSARS Protests' became widespread across Nigeria including Rivers State from October 19, 2020. The protests also coincided with pro Biafra Agitations in Eastern States of Anambra, Imo, Enugu, Ebonyi, Abia, Rivers, Cross River, Akwa Ibom and some parts of Bayelsa and Delta States. It was on account of the above that then Gov Wike crudely accused "IPOB of being responsible for ENDSARS Protests in Rivers State and death of dozens of security personnel including soldiers and police officers".

The ENDSARS Protests were also poorly handled by the country's Military and Police through deadly use of force leading to the death of hundreds of defenseless civilians and scores of security agents and widespread destruction of civilian properties across Nigeria including Rivers State under then Gov Wike that followed. Gov Nyesom Wike also crudely responded to the Civil Protests by inviting the Nigerian

Army to invade Obigbo and its environs. His invitation of soldiers was accompanied with the imposition of a dusk-to-dawn curfew in Obigbo and environs through a state-wide broadcast made on Oct 21, 2020. The ethno-religiously lopsided Nigerian Army responded by launching a war-grade operation targeting defenseless civilians and their properties on the grounds of their ethnicity and religion. The ensuing killing spree lasted for 20 days and led to the unlawful death of not less than 130 and deadly injuring of over 150 and abduction of not less than 620 others. The affected Obigbo communities or towns included Oyiibo, Asa, Obeama, Afa-Ukwu, Afam, Afam-Nta, Azusogu, Egberu, Umuagbai, Umuosi and surrounding others. It must be clearly stated that not even a single combatant soldier or a senior Army officer was killed in Obigbo and environs throughout the 20 days of the Army massacre and abductions; and till date, not even a single Army Officer or a combatant soldier involved had been apprehended and put on trial. No form of official investigation into the Massacre had also been carried out; not to talk of adequate compensation of any type for the injured, the survivors and the relatives of the slain or properties wantonly destroyed.

#### **O B I G B O A R M Y MASSACRE, WIKE AND THE RIGGED 2023 PRESIDENTIAL ELECTION**

The voter suppression in Rivers State during the Feb 25, 2023 Presidential/National Assembly Election was so glaring and shocking that (then) Gov

Nyesom Wike was caught in electronic communications gadgets threatening independent and conscientious voters with sundry intimidation and violence. Government thugs and killer squads were reported to have been sent after party agents and unarmed political activists. There were glaring reports of indiscriminate mutilation of original result sheets and erasure of original result figures. The Governor, in full connivance with the State Resident Electoral Commissioner (Johnson Sinikem) and State Collation Officer (Prof Charles Adias, Vice Chancellor of the Federal University of Otuoke in Bayelsa State) reportedly coordinated brutal results erasure and manipulation of figures for purpose of desperately rigging out popular parties and their candidates including Peter Obi and his Labor Party and Atiku Abubakar and his PDP.

Reported desperation of Gov Nwike, the State REC and the Collation or Returning Officer to presidentially rig in Ahmed Bola Tinubu and APC evidently paid off in Obio/Akpor, the home Local Government of Gov Nyesom Wike (as he then was) where magic result figure of over 80,000 was allocated to Tinubu and his APC as against 8000 vote-results credibly reported to have originally garnered by Tinubu and APC. Former Gov Nyesom Wike (as he presently is) was widely and strongly believed to have been compensated or rewarded with a ministerial portfolio in charge of the Nigeria's Federal Capital Territory (FCT), a position he presently occupies. He was also reported to have been allowed by federal powers that be to "anoint"



a successor to the office of Gov of Rivers State. That is to say that Former Gov Wike is presently shielded by Ahmed Bola Tinubu-led Government of Nigeria from being held accountable for his vicarious or direct roles in the Obigbo Army Massacre and Abductions.

His present position as “a Minister of the Federal Republic of Nigeria in charge of the FCT” is widely seen as having been meant to offer him diplomatic immunity from international arrest, prosecution and embarrassment and grant him access to official international travels and engagements so as to cover him up from “his grisly and egregious human rights records” and facilitate his undeserved and unmeritorious passage in the political and diplomatic corridors of the comity of sane, conscientious, lawful, human rights and democracy respecter and compliant nations”.

## Section D

### IPOB AND PRO BIAFRA AGITATIONS IN EASTERN NIGERIA

The Indigenous People of Biafra or 'IPOB' is the mainstream self determination group agitating for regional self governance and self determination for the people of old Eastern and Mid Western Nigeria, presently categorized as “citizens and territories of Edo, Delta, Anambra, Enugu, Imo, Ebonyi, Abia, Cross River, Rivers, Akwa Ibom and Bayelsa States and their Igbo People”. Not forgotten are “the Igbo People of Benue, Kogi, Nasarawa, Kwara” and “the migrated Igbo People of Gusau in present Zamfara State who

migrated to the area in 1600AD; over 200 years before the Jihadist Fulani incursion into Northern Nigeria in the beginning of AD1800s”. It is also on record that IPOB had advocated for nonviolence from 2014-Dec 2020 and in Dec 2020, it formed a self defense armed wing called “Eastern Security Network or ESN” to counter Jihadist Fulani Herdsmen incursion into forests, bushes, farmlands, triangles and key roadway arenas in the South-East and its neighbors.

IPOB was vindictively proscribed and labeled “a terrorist group” in Sept 2017 by the then Retired Major General Muhammad Buhari led Government of Nigeria. The unjust proscription later forced the group into partly taking up arms through “Eastern Security Network” in Dec 2020; which occurred more than two months the Obigbo Army Massacre and Abductions of Oct-Nov 2020. The vindictive and unjust proscription was also to retroactively justify and legitimize Government security forces' violent crackdowns on unarmed members of the group and other defenseless Easterners. The above included the Sept 12-14, 2017 massacre by soldiers of not less than 180 defenseless and unarmed citizens in four different locations in Abia State.

And three days later on Sept 17, 2017, the Buhari-led Federal Government hurriedly proscribed IPOB as “a terrorist organization” so as to retroactively justify the massacre; in gross breach of Section 36 (8) and (12) of the Nigeria's 1999 Constitution

which prohibits retroactive criminal legislations and punishments. An Enugu State High Court presided over by Justice A.O. Onovo in Suit No: E/20/2023 had on Tuesday, Oct 24, 2023 declared as unconstitutional and grave violation of Section 42 of the 1999 Constitution as amended the 2017 proscription of IPOB by Federal Government and South-East Governors Forum as “a terrorist organization”.

## Section E

### SPECIFIC LOCATIONS OF THE ARMY MASSACRE IN OBIGBO AND ENVIRONS:

The specific areas affected by the Army massacre in Obigbo and environs surrounded with Army armored tanks and laid under siege from Oct 21 to Nov 2020 are the Obigbo Expressway, Old Aba Road, Obigbo Roundabout, Mbabo Camp, Ehi Road by Umunchi, Kom Kom Area (under siege from 24th Oct), Ohafia/Abiriba Quarters (under siege from 26th-27th Oct to 11th-12th Nov) and Obeama Area (under siege from 29th-31st Oct), etc. Terrified witnesses including passersby also alleged the dumping and drowning of scores of slain corpses inside 'Imo Gate' and 'Mmiri Nwanyi' Rivers. Some claimed to have sighted scores of floating corpses at 'Mmiri Nwanyi River on 29th and 31st Oct and 'Imo Gate River Banks' on 7th and 8th Nov 2020. The witnesses were unable to photo or video the 'floating corpses' owing to heavy presence of soldiers guarding the areas for purposes of destruction of evidence or erasing traces. The Timber Road area also came



under Army siege and terror since 28th October 2020. A Jewish Shabbat Mission in the area was attacked and dozens of its worshippers and officials abducted during which scores were killed.

The Umusonye/School Road and Vacation Areas were also under Army siege, forcing several, if not many of their residents to flee. At Okpulo Area, residents including Shabbat religionists were attacked on 6th Nov 2020; and on 8th Nov, the Shabbat Mission in the Area was demolished; likewise terrorization of residents of Ikwere-Ngwo Area and violent attacks on their houses including demolition of another Shabbat Mission in the Area. Houses and residents of Okoloma-Afam were under heavy military siege and terrorization since 12th and 14th Nov 2020. It was also reported that along the Tap Junction, at least four defenseless citizens were shot dead and scores injured by soldiers in the evening of 11th Nov 2020; according to eyewitnesses' accounts. At Mbano Camp same evening of 11th Nov 2020, three persons were shot dead and at Obigbo Express Junction, two more persons were shot and killed and at Ohafia and Abiriba Junction same date and time, witnesses said "between 15 and 20 persons" were shot dead following indiscriminate shootings in different directions by soldiers targeting defenseless residents at close range. While some of the corpses particularly those that felled off the road or street or inside gutters were abandoned to decompose, soldiers made away with others.

The heavy presence of soldiers

also made it very difficult for relations of the slain to pick up their relatives' bodies. Late Queen Nwazuo was among those shot and killed by military's rain of bullets fired in different directions. She was shot dead in front of her shop around noon of 23rd Oct 2020 at Umunchi Junction, Ehi Road in Obigbo. Several residential houses were also invaded by soldiers at the dead of the night or houses of the blue-law and dozens of defenseless abducted in their sleep. Among those abducted in their sleep by soldiers are Aneke Sunday and Onyema Christopher Onyeiro. While Citizen Aneke Sunday was abducted around 2am in his residence around Market Road, Obigbo, Citizen Onyema Christopher Onyeiro and scores of his co residents were abducted around 11pm on 17th Nov 2020 at Isaiah Eletuo Street, Obigbo.

In all these, the Government of Rivers State and authorities of the Nigerian Army bluntly refused to speak out over the massacre and stopped at nothing to conceal the truth and destroy evidence and erase traces till date concerning. Gov Nyesom Wike (as he then was) not only severally denied the Army massacre and abductions but also attempted severally to divert the public attention and aided and abetted the massacre and abductions. The above was to the extent that attempts by the NBA fact-finding committee then to investigate the massacre were strongly rebuffed and resisted by the then Governor and Government of Rivers State. Most of those injured by live bullets shot at close range were also refused treatments and other medical attentions, forcing scores to die from untreated

injuries and bleedings. Only few who were lucky to have been smuggled out of Rivers State by their loved ones were treated by medics and private clinics.

## Section F

### AVAILABLE LOCAL AND INTERNATIONAL LEGAL FRAMEWORKS IN BREACH

This section highlights the role and importance of available local and international legal frameworks and other international best practices guiding administrative and operational conducts of the personnel and officers of the Nigerian Armed Forces, the Police and the Paramilitaries in any part of the country including Rivers State and Old Eastern/Mid Western Nigeria. Legal frameworks and other international best practices are an integral part of laws, codes of conducts and regulations guiding the security agencies' handling styles in their "internal security operations" particularly the Oct 2020 Nigerian Army operations in Obigbo, Rivers State.

These legal frameworks include rules and regulations under which the security operatives and their commanders must operate or conduct their operations especially with regard to handling unarmed and defenseless citizens and their properties in non-war situations as well as their definition and categorization of offenses and their offenders and processes of arrest, investigation, prosecution and punishment involving suspected criminal citizens of 'simple', 'misdemeanor' and 'felony' (including treasonable



felony and treason) categories.

The available local and international legal frameworks and other international best practices also laid down limits or restrictions on the operational roles of the members of the Nigerian Armed Forces (i.e. soldiers and commanding officers of the Nigerian Army) especially in matters of arrest, detention, investigation and prosecution involving civilian citizens and their properties including the accused and innocent and defenseless others that are not subject to the dictates of the Nigerian Armed Forces Act of 2004 as amended or 'any other Military law'. Legal frameworks are also put in place to regulate open and custodial treatments of citizens rightly or wrongly accused of being in conflict with the criminal law by the State coercive establishments and they also outline constitutional liberties for those under detention over accusation of being in conflict with the criminal laws of the State or any part thereof.

### **CRIMINAL LAWS IN NIGERIA**

Criminal laws in the Nigeria's body of laws are divided into 'simple offenses (including strict and statutory liability offenses guiding traffic and public decency conducts)', 'misdemeanors' and 'felonies'. The three are further divided into different punishment categories including simple offenses which are those offenses that attract maximum of six months imprisonment; misdemeanors which attract minimum of six months and maximum of three years imprisonment; and the offenses of felony which carry

heavier penalties and attract minimum of three years imprisonment and maximum of life imprisonment or death penalty. For purpose of clarity, there are "felonies of lower and higher categories". While the former, on court conviction, are punishable by three to seven years jail term, the latter (including treasonable felony and treason) are punishable from fourteen years to life imprisonment or death penalty (as case may be).

Offenses are also internationally categorized into "mala in se and mala prohibita" with the former (mala in se)-representing crimes or offenses with universal application such as armed robbery, murder, rape, arson, burglary, arms trafficking and trafficking in persons, etc; and the latter (mala prohibita) representing those offenses that are defined and criminalized according to a given society (i.e. adultery, same-sex offenses, open grazing, etc). The Nigerian criminal offenses are also generally defined and categorized according to the 1999 Constitution, the acceded regional and international human rights and humanitarian treaty laws, the international criminal and procedural laws, the Criminal Code Act (for Southern Nigeria) and the Penal Code Act (for Northern Nigeria) and the Administration of Criminal Justice Act of 2015 (formerly the Criminal Procedure Act for the Southern Nigeria and the Penal Criminal Procedure Code for the Northern Nigeria). Included in the list are the Practice Directions of State High Courts, Federal High Courts, FCT High Courts, Court of Appeal and Supreme Court of

Nigeria.

### **COLLAPSE OF POLICING INTELLIGENCE, CRIME DETECTION AND INVESTIGATION IN NIGERIA**

Criminal intelligence, crime detection and investigation are facing total collapse in Nigeria. Their collapse is the driving force behind mass murders and widespread property violence by the drafted security personnel particularly soldiers of the Nigerian Army and their commanders. There is also unchecked crossing of 'inter-agency lines of responsibility' whereby the Army and other branches of the Nigerian Military and the DSS have abandoned their core establishment mandates and ethical codes to usurp the duties of the Nigeria Police Force. The Nigerian Army-led Military formations and their authorities, as a matter of fact, have become "a jungle justice police investigator; a jungle justice prosecutor, a jungle justice trial Judge and a jungle justice executioner". Despite being incurably limited by law including lacking power of detention, investigation and prosecution of "civilians or citizens not subject to the Armed Forces Act of 2004 and any other Military law", the Nigerian Military have since 2015 become an outlaw and a leading perpetrator in a spate of unlawful killings and executions, abductions, disappearances, torture and wanton destruction of defenseless civilian properties and other internationally prohibited acts or conducts.

**Policing criminal intelligence, crime detection and investigation** have so collapsed



in Nigeria that the drafted security agencies have adopted sundry jungle justice methods as their modus operandi. The adopted jungle justice methods include hearsay conclusions, ethnic profiling, class criminalization, false labeling, ethno-cultural hatred/violence, stigmatization, use of torture and deadly force, sexual violence, personal biases and grudges; for extracting confessional statements from the arrested persons. Conclusions based on hearsay, lack of requisite intelligence and investigative knowledge including 'man-machine' skills for intelligence and investigation have become the trademarks of the drafted security agencies including soldiers of the Nigerian Army and their commanders-with Oct 2020 Obigbo Army Massacre as a clear case in point. Unarmed citizens are also indiscriminately arrested and detained for months or shot and killed anyhow before being suspected and investigated.

Presently, the Nigeria Police Forensic Department and its crime libraries and laboratories including "Police Central Crime Database" are nothing to write home about as they are in total mess. Apart from publicly available 'electronic tracking devices', the formations and personnel of the Nigerian Military, the Nigeria Police Force and the DSS fundamentally lack modern tools and expert personnel in 'detective, preventive, proactive and protective policing. Despite vast powers granted to the Nigeria Police Force by Section 4 of the Nigeria Police Force and Regulations Act of 2004, the

NPF has failed woefully and earned notoriety in corruption, immorality, barbaric and Stone Age policing. Totality of the above has given rise to the incessancy of 'extra jus, extrajudicial, extra-legal and unlawful killings and executions by soldiers of the Nigerian Army; in addition to unchecked abductions, disappearances and wanton destruction of houses and other properties since 2015.

### **AVAILABLE LAWS AGAINST FALSE LABELING AND CLASS CRIMINALIZATION IN NIGERIA**

Laws against false labeling of individual citizens and class criminalization or perception and treatment of an ethnic and religious group as "members of a criminal class" are well founded in Nigeria. Specifically, Sections 33 and 34 of the Constitution of Nigeria 1999 Constitution (as amended) are provided to protect citizens from arbitrary deprivation of their fundamental human rights to life and dignity of human person. Under them, no unarmed citizen or a group of unarmed citizens can be deprived of their lives and dignity of human person including getting them killed or wounded; or tortured and degraded using false labeling and class criminalization. Sections 35 and 36 of the Constitution of the Federal Republic of Nigeria 1999 as amended also make far reaching provisions for the protection of citizens from arbitrary deprivation of their personal liberty and fair hearing in matters of custodial confinement and treatments.

Under Section 35, time limits for

the arrest and detention of the arrested citizens based on offense category (simple, misdemeanor and felonious offenses) are clearly outlined; with subsection 4 setting time limits for detaining citizens accused of committing capital offenses. Under 36 (8) of the Constitution (Right to Fair Hearing), "no person shall be guilty of a criminal offence on account of an act or omission that was not an offence under the law as at the time the act or omission was done, and no penalty imposed for a criminal offence shall be heavier than the penalty in force at the time the offence was committed".

Under Section 36 (12) of Nigeria's 1999 Constitution, "a person shall not be convicted of a criminal offence unless that criminal offence and its penalty are defined under a written criminal law" and under the Constitutional Section 42, citizens are protected from discrimination on the grounds of sex or gender, ethnicity, religion and class. The above provisions are replicated in the African Rights Charter of 1981 (ratified and domesticated by Nigeria in June 1983) and the Int'l Covenants on Civil and Political Rights and the Economic, Social and Cultural Rights of 1976; all ratified by Nigeria in 1993. These are just to mention but a few.

### **INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN TREATY LAWS BINDING ON NIGERIA**

Among them are crimes of genocide defined under Article 6 of the Rome Statute for International Court of 1998; crimes against humanity defined under Article 7 and war crimes



defined under Article 8 of the same Statute. The Rome or ICC Statute was enacted in 1998 and it entered into force in July 2002; with Nigeria signing and ratifying it on 27<sup>th</sup> Sept 2001. Nigeria is also signatory to the Genocide Convention of 1948 and the Geneva Conventions or Laws of Inter-State and Intra-State Warfare of August 12, 1949 and its 1977 Protocols (1 and 11) including its Doctrines of (Jus In Bellum, Jus Ad Bellum and Jus Post Bellum) and Rules of Engagement such as Use of Force, Proportionality of Force and Legitimate Self Defense. The Four Geneva Conventions and its two Protocols (1 and 11) of 1977 and third Protocol of Dec 2005 (for the incorporation of "the Red Crystal Emblem" to exist side by side with "Red Cross and Red Crescent" emblems) were signed and ratified by Nigeria with legal binding effects; devoid of derogations as a Member-State of the United Nations. Nigeria is also a statutory party to the African Charter on Human and Peoples Rights (including Right to nonviolent Self Determination) of 1981, ratified and domesticated in June 1983. There are the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights of 1976, which Nigeria respectively ratified in 1993. Others are the UN Convention against Enforced Disappearances of 2009, ratified by Nigeria in 2009 and the UN Convention against Torture of Feb 4, 1985 ratified by Nigeria in 2001. The African Charter on Human and Peoples' Rights of 1981 also provided for group citizens' *rights to ethnic identity, development, freedom of worship and nonviolent self-determination*. Breaches of the above ratified Treaty Laws clearly amount to perpetration of

international heinous crimes and serious 'crimes against persons and properties' in Nigeria or any part thereof. While the management of intrastate and interstate violent conflicts is regulated by the Geneva Conventions of 1949 and their 1977 Protocols, the roles of security forces and their high commands in the management of democratic free speeches such as protests, political expressions, rallies, sit-at-homes, picketing, etc are clearly outlined in the Ten Basic Principles of the International Law.

#### **OTHER PROHIBITED ACTS OR CONDUCTS UNDER UN SYSTEM IN BREACH IN NIGERIA**

They include: *unlawful imprisonment, unlawful killings, unlawful executions, abduction of slain victims' bodies, extrajudicial killings, sexual violence, persecution against an identifiable group on the grounds of tribe/ethnicity and religion, enforced disappearance of persons, torture and other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health and acts of propagation and promotion of radical religiosity and ethnicity*; etc

#### **ARMY LACKS POWER TO DETAIN, INVESTIGATE AND PROSECUTE ACCUSED CIVILIANS**

Nigerian Army and other branches of the country's Military are formatively and operationally restricted and restrained by Nigeria's written laws and decided cases from going beyond their defined duties including usurping the key duties of the Nigeria Police Force such as power of arrest, detention, investigation and prosecution of

suspected civilian offenders and their offenses. As a matter of fact, several Decided Cases or Case-Laws abound barring the Army/Military from "arresting, detaining and investigating citizens who are not subject to the Armed Forces Act of 2004 or any other Military law". A case in point was a landmark judgment delivered by Hon Justice Taiwo Taiwo of the Abuja Division of the Federal High Court on 17<sup>th</sup> Feb 2021 that "Nigerian Army lacks power to arrest, detain and prosecute citizens who are not subject to the Armed Forces Act of 2004 or any other Military law".

#### **INTERNATIONALLY DEFINED CRIMINAL CONDUCTS OF SECURITY FORCES IN NIGERIA**

By *extrajudicial executions*, they are defined by international law as unlawful and deliberate killings carried out by policing and other security agents including soldiers by order of a government or with its complicity or acquiescence. See African Rights Charter of 1981 (ratified in 1983) and Int'l Covenant on Civil and Political Rights of 1976, ratified by Nigeria in 1993.

By *unlawful killings*, they involve killings resulting from excessive use of force by law enforcement officials, which violate right to life guaranteed by Nigeria's 1999 Constitution (S.33), the Int'l Covenant on Civil and Political Rights (Article 6.1) and the African Charter on Human and Peoples' Rights (Article 4), ratified and domesticated by Nigeria on 26<sup>th</sup> June 1983.

By *enforced disappearance(s)*, it is a situation where a person or persons are arrested, detained, abducted or otherwise deprived of liberty by the authorities or



their agents, or people acting with their authorization, support or acquiescence, but the authorities do not acknowledge this or conceal the abducted persons' fate or whereabouts, placing them outside the protection of the law. These are provided in the UN Convention for the Protection of All Persons from Enforced Disappearance, signed and ratified by Nigeria on 27<sup>th</sup> July 2009.

By **torture**, it is any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. These are defined by the International Convention against Torture of 1985, signed and ratified by Nigeria in 2001.

By **summary or arbitrary executions**, they are executions in which persons are accused of a crime or crimes and immediately killed outside conclusive criminal investigations and without benefit of a full and fair trial. See African Rights Charter of 1981 (ratified in 1983) and Int'l Covenant on Civil and Political Rights of 1976, ratified by Nigeria in 1993.

By "**Victims of Crime**", they are persons, who, individually or collectively, have suffered harm including physical or mental injury, emotional suffering,

economic loss or substantial impairment of their fundamental human rights, through acts or omissions that are in violation of criminal laws operative within Member-States of the United Nations including those laws prohibiting abuse of power. The victims include, where necessary, the immediate family or dependant of the direct victim and persons who have suffered harm in intervening to assist people in distress or to prevent victimization". Source: **the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Office (1985)**.

By "**Offences against Properties**", they are offences that affect another person or a group of persons' rights of ownership of properties including possession and control and are criminal by way of premeditated infliction of damage or destruction or unlawful possession of such properties by the attacking person or persons including members of the security establishments perpetrated in the course of their law enforcement operations; or malicious attacks on them perpetrated by armed or unarmed non state actors. Internationally, violent act targeted at destruction of homes or dwelling houses or properties is referred to as "domicide". Property offences include theft, fraud, deception and making off without payment, criminal damage, arson, forgery, burglary, forcible entry or house-breaking, armed robbery, carjacking, kidnap-for-ransom, etc. It is also a fundamental human right of any Nigerian citizen to acquire and own immovable property and to be adequately compensated, if maliciously attacked and

destroyed or dispossessed by public officials. This is provided in Sections 43 and 44 of the Nigeria's 1999 Constitution.

### **CITIZENS LABELED "CRIMINALS" IN NIGERIA BY FALSE LABELING AND HEARSAY CONCLUSIONS**

In present day Nigeria or any part thereof including Rivers State and Old Eastern and Mid-Western parts, "criminal citizens" are determined by false labeling, class criminalization, ethno-religious profiling and hearsay conclusions during which unarmed and defenseless citizens mainly drawn from non Muslim faith members are made victims and routinely killed or maimed or abducted or disappeared outside the law by soldiers of the Nigerian Army and other armed state actors. It is estimated that in the past eight years or since 2015, the number of members of unarmed Eastern male population abducted and disappeared without traces or shot and killed in custody or in open shootings is most likely to have risen to 30,000. Presently, there are estimate 3,000 arrested and abducted male citizens secretly transferred to several "Abattoir-like" military, police and spy police detention facilities in Northern States of Nasarawa, Abuja, Kaduna, Niger, Zamfara, Benue and Kogi; with most of them cut off from their families, lawyers and physicians and other well-wishers and brazenly deprived of the Constitutional custodial liberties and safeguards including access to ventilation, personal hygiene, clothing, shelter and personal health. They are also routinely tortured and starved in custody and abandoned to die after which their dead bodies will be disposed without traces or official records.



**By Nigeria's body of criminal laws, a *criminal*** is anybody that has attained 18yrs of age who violates the criminal laws of Nigeria and must be subjected to the processes of *arrest, investigation, prosecution, fair trial, conviction and sentencing*. This is irrespective of the gravity of the offence he or she is alleged to have been committed (i.e. criminal assault or murder or armed robbery or kidnapping or terrorism or insurrection, etc).

### **ARMY/POLICE KILLINGS IN NIGERIA AMOUNTED TO EXTRA JUS/EXTRA LEGAL/EXTRAJUDICIAL**

**All forms of killings and maiming contrary to or in gross breach of the above highlighted local and international due processes and laws technically amounted to *extra jus*** (beyond the law), *extra-legal* (beyond what the written criminal law provides) and *extrajudicial* (beyond court or judicial pronouncement or verdict). In other words, any killing of human being, rightly or wrongly accused of being in conflict with criminal law by any armed state actor or official security operative, or officer of the law without the completeness of such unarmed slain citizen being subjected, before his or her killing, to the processes of *arrest, investigation, prosecution, fair trial, conviction and sentencing* by a criminal court of competent jurisdiction is *extra jus, extra-legal and extrajudicial killing*. Generally speaking, 95% of the Army/Military, Police and Spy Police killings in Nigeria or any part thereof particularly since August 2015 has been characterized by Extra Jus, Extra Legal and Extra Judicial conduct-atrocities.

### **SPECIFIC REGIONAL LEGAL FRAMEWORKS UNDER AFRICAN UNION (AU) SYSTEM**

**Regionally**, Nigeria is a key member of the African Union and as such, bound by its key treaties and obligations especially the African Charter on Human and Peoples Rights of 1981. The African Rights Charter, now part and parcel of Nigeria's body of laws is comprehensively in agreement with the Chapter Four (Fundamental Human Rights) of Nigeria's 1999 Constitution. The Charter also continues where the Constitutional Chapter Four stops with extraordinary inclusion of the '**Group Rights**' including right to nonviolent self determination and the right of African indigenous peoples to exist, to ethnically be identified and develop as a people. The African Rights Charter, ratified and domesticated by Nigeria on 26<sup>th</sup> June 1983, is presently cited in the country as *African Charter on Human and Peoples Rights (Ratification and Enforcement Act, Cap A9, Laws of the Federation of Nigeria 2004)*. The operability and enforceability of the Charter in Nigeria's municipal laws or legal system was also decided affirmatively by the country's Supreme Court in *Gen Sani Abacha & Ors v. Chief Gani Fawehinmi* (2000) 4 FWLR 533.

The Charter (also known as the Banjul Charter) is a regional human rights instrument, designed to promote and protect human rights and fundamental freedoms in the African continent. Its Civil and Political Rights version recognizes most of what is regarded as universally accepted civil and political rights. The civil and political rights recognized in the Charter include

the right to freedom from discrimination (Article 2 and 18(3)), equality (Article 3), life and personal integrity (Article 4), dignity (Article 5), freedom from slavery (Article 5), freedom from cruel, inhuman or degrading treatment or punishment (Article 5), rights to due process concerning arrest and detention (Article 6), the right to a fair trial (Article 7 and 25), freedom of religion (Article 8), freedom of information and expression (Article 9), freedom of association (Article 10), freedom to assembly (Article 11), freedom of movement (Article 12), freedom to political participation (Article 13), and the right to property (Article 14).

### **SPECIFIC INTERNATIONAL LEGAL FRAMEWORKS UNDER UN SYSTEM**

**Internationally**, Nigeria is a key member of the international community including the United Nations and is bound by its treaties and obligations such as the Int'l Covenant on Civil and Political Rights and the Int'l Covenant on Economic, Social and Cultural Rights of 1976, signed and ratified by Nigeria in 1993. The **Int'l Covenant on Civil and Political Rights** in its **Part 1** (Article 1) recognizes the rights of all peoples including the Igbo People of Nigeria to nonviolent self-determination: "freely determine their political status, pursue their economic, social and cultural goals, and lawfully manage and dispose of their own resources". This is the same with Article 1 of the **Int'l Covenant on Economic, Social and Cultural Rights of 1976**, signed and ratified by Nigeria in 1993.



**Generally,** Nigeria is a State Party to the *UN Covenant on Civil and Political Rights* and the *UN Covenant on Economic, Social and Cultural Rights* of 1976; the *UN Genocide and Torture Conventions* of 1948 and 1985, the *UN Convention for Protection of All Persons from Enforced Disappearance* of 2009, the *UN Women and Child Rights Conventions* of 1984 and 1990, the *UN Convention against All Forms of Racial Discrimination* of 1969, the *UN Statute on Refuge* of 1951, the *Rome Statute of the Int'l Criminal Court* of 1998, the *UN Code of Conduct for Law Enforcement Officials* of 1979, the *UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* of 1990, the *UN's Universal Declaration of Human Rights (UDHR)* of 1948, the *African Charter on Human and Peoples Rights* of 1981, the *UN Declaration on the Rights of Indigenous People* of 2007; and the *Geneva Conventions or Laws of War* of 1949 (enacted to regulate inter State and intra State conflicts and treatment of non combatants including civilians not actively involved, the refugees and IDPs affected by either of the conflicts ). Nigeria is also legally and morally bound by these regional and international enactments.

## **RULES OF ENGAGEMENT FOR PROTECTION OF CIVILIANS IN VIOLENT ENVIRONMENTS**

Under circumstances of war or situations of internal conflict or policing and management of violent environments, they are strictly regulated regionally and internationally. Nigerian security forces including soldiers and police crack squads

are bound by the UN's Code of Conduct for Law Enforcement Officials of 1979 and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of 1990. In situations of internal armed violence and coercive management of the same, Nigeria is bound by the Geneva Conventions or Laws of War of 1949 and their Three Protocols of 1977 and 2005.

## **TEN PRINCIPLES OF INTERNATIONAL RULES OF ENGAGEMENT FOR ARMED STATE ACTORS**

There are also ten key principles of the International Rules of Engagement and they are (1) *legitimate use of force*, (2) *proportionality of use of force*, (3) *legitimate self defense*, (4) *treatment of prisoners of war or conflict*, and (5) *avoidance of attacks on non-military necessity or civilian targets or properties (including civilian houses)*, (6) *avoidance of attacks on civilians or non-combatants*, (7) *treatment of the wounded*, (8) *avoidance of attacks on culture symbols or places of worship*, (9) *avoidance of attacks on humanitarian agencies and personnel/aid workers/human rights activists*; and (10) *legitimate treatment of other peoples of the war (i.e. spies and journalists)*.

### **Section G**

## **ILLEGALITIES AND ATROCITIES CHARACTERIZED NIGERIAN ARMY MASSACRE IN OBIGBO**

The methodologies adopted in recent field operations by Nigerian Army under retired

Chief of Army Staff, Lt Gen Tukur Yusuf Buratai from August 2015 to Feb 2021; Feb-May 2021 under late former Army Chief, Lt Gen Ibrahim Attahiru; May 2021 to June 2023 under former Army Chief, Lt Gen Faruk Yahaya and June 2023 till date under Army Chief, Lt Gen Taoreed Lagbaja have been characterized by sundry illegalities and atrocities. The methodologies used are, to say the least, crude, unprofessional, atrocious, unconstitutional and internationally prohibitive. It must clearly be pointed out that Nigeria as a Member-State of the UN is prohibited from abducting citizens outside public knowledge and official records; hatefully and criminally labeling them, arbitrarily detaining and torturing them or shooting and raping them to death in custody (if females). It is also prohibited and atrocious to dispose corpses after openly or secretly killing them outside the law in order to erase traces. By the existing laws of the Federal Republic of Nigeria including Decided Cases (Case-Laws), the Armed Forces Act of 2004 and any other Military Laws in force; the Criminal Code Act (for the South) and the Penal Code (for the North), the Access to Criminal Justice Act of 2015 and the 1999 Constitution, among others; the Nigerian Army or any other branch of the Armed Forces lacks power and is disempowered from **arresting, detaining, investigating and prosecuting civilian citizens not subject to the Armed Forces Act of 2004 and any other Military Law in force.** By the Nigerian Security Agencies Act of 2004, governing the conducts of DSS, the National Intelligence Agency and the Directorate of Military



*Intelligence; the DSS as Nigeria's internal intelligence or spy police outfit is disempowered from usurping the core duties of the Nigeria Police Force contained in Section 4 of the NPF's Act and Regulations of 2004 as amended particularly as it concerns power of investigation, arrest, detention and prosecution of civilian citizens or their discharge and acquittal. The powers of the DSS are strictly for purposes of internal intelligence gathering and limited law enforcement operations. The DSS is also disempowered from accepting civilian citizens abducted or illegally arrested and held for months by any branch of the Armed Forces particularly the Nigerian Army and their transfer to DSS custodies so as to unlawfully holding for another round of unlawful lengthy period without trial. The Nigeria Police Force as lawful or authorized investigating, arresting, detaining and prosecuting authority, is barred by Law including Sections 35 and 36 of the 1999 Constitution and the Police Act and Regulations of 2004 as amended from holding civilian citizens without public knowledge and trial beyond the constitutionally prescribed periods and limits.*

## **C U S T O D I A L C O N S T I T U T I O N A L L I B E R T I E S O B S E R V E D I N G R O S S B R E A C H I N O B I G B O**

According to Section 35 (4) of the 1999 Constitution: "Any person who is arrested or detained in accordance with this section shall be brought before a court of law within a reasonable time, and if he is not tried within a period of: (a) two months from the date of his arrest or detention in the case

*of a person who is in custody or is not entitled to bail (i.e. if accused of capital offense(s)); or (b) three months from the day of his arrest or detention in the case of a person who has been released on administrative bail, he shall (without without prejudice to any further proceedings that may be brought against him) be released either unconditionally or upon such conditions as are reasonably necessary to ensure that he appears for trial at a later date".*

By Section 36 (5) of the same Constitution: "Every person who is charged with a criminal offense shall be presumed to be innocent until he is proved guilty". Section 42 of the Constitution also forbids "all forms of discrimination particularly on the grounds of sex, religion, ethnicity and class". In the Obigbo Army massacre and abductions of Oct 21 to Nov 10, 2020 in Rivers State, the reverse was the case. Official arrests and detentions are lawful only when they are conducted by the authorities competently authorized to do so and done within the confines of due processes including making such arrests and detentions a public knowledge, ensuring access of the arrested and the detained to their families, lawyers and physicians, avoiding torture and other inhuman treatments while holding them in detention, ensuring that such arrests and detentions are not conducted during illegitimate hours or 'in the hours of the blue law' and releasing or trying them within the stipulated periods or timeframes.

During the Obigbo massacre, apart from the Nigerian Army gravely overstepping its line of

responsibilities including 'arresting, detaining and investigating citizens (defenseless civilians) not subject to the Armed Forces Act of 2004 or any other Military law in force', the Army authorities further refused to make or issue any official statement on those it abducted (numbering 620 Obigbo civilian Residents) and their whereabouts. The Army also acted illegally and unlawfully by moving the victims in the dead of the night and extra-jurisdictionally; refusing to hand them over to the appropriate Civil Policing Authorities such as the Nigeria Police Force for appropriate actions including investigating them and alleged offenses they were said to have been perpetrated and taking them to court for trial; or releasing them on administrative bail; or discharging and acquitting them after non-indictable investigations. The Nigerian Army acted ultra vires by holding the victims particularly the not less than 80 young women among them incommunicado and blocking and denying them access to their families, physicians and lawyers and refusing to make their captivity a public knowledge for more than ten months. The above was to the extent that even when the secret abductions were evidentially exposed by rights groups and activists, the Nigerian Army still remained adamant refused to speak up.

The most atrocious of it all was the secret abduction and transportation of 113 unarmed and innocent Obigbo Residents from Obigbo in Rivers State to far away Nigerian Army Alpha Commando Base located along Suleja-Bida axis of Niger State,



North-Central Nigeria where they languished for over ten months and during which not less than five died of torture and starvation. It was also a height of abomination and atrocity for some personnel of the Nigerian Army to have been reported to severally sexually abused dozens of its abducted female victims. But for brave discovery, by human rights groups and activists, of 468 of Nigerian Army's 620 defenseless Obigbo Residents; soldiers and officers of the Nigerian Army were strongly suspected to have intended to massacre all the 620 abductees particularly on the grounds of their ethnicity and religion (i.e. Igbo tribe and Christianity) and erase traces.

#### **DSS LEGITIMIZED O BIGBO ARMY ABDUCTIONS USING BACKDATED COURT REMAND ORDERS**

The Nigerian Army and the Department of State Security Service or DSS "partnered in crime" in the Obigbo Army abductions during which no fewer than 620 innocent residents were abducted in 20 days between Oct 21 and Nov 10, 2020. From several investigations done by **Intersociety**, DSS became complicit by accepting the secret transfer of dozens of the abductees transferred by soldiers and their commanders and discovered by human rights groups and activists. The award-winning efforts of the human rights groups and activists including **Intersociety** and its **Criminologist-Leader, Emeka Umeagbalasi, Richard Ebuka Okoroafor Esq., Comrade Damian Ugwu** of **Amnesty International** (as he then was),

**leaders of Pro Biafra Self Determination group (IPOB) and others** later paid off leading to the victims being granted bail through court orders and their release from DSS abandoned facilities in the FCT and others. To further keep the abductees, the DSS resorted to obtaining unlawfully backdated remand court orders with intents to perpetually keep them in custody after having been secretly abducted and detained for several months in secret Army barracks.

The DSS was also found to have resorted to use of phantom charges of "terrorism or treason or insurrection" and hid under obnoxious Section 120 of the Terrorism Prevention Act of 2013 which obnoxiously empower arresting and detaining authorities such as DSS and Police to continuously seek and obtain remand orders "against any citizen accused of terrorism and its likes" and have him or her detained without trial for 60 days with limitless renewal by the issuing Magistrate. The obnoxious Section 120 of the Terrorism Prevention Act of 2011 as amended was intended to give the detaining authorities enough time for criminal investigations under 'accusatory circumstances', which in practice, is recklessly abused in gross violation of Section 35 (4) of the 1999 Constitution. The Constitutional Section 35 (4) places 60-90 days as maximum detention period against any citizen rightly accused of treason attracting capital punishment.

#### **PERSONAL BELONGINGS OF 620 ABDUCTED OBIGBO RESIDENTS CONVERTED BY SOLDIERS**

Another abominable and brazen act exhibited by soldiers of the

Nigerian Army in Obigbo was criminal conversion of the seized personal belongings of the over 620 abductees, seized at the point of their abduction and detention in Army captivity. The seized and criminally converted personal belongings had included smart phones and other phones and their sim-cards, recharge cards and loaded data; cash sums and fraudulently withdrawn cash sums from victims' bank deposits using mobile apps installed in their mobile phones and ATM cards. Other seized and criminally converted personal items were bangles, necklaces, wrist watches, large amounts of cash arising from daily sales or contract payments; identification cards (i.e. NICs), international passports, etc. The items were seized by soldiers from both male and female abductees numbering not less than 620. Items seized from not less than 80 women among the over 620 abductees included female handbags, sanitary pads, jewelries, make-up packs, perfumes, pairs of pants and brassieres, fancy and reading glasses, cash sums etc. It was also checked and found that none of the 468 freed abductees and 152 others still disappeared till date had their seized items released or returned to them. The worse was that the freed abductees were denied access to their phones to reconnect their families and were re-clothed and given new sets of clothes and toiletries upon their release.

#### **ABDUCTED OBIGBO WOMEN FORCED TO WEAR SAME UNDER-WEAR FOR MONTHS IN CUSTODY**

From our field findings including oral interviews granted to us by some freed Obigbo girls and



insider sources at Army and DSS dungeons, the not less than 80 abducted Obigbo women among them were girls and young women were forced to wear same underwear (a pant and a brassiere) in Army and DSS custodies between October 21 and November 10, 2020; and between Nov 2020 and March 5, 2021. The female abductees also spent five to eight months in different Nigerian Army and DSS secret detention facilities in Northern Nigeria during which they were denied access to their families, friends and health and legal representatives and their abduction and captivity shielded from official public knowledge till date. According to post abduction testimonies from 55 of the 80 abducted women, dozens of them especially those in married and unmarried non-menopausal age brackets received varying degrees of sexual abuse and harassment in the hands of soldiers manning those detention facilities. It was also reported that 95% of the freed Obigbo women abductees, taken to hospital for medication; were diagnosed of sexually transmitted diseases and psychological traumas arising from physical and psychological sexual abuses or harassments suffered in the hands of the soldiers.

#### **ABDUCTED LABORERS, SPORT FANS, TRADERS, HAIR DRESSERS LABELED "TERRORISTS"**

Contrary to claims by the Nigerian Army and Gov Nyesom Wike in Obigbo of "going after or fishing out IPOB members/terrorists", interviews granted to the **Intersociety** by some survivors and other findings made showed that the slain, the injured, the tortured, the

abducted, the sexually abused, the disappeared and the freed victims were drawn from innocent and defenseless residents of Obigbo and environs who are law abiding citizens with different lawful means of livelihood. Beyond Obigbo and environs, it was also found that dozens of defenseless and uninvolved citizens residing in boundary communities between Rivers and Abia States and those traveling between the two States and between Rivers and Imo States were part of those abducted including sport activists or fans of EPL, La Liga, Serie A, French League 1, Bundesliga, UEFA and EUROPA, etc. They were attacked by soldiers in beer parlors, restaurants and cinemas near their residences while watching international football matches. Others were hawkers such as biscuit and sachet water sellers; hair dressers, tailors, sales ladies, bus conductors and artisans such as barbers, vulcanizers, roadside mechanics; and professional and unskilled laborers, husbands and wives, brothers and sisters, church attendants, etc.

#### **WHERE, WHEN AND HOW 620 OBIGBO CIVILIANS WERE ABDUCTED**

The abduction spree in Obigbo, perpetrated by soldiers of the Nigerian Army; had taken place between Oct 21 and Nov 10, 2020 and was carried out at ungodly and off-official hours between 5pm in the evening and late into the night; and from 3am/4am in the early morning hours and 7am at day break. The abducting soldiers also attacked social clusters such as outer market spaces or places, bus-stops and betting and sporting arenas, etc during which defenseless members of the public found in

such vicinities were abducted. At ungodly hours such as late into the night and wee hours, military raids and invasions became a routine and targeted at defenseless and unarmed citizens at their sleep or those returning to their houses from their workplaces or relaxation arenas including football and other sporting enthusiasts.

The late night invasion and abduction were so indiscriminate and reckless that many who managed to escape at night from their sleep had to escape into gutters or drainages and bushes where they spent days to escape being abducted and permanently disappeared or shot at close range and killed instantly. The abduction was also targeted at the closure of work in the evening and church night vigil and routine church service hours during which sales ladies, women petty traders, saloonists, laborers, hawkers, artisans, apprentices and owners of trading stores, etc were abducted with their personal belongings including cash sums, mobile phones, ATM cards, sanitary pads, hand bags, tradable items, household utensils and food items, etc. The abductees were later taken to secret military places located within Rivers State and outside the State including Imo and Abia States and far-away places in the North such as Nasarawa, FCT, Niger (Jebba, Kotangora, Zungeru and Bida), Kaduna, etc. The Nigerian Army abductees in Obigbo were further found to have been secretly driven in chartered commercial vehicles including Coaster buses and mini luxury buses during late night and off-official hours' operations; and military trucks including Lorries and patrol vans during the day.



By pieces of testimonial information obtained from some survivors including freed abductees, those abducted were moved around during ungodly hours or hours of the blue law from one Army barracks to the other including from the 6 Division Headquarters in Port Harcourt to the 14 Brigade Headquarters at Ohafia and its 144 Battalion at Asa and Aba (under 82 Division in Enugu); and from the 6 Division Headquarters in Port Harcourt to its Elele Battalion from where they were landed at the 34 Brigade Obinze, near Owerri (under 82 Division in Enugu). Many of the 620 abducted Obigbo civilian residents were thereafter secretly moved at late night from 34 Brigade Obinze near Owerri to different secret Military, Police and DSS locations in Nasarawa, Niger, FCT, Kaduna and Zamfara, etc. The rest were secretly moved (airlifted) at ungodly hours to the North from the 6 Division Headquarters in Port Harcourt, Rivers State. Some of the military, police and spy police facilities in the North holding them were the Nigerian Army Alpha Commando Base in far away Bida, Niger State, the DSS facilities in FCT, the Force CID Annex, Abuja, the Mogadishu Army Barracks, Abuja and other undisclosed military facilities in Niger (Jebba, Kotangora, Suleja, Bida, Zungeru, etc), Kaduna, Nasarawa, Kogi, Zamfara etc.

#### Section H (Statistics)

#### MORE THAN 50% OF 130 SLAIN OBIGBO CIVILIAN RESIDENTS IDENTIFIED

Among the 130 slain victims were: (1) Pastor Igwe (slain husband of Mrs. Amara Igwe),

(2) Queen Nwazuo (slain fiancée of Mr. Monday Bakor killed in front of her shop), (3) Ndukwe Idika (missing and presumed killed in captivity), (4) Michael Igwe, (5) Ifeanyichukwu Imo, (6) Chigbo Elvis Ngozi (missing and presumed killed in captivity), (7) Obioma Okoroafor (missing and presumed killed in captivity), (8) Ozoemena Nwokorie (missing and presumed killed in captivity), (9) Mbeta Uchenna (still missing and presumed killed in captivity), (10) Chiadikobi Ndubuisi (still missing and presumed killed in captivity), (11) Okoro Peter and (12) Chinwendu Rufus Adiele (the two were shot at close range by Soldiers who also busted their brain boxes and killed instantly on 24<sup>th</sup> Oct 2020 few meters away from Gov Wike's convoy during his visit to Obigbo); (13) Jude Egejuru (died from gunshot injuries), (14) Clifford Okeke.

**Included were:** (15) Cornelius Anya, (16) Udeme Ossy Monday, (17) Edochie Steven, (18) Ebere, (19) Wisdom, (20) Chizzy (still missing and presumed killed in captivity), (21) Michael Nkama (died from gunshot injuries), (22) Chinonso Joshua (died from gunshot injuries), (23) Godwin Samuel Umahi (related), (24) Sunday Umahi (related), (25) Queen Eze, (26) Darlington, (27) Chinonso Udoh (still missing and presumed killed in captivity), (28) Kuffe Sandy (still missing since 6<sup>th</sup> Nov and presumed killed in captivity), (29) Justice (shot dead in front of his residence), (30) Martins (still missing and presumed killed in captivity), (31) Ebite Orjinta (from Ihite-Uboma, Imo State), (32) Sunday Aneke (still missing and presumed killed in captivity),

(26) Kingsley Iwuagwu (killed in Army custody in Niger State), (33) Okechukwu Anyanwu (killed in Army custody in Niger State), (34) Chijoke (killed in Army custody in Niger State), (35) Miss Victoria (raped to death by soldiers at Mogadishu Barracks, Abuja on 22<sup>nd</sup> Nov 2020), (36) Kingsley Okpara, (37) Nonso Ejiogu, (38) a young nursing mother (died from gunshot injuries), (39) her newborn baby of one month, 3 weeks and two days (yet to locate her relatives) and (40) a yet-to-be identified dead citizen.

**Others were:** (41) second yet-to-be-identified citizen and (42) third yet-to-be-identified dead citizen (the three slain bodies were shot dead and left to decompose along an Obigbo Street in a verified video footage, (43) Pastor Ikeakachukwu Moses Okpara (pastor of the Living Faith Church, shot and killed on 21<sup>st</sup> Oct 2020), (44) Olisa (a JAMBite shot and killed by soldiers), (45) three unidentified persons shot dead around Old Aba Road, near Imo River in Obigbo, (46) Victor Eme (14 years old schoolboy shot and killed), (47) Francis Ejiogu (28 years old forklift operator and only son of his parents shot on 22<sup>nd</sup> Oct who died on 23<sup>rd</sup> Oct 2020), (48) Emeka Onyeama (tricycle operator shot and killed), (49) Nanso Udor (still missing since 6<sup>th</sup> Nov and presumed killed in Army custody), (50-56) six dead persons dumped at Glorious Medical Center including late Excellent Moses, (57) Eriga (a Cameroonian whose corpse was deposited at University of Port Harcourt Teaching Hospital, Choba) and (57-63) seven slain victims burnt to ashes by soldiers with an ambulance conveying



them to a Mortuary (their remains and ambulance were set ablaze by soldiers at Market Junction by St. Paul's Catholic Church, Obigbo), (64) Thomas Ekwueme, (65) Pius Onochie, (66) Obinna Akapuru, (67) Monday Ifeanyi, (68) Tobechukwu Udoka and (69) **Elvis Ngozi Chigbu (the slain Citizens numbered 64-69 were among those starved or tortured to death at the Army Alpha Commando Base in Bida, Niger State.** The identified number of the slain Obigbo civilian residents is 69, out of more than 130 shot and killed by soldiers of the Nigerian Army in Obigbo Massacre.

#### **MORE THAN 50% OF 150 DEADLY WOUNDED OBIGBO CIVILIAN RESIDENTS IDENTIFIED**

The 150 deadly injured victims identified were: (1) Chukwuma Chinonso, (2) Nwoke Okwudiri Nwonye, (3) Uche Ogbonna, (4) Chikaodi Agwu, (5) Michael Okwudiri, (6) John Emeka, (7) Agwu Enyi, (8) Obichukwu Chibuike, (9) Izuchukwu Igwe, (10) Eluu Chukwuemeka, (11) Arinze Joshua, (12) Nwakama Izuegbe, (13) Destiny Okorie, (14) Israel Asoh, (15) Emeka Heart, (16) Victor Heart, (17) Orji Amaoji, (18) Paschal, (19) Obasi Emela, (20) Chiwuzo Orjinta, (21) Sylvester Odoche, (22) Elochukwu Emeka, (23) Nwakama Uzuegbu, (24) David Godwin, (25) Chima Iwuala, (26) Theresa David, (27) Ozara Ede Anyanwu, (28) Nnamdi Udorji, (29) Obasi Emerem, (30) Sunday Okoegwu, (31) Ozen Christian, (32) Chima Ogbona, (33) Samuel Obasi, (34) Solomon Ukezu, (35) Ndubuisi Azunna, (36) Victoria Ndubuisi, (37) Ubong Umoh. **Included were:** (38) Tochukwu Nicholas, (39) Anthony Obi, (40)

Udorji Anayo, (41) Etim Ubong, (42) Chisom Nnamdi, (43) Eric Angel, (44) Peter Ajah, (45) Uzochukwu, (46) Godwin, (47) Emeka, (48) Arinze, (49) Mike Ujam, (50) Ugwuanyi Ogbuu, (51) Theresa David, (52) Ogbonnaya Ipia, (53) Michael Ama Omu, (54) Michael Ibanga Udom (60 years old) and over 20 freed abductees bearing marks of torture and inflicted injuries while in Army captivity in Niger State and FCT (marked "56-74"). The identified number of the seriously injured Obigbo civilian residents above is 74 out of the not less than 150 shot and deadly injured by soldiers of the Nigerian Army in Obigbo Massacre.

#### **620 OBIGBO CIVILIANS ABDUCTED, 468 FREED AND 152 STILL MISSING AFTER THREE YEARS**

Findings by **Intersociety** indicated that out of the not less than 620 Obigbo civilians that were abducted and disappeared by soldiers of the Nigerian Army in 20 days of Oct 21 and Nov 10, 2020; 468 were independently located and freed and 152 still missing after three years and presumed dead. The abductions were done outside public knowledge or official information including their families' knowledge. We arrived at this number through gathered credible information and other open source-investigative reports; with an example being an exclusive report by Sahara Reporters on Nov 24, 2020 titled: "Nigerian Army secretly airlifted abducted IPOB members (Obigbo residents) to secret detention centers in the North including Niger State" ([https://saharareporters.com/2020/11/24/nigerian-army-](https://saharareporters.com/2020/11/24/nigerian-army-secretly-airlifts-alleged-ipob-members-arrested-rivers-state-detained-them/)

[secretly-airlifts-alleged-ipob-members-arrested-rivers-state-detained-them/](https://saharareporters.com/2020/11/24/nigerian-army-secretly-airlifts-alleged-ipob-members-arrested-rivers-state-detained-them/)).

See also another detailed Special Report of Nov 23, 2020 by Nigeria's Premium Times titled: Inside the horrific bloodshed and massive extrajudicial killings in Nigeria's Oygbo Community in Rivers State <https://www.premiumtimesng.com/news/headlines/427469-investigation-inside-the-horrific-bloodshed-and-massive-extrajudicial-killings-in-nigerias-oyigbo-community.html?tztc=1>.

More discoveries later followed including first discoveries made on Dec 3, 10 and 15 2020 during which 52 abductees were traced to four different secret Army detention facilities (Jebba, Kotangora, Zungeru and Bida) in Niger State and their freedom secured. Following the dogged efforts of Richard Okorafor Esq., assisted by Comrade Damian Ugwu of Amnesty International (as he then was), top pro Biafra self determination activists and friendly security personnel and group advocacy piloted by **Emeka Umeagbalasi** and his group-the **International Society for Civil Liberties and Rule of Law**; the first batch of 52 abducted Obigbo civilian residents (all members of the Igbo Judeo-Christian faith) were traced and found to have been held in secret Army locations in Jebba, kotangora, Zungeru and Bida, Niger State, North-Central Nigeria. The discovery of 52 Obigbo Army abductees followed a distress call by a concern judicial officer in Niger State and a post graduate classmate of the UK-based Human Rights Campaigner



(Richard Okoroafor Esq.) of secret remand orders to hold the abductees in perpetuity. Swift moves were made following the revelations leading to the Army captives being granted court bail on 3<sup>rd</sup> and 10<sup>th</sup> Dec 2020 and their release days after. From testimonial statements of the freed victims, it was further discovered that three of the abductees were tortured to death in the Army captivity in Niger State. Another batch of 55 young Igbo women were later discovered to be among those secretly held at the Mogadishu Army Barracks in Abuja and the information was disclosed to **Intersociety** on 8<sup>th</sup> Feb 2021.

More names were discovered in the Federal Capital Territory and through the combined efforts of human rights activists and rights groups mentioned above, their releases were later secured through Court bail. The freed Obigbo Army abductees included **Niger State Batch A, B, C and D** comprising 52 abductees freed 3<sup>rd</sup>, 10<sup>th</sup> and 15<sup>th</sup> December 2020; **Abuja Batch A** comprising 30 abductees freed on 30<sup>th</sup> Dec 2020; **Abuja Batch B** comprising a different set of 30 abductees including two young female rape victims freed on 15<sup>th</sup> Jan 2021; **Abuja Batch C** comprising 33 abductees freed on 28<sup>th</sup> Jan, 29<sup>th</sup> Jan and 3<sup>rd</sup> Feb 2021; **Abuja Batch D** comprising 63 abductees freed on 15<sup>th</sup> Feb 2021 and **Abuja Batch E** comprising 75 abductees (55 women and 20 men) freed on 4<sup>th</sup> and 5<sup>th</sup> March 2021; **Abuja Batch F** comprising 26 young males freed by DSS on June 29 and 30, 2021 after several months of captivity; having been originally abducted and held for two months by soldiers of the

Nigerian Army in Obigbo, Rivers State from where they were secretly transferred to DSS Headquarters in Abuja and held at its old facility. In the list of the freed 468 Obigbo Army abductees were 107 abducted since late October 2020 and freed on August 11, 2021; more than ten months after being abducted and secretly bundled to the Nigerian Army Alpha Commando Base along Suleja-Bida axis of Niger State. The freed Army abductees were originally 113 in number, out of which five died as a result of starvation and custodial torture in the hands of soldiers of the Nigerian Army. The freed 107 Obigbo Army abductees represented **Niger State Batch E**.

#### LOCATION OF 113 OBIGBO ABDUCTEES AT ARMY ALPHA COMMANDO BASE IN NIGER STATE

The location of 113 Obigbo abductees at the Nigerian Army's Alpha Commando Base in Suleja-Bida axis of Niger State was made possible through the information given to **Intersociety** by the family of Citizen Chigbo Ngozi Elvis who was abducted by soldiers alongside others on Oct 28, 2020 at the Imo River part of Obigbo in Rivers State. Citizen Elvis Chigbo was a 23 year-old bus conductor plying Port Harcourt-Abia Expressway when he was abducted alongside other passengers in his employer's commercial bus at an Army Roadblock around Rivers-Abia part of the Imo River. They were first bundled to 144 Battalion in Asa, Abia State from where they were transferred to the 6 Division of the Nigerian Army in Port Harcourt.

It was from there that he was disappeared alongside others till date. His family mustered the courage to search for him and later told **Intersociety** that "their Army contact had located him at an Army Base "between Niger State and Abuja (later found to be Nigerian Army's Alpha Commando Base in Suleja)". Citizen Elvis and 112 others were on Thursday, Feb 25, 2021 located at the Commando Base in far away Suleja-Bida axis of Niger State in North-Central Nigeria where they were dumped and abandoned since late Oct 2020 when they were abducted by soldiers. Confirmation of their location paid off on Thursday, Feb 25, 2021 when Richard Okoroafor Esq., traced them to the Army's Alpha Commando Base and was nearly assassinated on his way back to Abuja during which his Prado Jeep was severally shot at and riddled with live bullets. Out of the 113 Army abductees, 107 were released alive on August 11, 2021 having been granted court bails about one week or two weeks earlier. Their release on August 11, 2021 followed fulfillment of their bail conditions and after over ten months of tortuous confinement. No fewer than five of the abductees died of starvation and torture. Citizen Elvis Ngozi Chigbo was found missing from the list of the freed 107 abductees and presumed to have been killed on transit or in the Army Alpha Commando's captivity.

**Names of the freed 107 abductees included:** 1 Benjamin Eze, 2 Paul Uwazie, 3 Humphrey Vickie, 4 Peter Umeh, 5 Prince Achi, 6 Odenigbo Israel, 7 Iwuoma Bright, 8 Gift Ivie, 9 Kamsio Ignatius, 10 Chibuike Ochi, 11 Bobo Ochi, 12 Ochi



Jacob, 13 Mensah Boniface, 14 Nwakaego Ibe, 15 Elechi Sylvester, 11 Amadi Chinasa, 17 Okeke Zechariah, 18 Mebechi Justice, 19 Anwulika Dede, 20 Alphonsus White, 21 Saturday Amonwa, 22 Daniel Onwubiko, 23 Sopuru Onochie, 24 Clifford Francis, 25 Emeka Ugbochi, 26 Echefuna Uchenna, 27 Anthony Okpara, 28 Godswill, 29 Ikenna Abuoma, 30 Paul Nwite, 31 Okochi Emmanuel, 32 Richard Okoli, 33 Immanuel Sunny, 34 Johnson Akabuku, 35 Michael Azubike, 36 Oku Confidence, 37 Mark Uche, 38 Dominic Asiema, 39 Freedom Acalpu, 40 Nsikak Friday, 41 Chinonso Amaechi, 42 Bright Sunday, 43 Okpara Dinma, 44 John Igweba, 45 Humphrey Chukwunonso, 46 Boniface Uwuoma, 47 Osaretin Chinda, 48 Ekene Denison and 49 Emma Maduabuchi, 50 Chinedu Kelvin, 51 Osita Austin, 52 Legit Kererei, 53 Eric Alphonsus, 54 Ikechukwu, 55 Godwin Ume, 56 Chinenyeze Ekpere, 57 Innocent Odum, 58 Pastor Uchenna, 59 Boniface Ume, 60 Gilbert

**Others were:** 61 Okafor Kingsley, 62 Chieyuran Ibe, 63 Emeka David, 64 Freedom Acalpu, 65 Sodienye Moses, 66 Onyinye Nwokeke, 67 Monday Ogah, 68 Ifeoma Igwe, 69 Chika Jideofor, 70 Chukwudi Anyazue, 71 Chimezie Ayigbo, 72 Chijioko (from Ekwulobia, Anambra State), 73 Ekene, 74 Nwude, 75 Vincent, 76 Ugochukwu, 77 Andrew Iheme, 78 Thomas Ibekwe, 79 Precious Anozie, 80 Cletus Justice, 81 Augustus, 82 Osita Chikwado, 83 Adams Kennedy, 84 Egesi Geoffrey, 85 Chidi Okeke, 86 Egbo Godwin, 87 Chinenyeze Bishop, 88 Akaudo Obinna, 89 Kanyinene Uche, 90 Azubike Calistus, 91 Victor Ugochi, 92 Okwu Nonyerem, 93 Kamso Anayo, 94 Ebube Kelvin, 95 Emeka David,

96 Sopuru Dikachi, 97 Chibuike Uzo, 98 Osuagwu Emmanuel, 99 Ojiako Bright, 100 Harrison Jude, 101 Winner Onukwube, 102 Chika Dede, 103 Papa Emma, 104 Success Mba, 105 Clifford Obunne, 106 Chiefuna Chukwuma and 107 Apiam James. Sadly, among the 113 Obigbo abductees held for over ten months at the Nigerian Army's Alpha Military Commando Base in Suleja, Niger State, the following six lost their lives: **Thomas Ekwueme, Pius Onochie, Obinna Akapuru, Monday Ifeanyi, Tobechukwu Udoka and Elvis Ngozi Chigbo** (missing and presumed killed in captivity).

#### HOW 368 OF THE 620 ABDUCTED OBIGBO RESIDENTS WERE FREED IN BATCHES

Out of the first batch of 52 Obigbo abductees, their bail was granted by a Magistrate Court sitting in Minna and presided over by a Grade 11 Magistrate and first four to be freed were: Jude Nwachukwu, Chibuzor Ebere, Obi Uche and Michael Uzoma; followed by another bail granted to second batch on same Dec 3, 2020 by Hon Justice Hajiya Maryam Mahmoud of the Niger State High Court involving the following 26 abductees: Obinna Nwoke, Emeka Ibeana, Uchenna Ibeana, Nnowi Ifeanyi, Mbanefo Simeon (57 years old), Aloysius Mgbedike, Cletus Nnamdi, Onyema Fortune, Benjamin Andrew, Ebuka Ayota, Robbison Igwe, Igweze Ndubike, Ifeanyi Uwakwe, Emmy Simon, Malachy Umeh, Opara Uchenna, Opara Isaac, Richard Igwe, Obiekwe Uzoma, Joseph Ibe, Paul Ashiegbu and Amechi Ugo. The third bail involving the following twelve abducted citizens was granted by Hon Justice Aminu Bappa Aliyu of the

Federal High Court sitting in Minna, Niger State on Dec 10, 2020: Gilbert Ibe, Ibe Emmanuel, Sunday, Paul (Okada Boy), Nwachineke Moses, Chukwu Nwodo, Power Peter, Ifeanyi Alozie, Okeke Bill, Mazi Ibeneme, Okpara Chigozie, Obinna and Chika.

The fourth bail was granted by the same Federal High Court on the same Dec 10, 2020, involving the following 13 abducted citizens: Chibuchi Adam, Aloysius Obinna, Oluchukwu Emma, Andrew Ichim, Ogochukwu Abel, Tobechukwu, Wisdom Okpara, Bright, Cornelius, Igwe Obinna, Monday Emeka, Paschal and Mr. Oyim. Another batch of 29 Obigbo Army abductees had their freedom secured through a Court bail granted on Dec 24, 2020 Court by Aminu Mohammed Abdullahi, Chief Magistrate of the Grade 11 Magistrate Court, sitting in Wuse, the Federal Capital Territory and they were freed on Dec 30, 2020 from Army and DSS secret dungeons including Abacha (Mogadishu) Army Barracks in Abuja and SSS secret dungeon in Wuse and they included: Citizens Cosmas Igwe, Benedict Ezeugwu, Nelson Attamah, Michael Ugwuanyi, Godwin Ezeugwu Attamah, Obinna Orji, Godwin Emeka Omeh, Linus Uroko Eze, Oluchukwu Ugwoke, Eze George Okwudili, Geoffrey Ugwuoke, Nwodo Emma Ogbonnaya, Nnama Celestina Chinwe, Mammah Remi Odinaka, Ben Emeka Oloko, Desmond Onyebuchi Ezeme, Charles Ugwu, Chime C. Nestor-Ezeme, Ezeme Nestor Chika, Ezike Chukwu, Gerald Ugochukwu Abonyi, Ezeugwu Paul Ikechukwu, Odoh Kyrian Obiora, Michael Ifeanyi, Sabastine Asogwa, Livinus Onyebuchi Ojorbor, Innocent Ugwuoke and Simon Akunna



Amadi.

Another batch of 30 Obigbo abductees got their court bail granted by Magistrate Aminu Mohammed Abdullahi of the Grade 11 Magistrate Court sitting in Wuse, the Federal Capital Territory on Thursday Jan 14, 2021 and were freed on Friday, Jan 15, 2021 from three secret dungeons; namely: **Nigerian Army's Mogadishu Barracks, Abuja, Nigerian Army Training Center in Suleja, Niger State and SSS (DSS) dungeon located at Mararaba in Abuja.**

The names of the 30 Obigbo Army abductees included: Citizens Okoli Kanayo, Boniface Okafor, Mbadiwe Godwin, Sima Man, Joseph Nwaaba, Eze Imo, Gozie Oliver, Nwamadi Monday, Izunne Gilbert, Nwabueze Chinyeze, Favour Uchenna, Ego Samuel, Ibenwolu Faith, Abel Daniel, Young Winner, Pepper White, Freedom (Kekeboy), Obinna Ekechukwu, Adonai Uwakwe, Celestine Uwakwe, Arinze (Water), One Man MOPOL, Onyema Amaechi, Chukwunonso Andrew, Chikwado Hosanna, Ndubuisi (Officer), Uzoma Ojiako, Kosisochukwu Ojiako, Miracle Ojiako and Goodness Nwagbaraukwu. Also Citizen Linus Uroko who missed being freed on Dec 30, 2020 was freed on Jan 13, 2021.

Yet another batch of 33 abductees were granted bail by the Grade 11 Magistrate Court in Wuse 11, Abuja on Feb 28, 2021 and on Feb 29, 2021; they were set free from the Mogadishu Army Barracks in Abuja, FCT and they included: Ibeneme Uchendu, Okoli Precious, Elochukwu Osita, Osadebe

Igbariam, Ekene Livinus, Eloka Ambrose, Bobo Uche, Anthonia Onyema, Chukwuka Collins, Chibuikwe Harrison, Kennedy Pius, Eberechukwu Monday, Victor Monday, Goddy Nwite, Clifford James, Agbara Francis, Emelu Joseph, Okoli Wesley, Andrew Mbadiwe, Nonso Mbadiwe, Michael Okoye, Emenike Ugochi, Oliver Sunday, Chukwuebuka Uchenna, Evidence Obiekwe, Lucky Obiekwe, Chinemere Chike, Chike Obinnaya, Dennis Awele, Paul Asouka, Ebere Emmanuel, Ogangam Ibe and Celestine Boniface.

The bail application for a batch of 63 Obigbo Army abductees was filed on Wednesday, Feb 10, 2021 before an Abuja Grade 11 Magistrate Court sitting in Wuse and granted leading to their release on Feb 15, 2021 from four different Army, DSS and Police dungeons in Abuja; namely: Mogadishu Army Barracks Annex B at Asokoro, DSS Training Center at Central Business District and its abandoned facility at Zuba and the Nigeria Police College at Suleja in Niger State. The freed 63 abductees were: Paul Uche, Anozie Obinna, Ebubechukwu Kaima, Andrew Ekpere, Uka Obinna, Uche Emmanuel, Ekene Anayo, Bright Emma, Ikenna Uzoma, Olisa Chukwudi, Somtochukwu Ibe, David Joe, David Chukwu, Chikadibia Paul, Blessed Friday, Nwaogu Ekene, Charles Ikeogwu, Igwe Samuel, Gozie Samuel, Simeon Mbanefo, Eze Chike, Godwin Umeh, Tochukwu Umeh, Desmond Alphonsus, Ukaawa Irin, Sabinus Ula, Riguma Friday, Ekpan Sunday, Kezie Kelechi, Ifeanyi Otutu, Ambrose Anyanwu, Paul Chike, Tochukwu Obiekwe, Elochukwu Moses, Mike Anya,

Echefuna Chukwu, Echefuna Uche, Gift Onyenkachi, Alozie Chukwunonso, Chukwuma Ibeano, Friday Nonso, Nebechi Kennedy, Imma Ochi, Stanley Igwe, Okoro Benson, Emeka Nwaogugu, Uchechi Emmanuel, Joe Boniface, Gregory Amokachi, Daniel Erinne, Samson Chinda, Victor Enrinne, Christopher Kachi, Uzoma Philip, Kainene Ernest, Ikechukwu Isaiah, Isaac Oriaku, Ekpere Mmadu, Uchenna Chris, Ebuka Silas, Honesty Gift, Osita Ifeanyi and Chibuikwe Robinson.

## 55 ABDUCTED OBIGBO WOMEN AND 20 MEN FREED FROM MOGADISHU BARRACKS, ABUJA

Another batch of Obigbo Army abductees involving 55 young Igbo women and 20 men; totaling 75 were freed on March 4 and 5, 2021 after being granted bail by the Grade 11 Magistrate Court, Wuse 11, FCT Judicial Division, Abuja on Feb 27, 2021 (involving 20 men and two women) and on March 1, 2021 (involving 53 women); after being held and tortured secretly since late Oct 2020 or a period of over four months. They were secretly held by Nigerian Army for over three months (late Oct 2020 to mid Feb 2021) from where they were secretly transferred to Nigeria Police Force and DSS facilities where they spent weeks before being arraigned in late Feb 2021

The names of the Army abducted 55 women involved are: Ijeoma Francisca, Pauline Anyanwu, Grace Samson, Rebecca Ibeanusi, Ebere Uchechi, Emmanuella Oluchukwu, Okafor Uloma, Peace Amaka, Eberechi ibe, Ekene Silver, Grace Anwulika, Mba Asiegbo, Modesta Umezie, Blessing Paulina, Joy Anozie, Amarachukwu Believe, Amadi



Chinasa, Onwuka Uzoma, Chidinma Ukachukwu, Chioma Isaac and Peace Isaac (sisters), Ebube Aneto, Tina Emeka, Stephanie Sunday, Mercy Chidinma, Diri Ibe, Mirabel Angel, Nwosu Abigail, Uwaoma Queen, Sarah Alo, Sandra Evoh and Cynthia Evoh (sisters), Bridget Dede, Erica Ndubuisi and Ujunwa Ndubuisi (sisters), Oluchi Mercy, Uchendu Priscilla, Goodness Kaima, Mama Nnamdi (39 years old), Ekpere Odinanka, Nwoji Mary, Rosemary Ogudike, Happiness Odinaka, Georgina Umunze, Ngozi White, Atumofe Charity and Atumofe Precious (sisters), Amaka Ebere, Clementina Obiageli, Success Florence, Dike Amara, Kelechi Orji and Ukaamaka Oluchi (all released from DSS dungeons after being held for months and transferred by Nigerian Army) and Joyce Igwe and Ujunwa Felix (freed from the Nigeria Police Force after being held for months and transferred by Nigerian Army).

The 20 men among them were: Precious Ibe, Okonkwo Peter, Basil Anyanwu, Apostle Collins, Emeajokwu Bright, Nonso Isaac, Kennedy Samuel, Ugwu Odinnaka, Hossana Gregory, Ambrose Kenekchukwu, Timothy Onyeama, Raphael Adam, Lucky Okolie, Richard Okpara, Emaus God-Day, Chibuike Andrew, Kenneth Onuigbo, Patrick Uzoma, Anthony Okparaego and Uche Paul (all freed from the Nigeria Police Force after being held for months by the Army from where they were transferred to the Police).

## 50 OBIGBO ARMY ABDUCTEES AMONG 100 DISCOVERED IN KADUNA PRISONS IN OCT 2021

The continued search for secret

location of hundreds of Obigbo Army abductees of Oct-Nov 2020 resulted to fresh discovery in October 2021 of another batch of no fewer than 100 Igbo-Easterners including 89 males and six females found alive and five others found to have died in captivity including one Citizen Ugochukwu who was reported to have died of asthma in custody. The fresh discovery was made through intelligence-propelled investigations through combined efforts of Richard Okoroafor Esq., an International Human Rights Campaigner, Comrade Damian Ugwu of Amnesty International (as he then was), Emeke Umeagbalasi, a Criminologist-Principal Officer at the **International Society for Civil Liberties and Rule of Law (Intersociety)**, leaders of IPOB, friendly security contacts, among others. The collective efforts paid off in October 2021 when 100 defenseless abductees were discovered in the Kaduna Prisons and Lock Centers. On further investigations, it was found that not less than 50 of them were among hundreds of innocent and defenseless Obigbo Residents abducted by soldiers of the Nigerian Army in late October and early Nov 2020 and secretly held for over 12 months without release or official records.

Also discovered were the remaining 50 others abducted from different parts of Imo State particularly from Orlu and Owerri zones since Feb, March, April, May and June 2021 and unlawfully held for several months in secret military dungeons before being secretly transferred and dumped in the Kaduna Prisons and Lock Centers. The lead-perpetrators behind their abduction and disappearance were the military personnel drawn from "the Special Forces". It was also most likely that dozens of must have died on secret

transit or in captivity and their bodies disposed without traces or official records. **Intersociety** had on Nov 25, 2021 issued a statement calling on the families, guardians and friends of the 95 survived unlawful inmates to establish contacts with the authorities of the Kaduna State Prisons and Lock Centers as well as the State Ministry of Justice for possibility of securing their release or possibly retrieve bodies of five others that died in custody. The 95 survived unlawful inmates are presumed to have been released following our clarification.

**Their named included:** Humphrey Onyia, Kenekchukwu Paul, Kacil Ude, Antonio Obi, Oluchi Nwaba, Ben Akachukwu, Mebechukwu Ifeanyi, Ebube Uche, David Akudo, Namdi Ndidi, Francis Collins, Ozioma Anurika (female), Odinaka Prince, Kingsley Obinna, Ekechukwu Joshua, Ekechukwu Paul, Pius Victoria (female), Emmanuel Obinna, Kanyinene Andrew, Kosisochukwu Best, Kachi Ude, Uchechukwu Uba, Londonboy Kelvin, Chinedu Anwuru, Sunday Adaoche, Chika Obasi, Isaac Ejekwe, Benjamin Orakwe, Maxwell Uba, Kenneth Erochukwu, Mba Osigwe, Harrison Ezenwa, Boniface Nsowulu, Lawrence Celestine, Ugonna Kennedy, Nwadike Akolam, Jerry Chukwuemeka, Arinze Somtoochukwu, Anyanwu Ositadinma, Livinus Shedrack

**Others were:** Monday Uba, Ogugua Chukwuebuka, Prince Eze Ugochi, Ndubuisi Anayo, Bright Okafor, Emma Okafor, Henry Sopuruchukwu, Chika Ugwueze, Osinachi Jerry, Abraham Emeka, Moses Uzoma, Aaron Osagie, Onyekachi Chukwu and Chukwu Prince, Ibe



Francis, Maduka Synagogue, Onyinyechi Chukwuma (female), Maurine Akapu (female), Ebuka Ositadinma, Ebere Anyanwu, Paulina Eberechukwu (female), Ekene Maria Chisaram (female), Chibuikem Anarue, Success Anome, Richard Onyii, Peter Charise, Nwa Daddy, Boniface, Igwe Harry, Chinonso Kelvin, Geoffrey Egemba, Ikechukwu Mike, Chike Ndurugo, Chima Okorie, David Amaefula, Aloysius Kalu, Valerian Ndubuisi, Kingsley Ebube, Chukwuebuka Aja, Nwabuike Henry, Elias Chima, Anthony Austin, Benjamin Amechi, Ugwunna John, Chisom Mbah, Ejikom Louis, Mgbeke Jasper, Odoh Joshua, Oku Solomon, Chidi Ugoms, Mathias Osuji and two others-totaling 95 persons including six females and 89 males.

## TABLE OF NAMES, AGES AND STATE OF ORIGIN OF 107 OBIGBO ABDUCTEES FREED FROM THE NIGERIAN ARMY'S ALPHA COMMANDO BASE IN NIGER STATE

### NAMES AGES STATE

Benjamin Eze27ANAMBRA	Bright Sunday26ABIA	Precious Anozie25ABIA
Paul Uwazieike22ABIA	Okpara Dinma48ABIA	Cletus Justice23ABIA
Humphrey vickie38EBONYI	John Igweba21ABIA	Augustine34ABIA
Peter Umeze20IMO	Humphrey	Osita Chikwado27ABIA
Odemgbo Israel26ANAMBRA	Chukwunonso21EBONYI	Adam Kennedy29ENUGU
Prince Achi30ABIA	Boniface Uwuoma45IMO	Egesi Goffrey38IMO
Wie Gift25EBONYI	Osaretin Chinda23ABIA	Chidi Okeke29IMO
Kamso Ignatius27ANAMBRA	Ekene Denison25EBONYI	Egbo Godwin38IMO
Chibuikwe Ochi29ANAMBRA	Emma Maduabuchi40ENUGU	Tobechukwu Udoka29EBONYI
Bobo Ochi32IMO	Chinedu Kelvin29EBONYI	Chineyenze Bishop34IMO
Mensah Boniface44ENUGU	Osita Austin28ABIA	Akaudo Obinna21ENUGU
Elechi Sylvester29ENUGU	Legit Kerere27IMO	Kanyinene Uche20IMO
AmadiChinasa 30IMO	Eric Alphonsus28ABIA	Azubuikwe
Okeke Zachariah41IMO	Iyke37ENUGU	Calistus32ANAMBRA
Mebechi Justice35ABIA	Godwin Ume30IMO	Victor Ugoochi31ANAMBRA
Anwuluka Dieide22EBONYI	Chineyeze Ekpere35ENUGU	Okwu Nonyerem31IMO
Alphonsus white47EBONYI	Innocent Odum37IMO	Kamso Anayo39IMO
Saturday Amonwa24EBONYI	Pastor Uchenna35IMO	Sopuru Dikachi35ENUGU
Daniel Onwubiko31IMO	Boniface Ume30IMO	Chibuikwe Uzo32ENUGU
Supuru Onochie22IMO	Gilbert29EBONYI	Osuagwu Emmanuel31IMO
Clifford Francis25ABIA	Okafor Kingsley28ANAMBRA	Ojiako Bright33IMO
Emeka Ugbochi26ABIA	Chieyuran Ibe26ABIA	Harrison Jude34IMO
Echefuna Uchenna24ABIA	Emeka David25ABIA	Winner Onukube32IMO
Anthony Okpara31IMO	Sodienye Moses24ABIA	Chika Dede30IMO
Godswill Ike30IMO	Onyinye Nwokeke23IMO	Papa Emma28IMO
Ikenna Abuoma29ENUGU	Monday Ogah28IMO	Success Mba26IMO
Paul Nwille28ABIA	Ifeoma Igwe26ABIA	Clifford Obunneme27IMO
Okochi Emmanuel27ANAMBRA	Chike Jidefor38IMO	Chiemerie
Richard Okoli28ANAMBRA	Chukwudi Anyazue35IMO	Chukwuma38ENUGU
Immanuel Sunny27ANAMBRA	Chimezie32ENUGU	Ekwe Thomas36(Dead)IMO
Johnson Akabuku26IMO	Ayigbo31EBONYI	Pius Onochie32(Dead)ENUGU
Micheal Azubuikwe24EBONYI	Chijioke29EBONYI	Obinna Akapuru28(Dead)IMO
Oku Confidence22EBONYI	Ekene26IMO	Monday Ifeanyi27(Dead)IMO
Mark Uche22EBONYI	Nwude25ENUGU	ELVIS Ngozi Chigbo
Dominic Asiamu20ABIA	Vincent28IMO	23(presumed dead) ABIA
Freedom Acalpu21ABIA	Ugochukwu26ANAMBRA	
Nsikak Friday20EBONYI	Adrew Itheme24IMO	
Chinonso Amaechi25EBONYI	Thomas Ibekwe22ENUGU	



## Section I

### DEFINING DIRECT AND VICARIOUS PERPETRATORS OF HEINOUS CRIMES

**Direct perpetrators** are perpetrators or atrocity criminals that ordered, supervised and executed the massacre; facilitated or attempted to facilitate the destruction of evidence-and colluded in protecting the *command structure and rank and file* culprits resulting in them not being fished out and brought to justice.

**Vicarious responsibility(perpetrators)** is defined as *the responsibility of the superiors for the acts of their subordinates or, the responsibility of any third party that had the "right, ability or duty to control the activities of a violator, but failed or declined to do same."* It is also a liability assigned to an employer or other principal for his agent's or employee's acts performed in the course of assignment or employment or other duty. *Failure to ensure the above makes him or her accountable.*

## Section J

### INTERNATIONAL LAW'S PRINCIPLE OF COMPLEMENTARITY IN BREACH

The **International Law's Principle of Complementarity and Zero Impunity** is the fundamental principle that governs the jurisdictional procedures and processes between the International Criminal Court and a State-Party

to its Rome Statute of 1998 which came into force or opened for signing and ratification by 'State-Parties' in July 2002. Nigeria became a State-Party to the ICC's Statute by way of signing and ratification in September 2001, ten months before the ICC Statute entered into force on July 1, 2002. In summation, therefore, the International Criminal Law's Principle of Complementarity is the basis of the relationship between the International Criminal Court and national courts in relation to the application of international criminal law.

**The Principle of Complementarity** is implemented by the ICC through Articles 17 and 53 of the Rome Statute, which provide that 'a case is inadmissible before the ICC if it is currently under investigation by a State with jurisdiction over it' and that 'such right is instantly lost by such a State-Party if it manifestly becomes "unwilling and unable" to conclusively investigate the case and fish out and prosecute the perpetrators'. Where the latter becomes the case, the ICC automatically assumes jurisdiction over the matter including launching criminal investigations and fishing out and putting the perpetrators on trial so as discourage the culture of impunity and 'repeat offences and offenders' and deter others.

## Section K

### SOULS OF THE MASSACRED AND THE DISAPPEARED IN OBIGBO HAVE BEEN RESTED IN PIECES

The victims of the Obigbo Army Massacre and Abductions including the survivors and relatives of the slain and the abducted and disappeared have severally demanded for justice accountability and adequate compensations; all to no avail. Many of their children have dropped out of school and got malnourished and facing threats of death from hunger and starvation. Dozens of women have also been widowed and abandoned or pushed into perpetual penury or immoral lifestyles. Hundreds of madiens have been deprived of chances to be married to prospective husbands following indiscriminate unlawful shooting and killing of hundreds of defenseless and law abiding men in productive age brackets. Those permanently disappeared in their hundreds are also tomorrow's family breadwinners and fathers of children including Christiana Ronaldos, Austin Jay Jay Okochas, governors, ministers and great natural and social scientists of the incoming generations. Those wounded in Obigbo Army Massacre and Abductions have been denied good medication and the souls or spirits of the massacred and the disappeared rested in pieces following violent and abominable disappearance or disposal of their bodies by soldiers of the Nigerian Army and former Nyesom Wike Government of Rivers State and their refusal to release them to



their loved ones for decent burials and other sacred interment rituals.

## Section L

### **WIKE, 12 OTHER KEY PERPETRATORS OF OBIGBO ARMY MASSACRE STILL ON THE PROWL**

It must be pointed out that in the case of Obigbo Army Massacre and Abductions of October 21 to November 10, 2020, no credible investigations have been carried out by the Government of Nigeria or any of its statutory criminal investigation agencies and not even a single perpetrator or conspirator has been apprehended, diligently investigated and successfully prosecuted; more than three years after the massacre. The above is to the extent that the perpetrators including conspirators, aiders and abettors are still on the prowl and walking freely with impunity. Totality of these explains why the Obigbo massacre and abductions has expressly placed and conveyed jurisdiction on ICC over the massacre and abductions; following “the brazen inability and unwillingness” of the Nigerian Government to fish out the perpetrators and put them on trial to ensure justice to the slain and the disappeared; justice to the perpetrators; and justice to the society that has been desecrated.

We have also observed that the immediate past Government of Nigeria under Retired Major General Muhammad Buhari

and the current central Government headed by Ahmed Bola Tinubu have continuously rewarded key perpetrators of heinous crimes and atrocities including key perpetrators in the Obigbo Army massacre and abductions who are rewarded with key Government appointments such as top military and security promotions and postings; or as key Government Cabinet Ministers/Ambassadors/heads of key parastatals/boards or departments, etc. A clear case in point was the recent appointment of former Governor Nyesom Wike of Rivers State; a leading perpetrator in the Obigbo Army Massacre and Abductions as “a Minister of the Federal Republic of Nigeria in charge of the Federal Capital Territory”. Another key perpetrator and leader of the massacre operation, Major Gen Olubumni Irefin died in office in December 2020. He was the General Officer Commanding 6 Division of the Nigerian Army in Port Harcourt and was operationally in charge of the Obigbo Army massacre and abductions. It was further found that other key perpetrator-senior military officers involved have since been rewarded with promotions and juicy postings in malvolent appreciation of their atrocious roles in Obigbo massacre and abductions. Their names include Brig Generals (now Major Generals) Tayo Adio, then Commander of the 6 Division Garrison, Port Harcourt; Ibrahim Tukura, then Commander of 34 Brigade, Obinze near Owerri, Solomon M. Kumapayi and then Commander of 14 Brigade,

Ohafia in Abia State. There are also those that held key military and security portfolios during the Obigbo massacre and abductions, among them include principal officers, sector commanders and commanding officers of the affiliated formations of 6 and 8 Divisions of the Nigerian Army in Port Harcourt and Enugu including their units, sector, artillery, battalion and engineering offshoots in Port Harcourt, Warri, Ogoja, Elele, Asaba, Benin, Yenagoa, Calabar, Uyo, Owerri, Asa, Aba, Ohafia. Most of the murderous soldiers and their commanders involved in Obigbo massacre and abductions were pulled from the Army formations above mentioned.

Also Rewarded with top military ranks and juicy posts for massacring hundreds and abducting 620 Obigbo residents were Major Gen Lasisi Adegboye, then GOC, 82 Division, Enugu; Retired Lt Gen Tukur Yusuf Buratai, then Chief of Army Staff (rewarded with the post of Ambassador to Benin Republic); Retired Major Gen Babagana Monguno, then National Security Adviser; Major Gen BR Sinjen, then Army Director of Training and Operations at Army Headquarters, Abuja; Brig Gen (now Major Gen) IM Jallo, then Brigade Commander, 63 Brigade, Asaba and later, GOC, 6 Division Port Harcourt (appointed 6 Division GOC on Jan 9, 2021); Major Gen H. Ahmed, then Commander, Nigerian Army Corps of Military Police at Army Headquarters, Abuja; and Retired Brig Gen Sagir Musa, then Director of Nigerian Army



## Section M

### RECOMMENDATIONS

The Obigbo Army Massacre and Abductions will indelibly remain former Gov Nyesom Wike and 12 others' nightmare for the rest of their lives. The apostles of justice and rule of law including courageous global rights campaigners are prayerfully called upon to pricelessly work toward ensuring that the perpetrators are kept behind iron bars of the prison locally or internationally in no distant future. It is our strong recommendation and firm stand that former Gov Nyesom Wike in particular should be sacked as 'a Minister of the Federal Republic of Nigeria in charge of the Federal Capital Territory, Abuja'. He and 12 others should also be declared permanently unfit to occupy any elective or appointive public office locally and internationally for the rest of their lives following their ignoble roles in the Obigbo Army massacre and abductions. The 13 key perpetrators and others at large should be placed on permanent international visa bans or

restrictions and stopped from setting their feet on human rights and rule of law respecter and compliant western world and other lawful countries. The victims' families are also encouraged to file torrents of civil claimant suits against the former Rivers State Governor and 12 other key perpetrators.

The countries of EU, UK, Canada, Brazil, Israel, USA and others are called upon to take note and critically study this Report so as to internationally blacklist and isolate former Gov Nyesom Wike and 12 other key perpetrators mentioned in the Report. The attention of the ICC is also drawn and called upon to act timely against the listed key perpetrators so as to deter others and bring justice home to the voiceless and defenseless victims. The Igbo People and organizations in Diaspora are called upon to rise against those that are involved in the Obigbo Army massacre and abductions and compel them to disclose the whereabouts of 152 other Obigbo abductees yet to be located more than three years after their abduction. The action required from the Global Igbo

People includes tracking down the named perpetrators in foreign lands and them get arrested and kept behind bars in such countries especially those with "international or universal criminal jurisdictions".

#### Authors:

- International Society for Civil Liberties and Rule of Law (Nigeria)
- Ekwenche Research Institute and Organization (Chicago, USA)
- Compiled by Emeka Umeagbalasi, M.Sc. Criminologist-Researcher Principal Officer @ Intersociety  
Dated: Friday, November 17, 2023

@ All Rights Reserved:  
International Society For Civil Liberties And Rule Of Law;  
November 2023



# KEY PERPETRATORS IN THE OBIGBO ARMY MASSACRE

• Barr Nyesom Wike. He is the chief perpetrator, aider and abettor in the Army Massacre and Abductions. As Governor of Rivers State, he invited the soldiers of the Nigerian Army through a state-wide broadcast of Oct 21, 2020 and ordered 'war-grade' attacks against innocent and defenseless residents and properties in Obigbo and environs.



• Retired Lt Gen Tukur Yusuf Buratai. He was the Chief of Army Staff during the Obigbo Army Massacre and Abductions and the chief operational perpetrator



• Retired Major Gen Babagana Monguno. He was the National Security Adviser during the Obigbo Army Massacre and Abductions and a conspirator



• Late Major Gen Olubunmi Irefin. He was the then General Officer Commanding the 6 Division of the Nigerian Army in Port Harcourt, Rivers State and a major perpetrator alongside all the Principal Officers and Commanding Officers of the Division and its artilleries and battalions under him.



• Major Gen Lasisi A. Adegboye (as he then was). He was the then General Officer Commanding 82 Division of the Nigerian Army in Enugu and a vicarious perpetrator alongside all the Principal Officers as well as Commanding Officers of the Division's artilleries and battalions (144 Battalion Asa and 145 Battalion Ohafia) under him who were field perpetrators.



• Retired Brig General Sagir Musa. He was the then Director of the Nigerian Army Public Relations and a conspirator.



• Brig General Solomon M. Kumapayi (as he then was). He was the then Commandant of Nigerian Army 14 Brigade, Ohafia in Abia State and a field perpetrator alongside all the Principal Officers under him including the Commanding Officers of the 144 Battalion in Asa/Aba and 145 Battalion, Ohafia; under the 14 Brigade, Ohafia



• Brig General Ibrahim Tukura (as he then was). He was the then Commandant of 34 Brigade Obinze, near Owerri in Imo State and a field perpetrator alongside all the Principal Officers of the Brigade under him.







*Third Set Of Just Freed 63 Obigbo Army Abductees*



*Photos Of Just Freed 63 Obigbo Army Abductees*



*107 Obigbo Residents Freed After Over Nine Months In Army Captivity(1)*



*A Batch Of The Freed Obigbo Residents*





*Second Set Of The Freed 63 Obigbo Army Abductees*



*A Batch Of 29 Abducted Obigbo Residents Freed On 30th Dec 2020*



*Photo Of Freed Obigbo Women March 2021 (2)*



*Photo Of Freed 75 Obigbo Residents Abducted By Nigerian Army 2*



# ABOUT EKWENCHE RESEARCH INSTITUTE

**T**he Ekwenche Research Institute based in Chicago, Illinois, United States of America was formed in 1996. The Research Institute is a highly respected Advocacy and Research Organization with interest in promoting and advancing Democracy, Human Rights, Rule of Law and security and safety of lives and properties in Nigeria particularly in Old Eastern Region mainly inhabited by Trado-Judeo-Christian Igbo Population. The Ekwenche Research Institute is also known and respected for promoting and advancing human rights, safety and welfare of Igbo indigenes and other African Americans in the United States, Canada, Jamaica, Haiti and other parts of Americas, Caribbean, Europe, among others.

## CONTACTS

Phone: 773.206.9401

E-mail: [Ekwenche@hotmail.com](mailto:Ekwenche@hotmail.com)

Website: [www.ekwenche.org](http://www.ekwenche.org)





## **CALLING FOR VISA RESTRICTIONS ON WIKE AND 12 OTHERS AND BANNING THEM FOR LIFE FROM PUBLIC OFFICES.**

**T**he Obigbo Army Massacre and Abductions will indelibly remain former Gov Nyesom Wike and 12 others' nightmare for the rest of their lives. The apostles of justice and rule of law including courageous global rights campaigners are prayerfully called upon to pricelessly work toward ensuring that the perpetrators are kept behind iron bars of the prison locally or internationally in no distant future. It is our strong recommendation and firm stand that former Gov Nyesom Wike in particular should be sacked as 'a Minister of the Federal Republic of Nigeria in charge of the Federal Capital Territory, Abuja'. He and 12 others should also be declared permanently unfit to occupy any elective or appointive public office locally and internationally for the rest of their lives following their ignoble roles in the Obigbo Army massacre and abductions. The 13 key perpetrators and others at large should be placed on permanent international visa bans or restrictions and stopped from setting their feet on human rights and rule of law respecter and compliant western world and other lawful countries. The victims' families are also encouraged to file torrents of civil claimant suits against the former Rivers State Governor and 12 other key perpetrators.

The countries of EU, UK, Canada, Brazil, Israel, USA and others are called upon to take note and critically study this Report so as to internationally blacklist and isolate former Gov Nyesom Wike and 12 other key perpetrators mentioned in the Report. The attention of the ICC is also drawn and called upon to act timely against the listed key perpetrators so as to deter others and bring justice home to the voiceless and defenseless victims. The Igbo People and organizations in Diaspora are called upon to rise against those that are involved in the Obigbo Army massacre and abductions and compel them to disclose the whereabouts of 152 other Obigbo abductees yet to be located more than three years after their abduction. The action required from the Global Igbo People includes tracking down the named perpetrators in foreign lands and getting them arrested and kept behind bars in such countries especially those with "international or universal criminal jurisdictions".