



No: 157...../2012

The Permanent Mission of the Federal Republic of Nigeria to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, Special Procedures Branch and has the honour to refer to the latter's letter of 9 May 2012 with the subject "Communication from Special Procedures Joint Allegation Letter AL G/SO 214 (56-23) G/SO 214 (78-15) G/SO 214 (33-27) Terrorism (2005-4) NGA 1/2012."

The Mission wishes to forward the attached response of the Federal Government of Nigeria to the joint allegations contained in the above-mentioned letter.

The Permanent Mission of the Federal Republic of Nigeria to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, Special Procedures Branch, the assurances of its highest consideration. *J.*

Geneva, 25 May 2012

**Office of the High Commissioner
for Human Rights (OHCHR),
Special Procedures Branch,
Palais des Nations,
CH-1211 Geneva 10.**



OHCHR REGISTRY

29 MAY 2012

Recipients : S.P.D.
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**FEDERAL GOVERNMENT OF NIGERIA RESPONSE TO JOINT
ALLEGATION FROM FOUR SPECIAL PROCEDURES OF THE
UNITED NATIONS HUMAN RIGHTS COUNCIL**

2. The response of the Federal Government of Nigeria to issues raised by the United Nations Rapporteurs within the confines of available records is as follows:-

- a. **On the accuracy of the attacks: The Government wishes to make clarifications on attacks mentioned in the summary of the case, as follows:**

25th December 2011 (three churches, killing at least 40 people)

- a. **Church 1:** St Theresa Catholic Church was attacked by suspected Boko Haram members. The Service can confirm that about forty people were killed in the attack.
- b. **Church 2:** The Service can confirm that an explosion (not a twin blast) took place at the premises of Mountain of Fire and Miracle Church. An unidentified police officer was reportedly killed in the attack.

However, the burning down of Christian shops in the North Eastern part of Nigeria on 26th December, 2011 by the Boko Haram sect was not confirmed by the Service.

- Records confirmed that on 27th December, 2012 dynamite was used in an attack which injured four (4) children and a woman in Sapele, Delta State. Available service records confirm the three day ultimatum imposed on the Christians/Southerners to leave the North. However, the deadline preceded a similar warning from Movement for the Emancipation of Niger Delta (MEND) to Northern Muslims to leave the South-South region. MEND's warning was issued on 30th December, 2011.

4th January, 2012

- i. Records confirmed attack on the residential quarters in Magpie Construction Company, along Gashua Road, Yobe State which led to the killing of two staff. However, only three persons were reported to have sustained injuries, not several others as alleged.

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- ii. Also, records indicate that on 4th January, 2012, two States namely Yobe and Borno States in the North were attacked and not three as indicated, which are Yobe, Jigawa and Gombe States. The attack on the Deeper Life Bible Church in Gombe State, took place on 5th January, 2012. Six (6) people were confirmed killed while ten (10) sustained injuries. There was no reported attack on Jigawa State within the period.

6th January, 2012

- i. Eleven (11) people not twelve (12) who came to commiserate with the family of a deceased Igbo man were killed by suspected members of the Boko Haram sect. It was however not confirmed whether they were all from the Igbo ethnic nationality.
- ii. Records confirmed the attack on a local church in Jimeta, Yola North LGA of Adamawa State as well as the killing of twelve (12) Christian worshippers.
- iii. Available records did not reveal house to house night attacks by Boko Haram to circumvent the state of emergency imposed by Yobe State government on 31st December, 2011.
- iv. Available records confirmed the killing of eight (8) men including a lady, by suspected Boko Haram members in Potiskum. However, it was not indicated that all those killed were Christians;
- v. The reported attack on a commuter van on 11th January, 2012 can be confirmed to the extent that three (3) Nigerians were killed during the attack.

20th January, 2012 attacks

- Available records confirmed series of bombings by Boko Haram members on the said date. However, the actual casualty figure could not be ascertained;
- Also Security Service records captured the suicide bomb attack at the Jos headquarters of Church of Christ in Nigeria (COCIN) on 26th February, 2012. Three (3) persons were confirmed killed in the attack and 36 others, not 37, were injured. Though the Service keeps no record of the Boko Haram sect claiming responsibility for the attack, the nature of the attack is similar to the sect's mode of attacks.

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3. Records available did not reveal complaints of insufficient security personnel in Potiskum. It did not also indicate lack of visible security as a result of many Policemen not putting on their uniforms.

4. Generally, whether or not the afore-mentioned attacks were religiously motivated could not be readily ascertained.

b. On the receipt of complaints with regards to the incidents mentioned, the Service is not in receipt of any formal complaints related to the highlighted incidents. However, a number of complaints have been received by the Service on similar incidents. These include among others:

- i. Complaints by officials of Independent National Electoral Commission (INEC) after a bomb attack on its office in Suleja in April, 2011. In respect of the complaints, the Service forwarded to the Federal Government a request for compensation to victims of the attack. This is in addition to improved security arrangement around INEC facilities.
- ii. Lodgement of complaint by All Christians Fellowship Church (ACFC) in Madalla, Niger State, after a bomb attack on worshippers. The Service also forwarded a letter to the Federal Government to request for payment of compensation to the victims which was granted
- iii. Lodgement of complaints by the United States Embassy over threat of attack by one Chinwendu JOSIAH who claimed to be a Boko Haram member. The Service investigated the matter and arrested JOSIAH who was discovered to have issued the threat to extort money.

c. On the request for details of any judicial investigation or criminal charges in relation to the cases mentioned, there is yet no judicial investigation instituted by the Federal Government on the attacks. However, there are criminal charges on various cases instituted by the Service in Abuja and the North-East indicting individuals or members of Boko Haram sect. They include:

- i. FRN VS Senator Ali NDUME;
- ii. FRN VS Mohammed ASHAFA;

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- iii. FRN VS Babafemi LAWAL & anoda; and
- iv. FRN VS Shuaibu ABUBAKAR (alias Abu QATADA) among others.

d. ON MEASURES OR COUNTER-TERRORISM POLICIES ADOPTED BY GOVERNMENT TO ENSURE THE SECURITY OF THE POPULATION AND TO PROVIDE REMEDY TO THE AFFECTED VICTIMS OF VIOLENCE

- a) An anti-Terrorism law has been enacted;
- b) Increase in the budgetary allocation to security agencies to enable them procure modern equipment, enhancing training of personnel and meet other logistic needs;
- c) Strengthening physical security around vulnerable areas including Government Office, Embassies, Hotels, Places of Worship (Churches and Mosques) and Public Parks, etc;
- d) Intensification of public security awareness through the Mass Media as well as organizing Seminars, Conferences, Workshops involving a cross-section of the nation's stakeholders;
- e) Government is reaching out to influential political, religious and traditional leaders with a view to mobilizing them to support on-going effort to defeat the activities of terrorists;
- f) Government has also embarked on intensive perception management and public enlightenment to dissuade potential agents of violence;
- g) The Federal Government as well as the State Governments affected by the violence have settled the medical bills of victims of terrorist violence and also provided financial assistance to the families of those who lost their lives.
- h) Measures to ensure human rights of suspected perpetrators of violence to fair trial is guaranteed, and so Boko Haram offenders are entitled to bail like other criminal offenders.
- i) They also have the right to counsel to defend them and the right to Appeal and are tried before regular civil court, not tribunals of any sort.

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- j) To ameliorate impact on victims of the violence, Government has established the National Emergency Management Agency to assist victims of violence with material support including temporary accommodation, relief materials such as food, medicine, water bed items, etc. Also, various agencies of government render assistance by giving free medical treatment, monetary grants or gifts to victims of violence.

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