EXECUTIVE SUMMARY

STARS ON THEIR SHOULDERS. BLOOD ON THEIR HANDS.

WAR CRIMES COMMITTED BY THE NIGERIAN MILITARY
Cover photo: Nigerian troops inspect the former emir’s palace that was used by Boko Haram as their headquarters but was burnt down when they fled Bama on March 25, 2015. Nigeria’s military has retaken the northeastern town of Bama from Boko Haram, but signs of mass killings carried out by Boko Haram earlier this year remain. Approximately 7,500 people have been displaced by the fighting in Bama and surrounding areas.

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EXECUTIVE SUMMARY

In the course of security operations against Boko Haram in north-east Nigeria, Nigerian military forces have extrajudicially executed more than 1,200 people; they have arbitrarily arrested at least 20,000 people, mostly young men and boys; and have committed countless acts of torture. Hundreds, if not thousands, of Nigerians have become victims of enforced disappearance; and at least 7,000 people have died in military detention as a result of starvation, extreme overcrowding and denial of medical assistance.

Amnesty International has concluded that these acts, committed in the context of a non-international armed conflict, constitute war crimes for which military commanders bear both individual and command responsibility, and may amount to crimes against humanity. Specifically, Amnesty International names five high-ranking military officials who were in charge of operations in north-east Nigeria from 2012 to date, as well as two Chiefs of Army Staff and two Chiefs of Defence Staff, who should be investigated for potential individual and command responsibility for these crimes. Amnesty International has handed over the names of these officers, as well as other officers not named in this report, and related evidence to the International Criminal Court.

This report is based on more than 412 interviews with victims, their relatives, eyewitnesses, human rights activists, doctors, journalists, lawyers and military sources. Amnesty International also analysed more than 90 videos and numerous photographs showing members of the security forces and their allied militia, the Civilian Joint Task Force, committing violations.

Amnesty International independently interviewed eight military sources, and examined more than 800 official documents, including military reports and other correspondence between military units based in the north-east and Defence Headquarters.

Amnesty International shared its findings with the Nigerian authorities during dozens of meeting as well as 55 written submissions, requesting information and specific action to address the violations. Government responses are reflected in relevant sections of this report.

ARMED CONFLICT IN NORTH-EAST NIGERIA

The conflict in Nigeria dates back to 2009, when the Islamist insurgent movement popularly known as Boko Haram waged a violent campaign against the Nigerian government.

The conflict has spread and intensified as a result of a complex web of socio-cultural, economic, ethno-religious and sub-regional factors. It has evolved into a non-international armed conflict between Boko Haram and Nigerian security forces in the states of Borno, Yobe, and Adamawa and has been marked by egregious violations committed by both sides. It has claimed at least 17,000 lives, mostly civilian, and forced more than one million people to flee their homes.

Amnesty International believes that the situation in north-east Nigeria has constituted a non-international armed conflict since at least May 2013, given the level of hostilities and the fact that Boko Haram was a well-organized force which controlled territory and had a clear command structure.
Boko Haram has used bombs to launch attacks against government or “western” targets, to intimidate opponents and to kill civilians. Its fighters have slaughtered civilians during attacks on towns and villages; assaulted and abducted teachers and students; abducted at least 2,000 young women and girls and subjected many of them to forced marriage; forcibly recruited men and boys; and burned and destroyed houses and schools.

Amnesty International has extensively documented abuses committed by Boko Haram fighters, concluding that they amount to war crimes and crimes against humanity. Amnesty International’s recent report, ‘Our job is to shoot, slaughter and kill’: Boko Haram’s reign of terror in north-east Nigeria, contains information on Boko Haram’s organizational structure, recruitment tactics, resources, and details abuses committed by the group from 2013 to 2015.

In 2012, as attacks by Boko Haram intensified, former President Goodluck Jonathan declared a state of emergency, which was subsequently extended repeatedly, in Borno, Yobe, and Adamawa states. The state of emergency gave overly broad emergency powers to the security forces. Former President Goodluck Jonathan set up a Joint Task Force to lead the operations against Boko Haram, which included personnel from the Nigerian Army, Police Force and other security forces. The army took full control of operations against Boko Haram in August 2013.

The authorities set up a civilian militia in 2013, the Civilian Joint Task Force (JTF), to work with the security forces in Borno state by identifying and helping to arrest Boko Haram members. Civilian JTF members play a key role in mass arbitrary arrests and in screening operations in which informants point out Boko Haram suspects. Civilian JTF members have been involved, as Amnesty International has documented, in beating and killing men after their arrests.

In mid-2013, the security forces pushed Boko Haram out of the cities and towns of north-east Nigeria where they had lived among the population. Boko Haram fighters moved to remote communities and camps, such as their headquarters in Sambisa forest, Borno state. From these bases, Boko Haram launched almost daily attacks against civilian targets.

In July 2014, Boko Haram’s strategy changed as it retained control over captured towns and villages, collecting “taxes” from residents, and limiting their movement. At its greatest extent, territory under Boko Haram control extended across most parts of Borno, northern Adamawa and into eastern Yobe states. In March 2015, after a renewed counter-offensive, the military announced that they had recaptured most of this territory.

Since the start of the conflict, the budgets for defence and security have increased massively but there is little sign of the money reaching the frontline. Operations in the north-east remain under-resourced and corruption is rife.

EXTRAJUDICIAL EXECUTIONS
Amnesty International documented 27 incidents of extrajudicial executions committed by the military in 2013 and 2014. At least 1,200 men and boys, almost certainly many more, were killed in these incidents. In 14 of these cases, Nigerian military forces, sometimes in collaboration with Civilian JTF members, executed a large number of people, at times dozens or even hundreds in one day.

The precise number of extrajudicial executions is impossible to verify due to the lack of records,
cover-up efforts by the military, and the difficulty of reaching witnesses in the areas where the crimes were committed. Cases presented in this report provide documentation of extrajudicial executions in Adamawa, Borno and Yobe states.

Amnesty International’s research shows that the military extrajudicially executed people after they had been captured and when they presented no danger, in violation of International Humanitarian Law (IHL). Many were shot dead inside detention facilities, while others were either shot or had their throats cut after being captured during cordon-and-search operations.

One of the most horrific mass extrajudicial executions by the military happened on 14 March 2014 in Maiduguri, Borno state. In the aftermath of a Boko Haram attack on the military detention facility at Giwa barracks during which the detainees were released, the military killed at least 640 men and boys, most of them recaptured detainees. In March 2014, Amnesty International published a detailed report documenting the killings of at least 622 people who had escaped from Giwa barracks. This report presents additional information about the extrajudicial execution of at least 18 other men on that day, including the analysis of videos showing some of the executions.

Other cases of mass extrajudicial executions documented by Amnesty International include the execution of 64 detainees in Presidential Lodge (Guardroom) detention facility in Damaturu, Yobe state on 18 April 2013 and the killings of at least 185 people during a “mop-up” operation in Baga on 17 April 2013.

In some cases, the bodies of executed detainees were returned to their families, usually dumped near the houses or on the outskirts of the villages. In other cases, the families were never officially informed of the deaths of their relatives and found out about the executions from released detainees or eyewitnesses. In many cases, they never found out at all.

DEATHS IN CUSTODY

Data collected by Amnesty International suggests that since March 2011, more than 7,000 men and boys have died in detention, their deaths often unrecorded and almost never investigated. Amnesty International gathered the data and the details of individual cases through visits to mortuaries, internal military reports, statistics recorded by local human rights activists and interviews with witnesses, victims, former detainees, hospital staff, mortuary personnel and military sources.

The highest death rates were recorded in Giwa barracks in May, June and July 2013, where up to 180 deaths were recorded on some days. In June alone, more than 1,400 corpses were delivered from the barracks to one of the mortuaries in Maiduguri.

Obtaining information on the precise number of deaths in custody became particularly challenging after August 2012, when the military instructed the mortuaries in Maiduguri not to keep records, possibly in an effort to hide the high rate of deaths in detention. In addition, according to military sources and witnesses, not all of the bodies were taken from the barracks to mortuaries; some were buried by soldiers in mass graves.

Based on eyewitness testimonies and analysis of video and photographic evidence, as well as information contained in military reports, Amnesty International believes that the main causes of deaths in detention were starvation, thirst, severe overcrowding that led to spread of diseases, torture and lack of medical attention, and the use of fumigation chemicals in unventilated cells.
Detention facilities in Giwa barracks and in military detention centres in Damaturu were extremely overcrowded, with hundreds of detainees packed into small cells. Former detainees told Amnesty International that they had to take turns sleeping or even sitting on the floor as there was absolutely no space in the cells. They said they were given food once a day – a small amount of rice that would fit in their palms – and never received medical assistance, even for life-threatening conditions.

Former detainees, human rights defenders, hospital staff and people who witnessed and recorded the removal and disposal of bodies all said that most of the bodies looked extremely thin and did not have gunshot wounds. One witness told Amnesty International: “The corpses look skinny, hungry, emaciated, with dry lips and with several signs of disease.” Amnesty International delegates also witnessed this when they visited the mortuary and saw bodies that had been delivered by a military convoy.

A high ranking military officer told Amnesty International: “[in Giwa barracks] people were not strong enough to stand ... They keep them to die... They are deliberately starved.”

Torture and lack of medical assistance for injuries caused by torture is another major cause of death in military detention. Torture in detention is rampant (see below), and many former detainees who were tortured in detention told Amnesty International that no medical assistance was provided for even life-threatening injuries.

Saleh Jega (not his real name), a 25-year-old carpenter from Maiduguri, was arrested along with 18 others on 25 November 2012 during a cordon-and-search operation in Gwange, and taken to Giwa Barracks. He escaped after more than 15 months when Boko Haram attacked the barracks. He said that some days 50 or up to 80 people died, mainly of starvation and thirst. Out of the 19 he was arrested with, only four survived.

“We have a sense that they just want us to die. Many people died in the cells. Any time we were denied water for two days, 300 people died [in those two days]. Sometimes we drink people’s urine, but even the urine you at times could not get. Every day they died, and whenever someone died, we [the other detainees] were happy because of the extra space. And because we will be taken out, to take out the corpses, and the military will give us water to wash our hands and when washing our hands, we drink the water.”

**MASS ARBITRARY ARRESTS, UNLAWFUL DETENTION, ENFORCED DISAPPEARANCES AND TORTURE**

In areas of Boko Haram activity, Nigerian troops, often with the support of Civilian JTF members, have arbitrarily arrested at least 20,000 people. On numerous occasions, particularly following Boko Haram raids, soldiers have gone to the town or village, rounded up hundreds of men and boys and taken into custody those identified as Boko Haram by paid informants. Amnesty International has also documented arrests during house-to-house raids and at checkpoints, as well as targeted arrests of suspected Boko Haram members’ relatives. Most of those arrested are young men, although Amnesty International has recorded arrests and detention of boys as young as nine years old. Amnesty International has also documented the arrest and detention of 30 women and girls.

The number of arrests increased significantly following the imposition of a state of emergency in Adamawa, Borno and Yobe states. According to military sources, between January 2012 and July 2013, more than 4,500 people were arrested. A document released by the Headquarters of the Joint
Task Force on 30 June 2013 states that between 16 May 2013 and 30 June 2013, 916 “Boko Haram suspects” were arrested. The actual number is likely to be much higher as there is no proper, centralized system to record arrests carried out by the security forces.

A few of those arrested were released shortly after, sometimes because their families had paid bribes; a small proportion have been prosecuted and tried; hundreds were executed and thousands died in detention; and the rest are held indefinitely in unauthorized and unacknowledged military detention, denied contact with lawyers or relatives, without formal charges, and without ever appearing in court.

The majority of detainees are held in Giwa and Mai Malari barracks in Maiduguri, and in Baga (all Borno state); in Sector Alpha (“Guantanamo”) in Damaturu and the JTF base “Rest House” in Potiskum (Yobe state); and in 23 Brigade Barracks in Yola (Adamawa state). A few suspects have also been transferred to military facilities in other states, or handed over to the Department of State Security (DSS), mostly in Abuja.

The vast majority of arrests carried out by the military appear to be entirely arbitrary, often based solely on the dubious word of an informant. Military sources repeatedly told Amnesty International that the informants are unreliable and often provide false information in order to get paid.

Instead of handing the arrested men and boys over for further investigation, the military subjects them to further “screenings” in detention. As a result of these screenings, some detainees were released, often after prolonged detention, but the process was completely random and arbitrary. While thousands have been arrested and held in detention, only a handful have faced trial: since December 2010, 24 court cases have been concluded, involving fewer than 110 people.

A Joint Investigation Team (JIT) set up by the military issued two reports showing that most cases against detainees were not ready for prosecution. The first report, issued in December 2013, recommended that the military release 270 suspects from military custody, prosecute 512, and further investigate 407. In January 2014, then President Jonathan ordered the release of 167 suspects. The second report, issued in August 2014, recommended 350 cases for prosecution and 147 for release. Military sources told Amnesty International that these recommendations were not implemented.

Amnesty International research suggests that many of the detainees have been subjected to enforced disappearances. In some cases, it is difficult to establish whether the cases qualify as “disappearances” as the families have been too afraid to search for their missing relatives, but it is undeniable that the fate and whereabouts of thousands of people arrested by the military in north-east Nigeria remain unknown to their families. Amnesty International has received a list of names and pictures of more than 1,200 people arrested in Borno state since 2011 whose whereabouts, according to several sources and some relatives of the victims, remain unknown.

Amnesty International has previously documented a widespread pattern of torture and ill-treatment in both police and military custody across Nigeria. A detailed report, ‘Welcome to hell fire: torture and other ill-treatment in Nigeria’, published in September 2014, found that torture and other ill-treatment in the north-east of Nigeria increased as the conflict escalated. Former detainees interviewed by Amnesty International described a wide range of torture methods used by the military including: beatings; shootings; nail and teeth extractions; rape and other sexual violence; as well as
conditions in detention that amount, at a minimum, to ill-treatment. Information obtained by Amnesty International since the publication of that report shows that the pattern of torture in military custody in the north-east continues unabated.

INDIVIDUAL AND COMMAND RESPONSIBILITY FOR WAR CRIMES

Those who gave orders or directly participated in the commission of these crimes should be investigated to establish their individual responsibility. Superior officers could also bear responsibility for violations committed by units under their command in accordance with the doctrine of command responsibility, even if they did not directly participate in or give orders to commit the violations, if they knew or should have known about the crimes and failed to prevent them or to submit the matter for prosecution.

Amnesty International therefore calls for the investigation of those within chain of command of the military in Nigeria who either were directly responsible for the troops committing the crimes or who knew or should have known and took no steps to prevent or suppress the crimes. Specifically, military officers who ran the operations and were in charge of detention facilities in north-east Nigeria, as well as their commanders at the Army headquarters and Defence headquarters, should be investigated for responsibility for the war crimes of murder, enforced disappearance and torture.

Documentary evidence presented in this report clearly shows that the senior military leadership was fully informed (by field commanders, investigative commissions, and external sources) of the nature and scale of the crimes being committed and failed to take any meaningful measures to stop the violations. As far as we are aware these officers have taken no steps to ensure that investigations are instituted, aimed at bringing the perpetrators to justice.

From November 2012 to August 2013 in their daily field reports to Defence Headquarters, the General Officers Commanding (GOCs) of military detention facilities and commanders of operations reported the deaths of detainees.

Some of these reports contain the names of the detainees; others only referred to the number of detainees who died each day. One such report, sent from the Maiduguri headquarters of JTF Operation Restore Order on 15 March 2013 to Defence Headquarters and Army Headquarters, stated, for example: “[On 9 March 2013 at 14:30], 7 BHT[suspects in own detention facility] died after brief illness... [On 10 March 2013 at 13:23], 7 BHT suspect in own detention facility died after brief illness... [On 11 March 2013 at about 18:06], 7 BHT suspects in own detention facility died after brief illness... [On 14 March 2013 at about 16:10], 10 BHT suspect in own detention facility died after brief illness.”

Internal military documents cited in this report show also that field commanders informed Defence Headquarters that facilities were overstretched, and that overcrowding, combined with the use of chemicals for disinfection, contributed to the rise in deaths in custody.

Defence Headquarters on several occasions sent teams to the military facilities in the north-east to assess operations “and authenticate data”. The reports from these assessment visits mention the high death rate of detainees in military custody and warn that the overcrowding caused serious health problems and could lead to an epidemic.
Internal military reports examined by Amnesty International also show that field commanders regularly informed Defence Headquarters and Army Headquarters how many people had been arrested during cordon-and-search operations. The reports usually label those arrested as “confirmed Boko Haram members” or “confirmed Boko Haram terrorists,” but do not reference any evidence against them and at times indicate, on the contrary, that no evidence was found. The reports do not specify whether any of the detainees were later released, handed over for investigation or charged. This should have clearly indicated to the military command that these mass arrests were arbitrary and that the ongoing confinement of suspects in military detention facilities was unlawful.

Amnesty International brought its findings and concerns to the attention of Nigerian military and civilian authorities in public reports and statements and private letters of inquiry, repeatedly calling for an independent and impartial investigation.

Despite ample information about violations committed by the security forces, Nigerian military and civilian authorities have consistently failed to take meaningful action to stop them and to bring the perpetrators to justice. Little or no action was taken to improve conditions in detention and to prevent deaths in custody, or to address mass arbitrary arrests and detentions. Extrajudicial executions, torture, and other widely reported crimes remained uninvestigated and unpunished.

Moreover, in recent years, Nigerian authorities have increasingly tried to downplay and dismiss the allegations of violations by the military. For example, in a letter to Amnesty International in December 2013, Defence Headquarters denied that rates of death in custody were as high as alleged, while in October 2014, President Jonathan said that he believed the reports of human rights violations by security forces to be “exaggerated”.

Nigerian authorities have repeatedly assured Amnesty International that they would investigate allegations, but so far have provided no information about the progress of such investigations or which cases were being investigated.

In the few cases where investigations have been publicly announced, the investigations have been led by the military and carried out by internal investigation teams set up by the military. The terms of reference, scope and outcomes of these investigations have not been made public to date, no findings have been made public by any of these investigation teams and Amnesty International is not aware of any military personnel being investigated or suspended pending investigation.

This report describes the botched investigations into mass executions following the attack on Giwa barracks in March 2014 and into the killings and destruction of civilian property during a “mop-up” operation in Baga in April 2013.

In the light of its findings in this report, Amnesty International believes that the following military officers should be investigated for the war crimes of murder, enforced disappearance and torture:

- **Major General John A. H. Ewansiha.** He was General Officer Commanding (GOC) of Operation Restore Order I (ORO) and Operation BOYONA between January 2012 and August 2013. He then became Chief of Standards and Evaluation at Army Headquarters and Chief of Training and Operations at Army Headquarters. As GOC, he received regular reports about the arbitrary arrest and unlawful detention of thousands of people in inhumane conditions, the deaths in custody of large numbers of detainees and extrajudicial
executions in areas under his command.

- **Major General Obida T. Ethnan.** He was Commander of 7 Division from 22 August 2013 until 1 January 2014. During this period, Amnesty International documented arbitrary arrests and unlawful detention of thousands of people in inhumane conditions, the deaths in custody of large numbers of detainees and extrajudicial executions by troops under his command.

- **Major General Ahmadu Mohammed.** He was Commander of 7 Division from 24 February until 16 May 2014. During this period, Amnesty International documented arbitrary arrests and unlawful detention of thousands of people in inhumane conditions, the deaths in custody of large numbers of detainees and extrajudicial executions by troops under his command. He was in charge of military operations when the military executed more than 640 detainees who escaped from Giwa barracks after a Boko Haram attack.

- **Brigadier General Austin O. Edokpayi.** He was commander of the Multinational Joint Task Force based in Baga from at least April 2013 until December 2013, where Nigerian soldiers were responsible for arbitrary arrests and unlawful detention, the extrajudicial executions of more than 185 people in April 2013, and deaths in custody in Baga detention facility.

- **Brigadier General RO Bamigboye.** He was Commander of the 21 Armoured Brigade (stationed in Giwa barracks) from February 2012 till September 2013. He was in charge of the barracks during the period when at least 5,000 detainees died in custody, and when torture and ill-treatment were used routinely.

In addition, Amnesty International believes that the following high-level military commanders should be investigated for their potential command responsibility for crimes committed by their subordinates, on the basis that they knew or should have known about the commission of the crimes and failed to take adequate action to prevent the commission of war crimes, to stop the commission of war crimes and to take all steps necessary to ensure the alleged perpetrators are brought to justice in fair trials:

- **Lt. General Azubuike Ihejirika.** He was Chief of Army Staff from September 2010 until he retired in January 2014.
- **Admiral Ola Sa’ad Ibrahim.** He was Chief of Defence Staff from 4 October 2012 until 16 January 2014.
- **Air Chief Marshal Alex Badeh.** He was Chief of Defence Staff from 16 January 2014 to the time of writing.
- **Lt. General Ken Minimah.** He was Chief of Army Staff from 16 January 2014 to the time of writing.

**INTERNATIONAL MILITARY ASSISTANCE TO NIGERIA**

Since 2012, at least 20 countries have provided military assistance to the Nigerian government in the form of weapons, equipment, training and financial support earmarked for military needs. International support intensified after the abduction of 276 girls from the girls’ school in Chibok, Borno State on 14 April 2014. Regional summits were held, in Paris, London and Abuja, where states pledged to share intelligence and develop a regional counterterrorism strategy in order to oppose Boko Haram.

It is not clear to what extent human rights concerns have affected relations with Nigeria’s bilateral partners.

In response to the abduction in Chibok, member states of the Lake Chad Basin Commission (LCBC)
and Benin resuscitated plans for a Multinational Joint Task Force to fight Boko Haram. Chad, Niger and Nigeria had established this force in 1998 to deal with cross border crime, but Chad and Niger withdrew their troops from Nigeria in 2013 and 2014 respectively. Under current proposals, the force would include 8,700 personnel and have its headquarters in N’djamena. At the time of writing the African Union had given its support to the proposal, and it was waiting to be put on the United Nations Security Council’s agenda.

Boko Haram has repeatedly struck at civilians and security forces across the border in Cameroon, Chad and Niger. From mid-February 2015, the armed forces of those three states assisted the Nigerian military to push Boko Haram out of major towns in north-east Nigeria.

THE INTERNATIONAL CRIMINAL COURT
In November 2010, the Office of the Prosecutor of the International Criminal Court opened a preliminary examination of the situation in Nigeria, analysing alleged crimes committed since 2004. Two years later, the Office of the Prosecutor reported that it considered that since July 2009, Boko Haram had committed the crimes against humanity of murder and persecution.

However, in the same report it indicated that it did not consider that the actions of the security forces qualified as an attack against the civilian population.

In its November 2013 report, the Office of the Prosecutor determined that since at least May 2013, the situation in north-east Nigeria should be considered a non-international armed conflict, and indicated that it would continue to analyse the evidence to determine whether either side had committed war crimes.

A year later, in December 2014, the Office of the Prosecutor again concluded that members of Boko Haram had committed crimes against humanity and may have committed war crimes. It also indicated that it had received reports of crimes committed by the security forces, including the extrajudicial execution of more than 600 people after Giwa barracks attack and allegations of torture, although it did not come to a conclusion on this point. The Office of the Prosecutor stated that it would continue its analysis of alleged war crimes by both parties to the conflict.

KEY RECOMMENDATIONS
The Federal Government of Nigeria must publically acknowledge and immediately put an end to crimes under international law by the Nigerian military. It must initiate prompt, independent, impartial, and effective investigations into allegations of such crimes by both parties to the conflict. The aim of these investigations must be to bring suspects to justice in fair trials that are not subject to the death penalty. These investigations are not only required by international law, but would constitute important first steps toward providing the conflict’s victims with a form of reparations, as well as helping to deter such crimes in the future.

It must implement safeguards against unlawful arrest; unlawful, incommunicado and arbitrary detention; torture and ill-treatment; enforced disappearance; extrajudicial executions and other unlawful killings.

The Government should also make public the findings of all previous inquiries into the conflict and launch an inquiry into the failure to adequately respond to allegations of human rights violations by the former government. It should fully domesticate international human rights law and cooperate...
with regional and international human rights bodies.

The Government must provide an effective remedy to victims of human rights violations and their families, including compensation, rehabilitation and reparations, as well as humanitarian relief to all affected communities.

Nigeria’s National Assembly has a vital role in domesticking international human rights law and overseeing the conduct of the executive branch of government in its military operations in the northeast of Nigeria. It should also ensure that appropriate inquiries are established to account for past failures to investigate and address human rights violations.

The National Human Rights Commission should exercise its authority to investigate all allegations of crimes under international law and continue to visit all detention centres.

Organs of the African Union (AU), in particular the Assembly of Heads of State and Government, the Commission Chairperson, and the African Commission on Human and Peoples’ Rights (ACHPR), should publicly express concern about repeated allegations of crimes under international law by the Nigerian military and should call upon the Government of Nigeria to investigate these allegations.

In addition, the AU Assembly should request the AU Peace and Security Council (PSC) to urgently assess and report on the conflict situation in north-eastern Nigeria, including making recommendations on urgent measures needed to investigate all allegations and to strengthen safeguards against recurrence of such violations by Nigerian military at its next ordinary summit in early 2016.

The United Nations Human Rights Council should adopt a resolution calling on Nigeria to investigate allegations of crimes under international law committed by both parties to the conflict and request a report from Nigeria on steps taken to investigate such allegations to date.

The Office of the High Commissioner for Human Rights should express concern about repeated allegations of crimes under international law by the Nigerian military and offer support to any investigations of these allegations by Nigeria.

Nigeria’s international partners should ensure that any military assistance to Nigeria is human rights compliant, particularly that they do not provide assistance to units accused of crimes under international law and other serious violations of human rights. They should further vet all Nigerian military personnel recommended for training.

Nigeria’s international partners should call on Nigeria to implement safeguards against human rights violations by the military and to investigate allegations of crimes under international law by both parties to the conflict.

The Office of the Prosecutor of the International Criminal Court should consider the evidence contained in this report as part of its preliminary examination of the situation in Nigeria; particularly to identify what steps Nigeria is taking to bring those responsible for war crimes documented in the report to justice and to reconsider its finding that there is insufficient evidence to conclude that members of the Nigerian military have committed crimes against humanity.
Top: Hussaini Kallo (not real name) a former detainee drawing a diagram of cells in Giwa barracks, Maiduguri. He was arrested by the Nigerian military in 2012 and detained for 18 months.

Bottom: Sketch of Giwa barrack detention facility by Hussaini Kallo (not his real name), a former detainee interviewed by Amnesty International.
In the course of security operations against Boko Haram in north-east Nigeria, Nigerian military forces have extrajudicially executed more than 1,200 people; they have arbitrarily arrested at least 20,000 people, mostly young men and boys; and have committed countless acts of torture. Hundreds, if not thousands, of Nigerians have become victims of enforced disappearance; and at least 7,000 people have died in military detention as a result of starvation, extreme overcrowding and denial of medical assistance.

Amnesty International has concluded that these acts, committed in the context of a non-international armed conflict, constitute war crimes for which military commanders bear both individual and command responsibility, and may amount to crimes against humanity. Specifically, Amnesty International names five high-ranking military officials who were in charge of operations in north-east Nigeria from 2012 to date, as well as two Chiefs of Army Staff and two Chiefs of Defence Staff, who should be investigated for potential individual and command responsibility for these crimes. Amnesty International has handed over the names of these officers, as well as other officers not named in this report, and related evidence to the International Criminal Court.