

# **STATEMENT BY NIGERIAN CIVIL SOCIETY ON THE CRISIS IN JOS**

## **BACKGROUND**

Around 17 January 2010, there occurred a confrontation between some members of different communities living in Jos, the capital of Plateau State in north-central Nigeria. Within 48 hours, this incident had escalated into mass violence, in which residents from different communities in the city systematically attacked one another with a range of dangerous weapons. The violence assumed identity-based dimensions with possible mass atrocity crimes, resulting in the killing of hundreds and the displacement of tens of thousands. Many of the displaced are scattered across up to 36 camps around the city. Others are encamped in neighbouring communities within and outside Plateau State. This time, the mobilization of violence was aided by the transmission of hate messages through mobile telephones.

Government initially imposed a 24-hour curfew, later reduced to 12-hours. Law and order in the city is now overseen by the armed forces under the direction of the Federal Government. Various agencies have deployed humanitarian operations but their coverage is uneven and many victims are without access to humanitarian relief or any medical assistance.

This most recent crisis in Jos occurred while the Emmanuel Abisoye Commission of Inquiry established by the Government of the Federal Republic of Nigeria into November 2008 crisis in the same city was still sitting and shortly after the Bola Ajibola Commission of Inquiry established by the Plateau State Government into the same crisis had concluded its work and submitted its report.

Against this background, civil society groups and some concerned citizens met in Abuja on Thursday, 28 January 2010 to consult on the situation in Jos, receive updates and consider a joint response.

## **FAILURE OF THE RESPONSIBILITY TO PROTECT**

The maintenance of safety and security without discrimination on grounds of race, ethnic or other origin, sex, religion, political or other opinion, status or social grouping is the first obligation of government. The Nigerian government is failing in its duty to protect its own citizens from violence. This failure extends to complete impunity for the perpetrators of similar crimes in previous outbreaks of violence in Jos, and a lack of serious efforts to address the underlying causes of tension between the different communities living in the city. This failure has also fed a succession of crises, targeted violence and systematic vigilante action.

Government has a responsibility to take urgent, credible and transparent steps to regain credibility as a guarantor of the safety and security without discrimination on any grounds. Civic, faith and professional groups should co-operate in implementing such measures.

## **ACCESS TO INFORMATION AND IMPUNITY**

Since 1994, and successively in 2001, 2004, and 2008, Jos has experienced repeated crises involving targeted, identity-based violence, each incident more severe than the preceding one. Thousands of people have been killed in these crises and many more have been wantonly violated or forcibly displaced. Over this period, government has established at least 12 Commissions of Inquiry into various crises in Jos. The reports and recommendations of these Commissions of Inquiry are unpublished and inaccessible.

Over the years, the police have made several arrests but no one has been prosecuted or punished for any crimes in the Jos crises. The perception has, therefore, grown that government at different levels tolerates, acquiesces or participates in these crimes. This cannot be allowed to continue.

## **CREDIBLE INVESTIGATION AND ACCOUNTABILITY**

To end the cycles of violence in Jos, government in Nigeria must act promptly to investigate, prosecute and punish those responsible for the crimes and disclose the reports, findings and recommendations of the commissions of inquiry into the successive crises in Jos. Victims and witnesses deserve to be protected and evidence gathered and preserved. These measures are required in order to reassure the victims on all sides and rebuild the confidence of the communities in the existence of government that cares about their wellbeing.

In addition, given the scale of the crimes alleged and the fact that Nigeria is party to the Rome Statute of the International Criminal Court, it is also necessary to determine whether crimes were committed which fall within the purview of the International Criminal Court (ICC).

To complement this process, Nigerian civil society will constitute and deploy without delay an independent team of investigation into the crimes in Jos. In constituting this team, the Nigerian Coalition for the International Criminal Court (NCICC) on behalf of civil society organizations will call in relevant professional expertise from outside and within Nigeria, including the Nigerian Bar Association (NBA); the Nigerian Medical Association (NMA) and the Nigerian Guild of Editors (NGE).

In the interim, civil society will transmit appropriate communications to the following international and regional institutions requesting independent multi-lateral investigation of the crimes committed in Jos or assistance to the Nigerian government in undertaking such investigation, namely:

- the United Nations High Commissioner for Human Rights;
- the Prosecutor of the ICC;
- the Chairperson of the African Commission on Human and Peoples' Rights; and
- the Chairperson of the African Committee of Experts on the Rights and Welfare of the Child.

Any investigation into the crisis in Jos must address the needs for the protection of victims and witnesses; avoid steps likely to re-ignite violence; and offer a credible promise of identifying and bringing to justice the perpetrators of the crimes committed.

### **ADDRESSING HATE COMMUNICATIONS**

This recent crisis in Jos was escalated by the distribution through mobile telephones of messages mobilizing individuals and communities to vigilante violence. Government has a responsibility to prevent, punish and discourage such crimes of hate communication. The National Communications Commission (NCC) and its licensees should take seriously their responsibility to ensure that their services are not used as vehicles to facilitate hate communications. We call on the NCC and its licensees to implement as quickly as possible the compulsory registration of all SIM packs deployed in Nigeria.

### **HUMANITARIAN ASSISTANCE**

The victims of the Jos crisis continue to require urgent humanitarian and medical assistance. Relief materials are grossly inadequate and deliveries are hampered by insecurity and poor co-ordination. Thousands of victims lack medical services. Government has a responsibility to guarantee unimpeded access to humanitarian assistance for all victims without discrimination and to guarantee the safety of all humanitarian workers active in Jos. We hereby appeal for urgent humanitarian assistance for the victims of the Jos crisis and, in particular, for medical volunteers. The National Emergency Management Agency (NEMA) should also provide better co-ordination for humanitarian operations.

### **DURABLE SOLUTION TO JOS CRISES**

It is the responsibility of government in Nigeria to implement durable solutions to the Jos crises based on the values of our constitution and shared humanity, including truth, justice, equality of all Nigerian citizens, respect for human life, zero tolerance for impunity, and mutual respect for all the communities in Jos. If and when it provides the needed leadership for this, government will find ready partners among the communities in Jos and Plateau State, civil society and the international community. In the interim, all concerned must take steps to minimize harm, encourage coexistence and preclude a return to violence.

Signed

Access to Justice (AJ)

African Centre for Leadership, Strategy and Development (Centre LSD)

Alliance for Credible Elections (ACE)

Alliance for Integrity in Governance

Alliances for Africa

BAOBAB for Women’s Human Rights

Centre for Democracy & Development (CDD)

Centre for Global Policy Alternative (CENGLOPA)

Centre for Governance & Policy Engagement (CGPE)

Centre for Socio-Legal Studies (CSLS)

Citizenship Rights in Africa Initiative (CRAI)

Civil Liberties Organization (CLO)

Civil Resource Development & Documentation Centre (CIRRDOC)

Civil Society Legislative Advocacy Centre (CISLAC)

CLEEN Foundation

Concerned Professionals (CP)

Constitutional Rights Project (CRP)

Darfur Consortium

Environmental Rights Foundation

FIDA – International Federation of Women Lawyers

Gender & Affirmative Action Issue-Based Project

Global Association of Female Attorneys (GAFA)

Human Rights Law Service (HURILAWS)

Murtala Muhammed Foundation

Network on Police Reform in Nigeria (NOPRIN)

Nigerian Bar Association – Human Rights Institute (NBA-HRI)

Nigerian Bar Association – Women’s Forum

Nigerian Coalition on the International Criminal Court (NCICC)

Partnership for Justice

Rights Enforcement & Public Law Centre (REPLACE)

Right to Know Initiative (R2K)

West African Civil Society Forum (WACSOF)

Women in Nigeria (WIN)

Women's Rights Advancement & Protection Alternative (WRAPA)

Zero Corruption Coalition (ZCC)