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 **Executive Summary**

**The Untold Story Of Ezu River Police SARS Killings**

**Inside Anambra’s Theatre Of Butchery Where SARS Send The Good And The Bad To Early Graves Outside The Law**

***-Intersociety’s Special Investigation Report And Recommended Solutions.***

**(Intersociety Nigeria: 20th July 2017)-The Untold Story of Ezu River Police SARS Killings** is an expert or investigative case-study used in detailing and exposing ***Anambra’s theatre of butchery where SARS operatives send the good, the bad and the ugly*** or lawful and unlawful citizens of Anambra State of Nigeria to early graves outside the law using various torture methods and extra judicial, extra legal and arbitrary executions as well as other forms of unlawful killings. They are also called *custodial killings, unlicensed butcheries and facility killings that take place outside the law.* The special investigation or expert report is in response to raging and untamed crude practices of using torture and its related treatments and custodial killings in criminal investigation and controlling of crimes especially violent crimes in Nigeria and its component parts or States including Anambra State.

Several investigations carried out by our organization (**Int’l Society for Civil Liberties and the Rule of Law)** have strongly shown that the greatest challenge facing the criminal justice administration in Nigeria especially in the areas of criminal investigation and prosecution management is the use or application of wrong methods, or processes and procedures of the Stone Age. Despite the fact that processes and procedures for criminal investigation and prosecution have gone scientific and been digitalized and mentally and forensically upgraded across the globe, the managers of Nigerian criminal justice administration including processors or investigators of criminal suspects have remained gravely backward, crude, stagnant, unmoved and unchanged. It must be stated clearly that *the entry gate into Nigeria’s criminal justice including investigation and prosecution* is the Nigeria Police Force.

Today, Nigeria is one of the leading countries in the world that still uses the crudest forms of criminal interrogation and investigation in the procession and prosecution of its criminal suspects. Nigeria’s criminal investigation and prosecution managers also recklessly resort to or make reckless use of *criminal labelling or trumped up charges, and stigmatization* as well as *prosecutorial* vindictiveness*;* whereby citizens are criminally labelled or slammed with bogus charges that are in no way near suspected offenses they were caught committing or about to commit leading to their arrest, detention, torture and grossly belated court arraignment; if survived from custodial torture.

Corruption, racial profiling (i.e. discrimination against an ethnic or racial group based on the presumption that all members of the group share criminal traits or tendencies), selective enforcement (i.e. arbitrary punishment of certain individuals or groups for legal violations or crimes, rather than the equal punishment of all known offenders); and commercialization of criminal justice including investigations also fuel policing intelligence and investigation incompetence and incapacitation in Nigeria; likewise crudity and stagnancy of the entire criminal justice system and administration in the country. Bail bribery and “mobilization” of criminal field investigators by “complainants” (whether their complaints are genuine or ill-conceived/ill-motivated) are also on rampage in Nigeria. When complained, he or she who “mobilizes” fatter whether he or she is the suspect or the complainant automatically influences the criminal investigation outcome or report.

The clear case in point is where citizens are unlawfully arrested on their way home from work or journey or in connection with civil debts or lawfully arrested for stealing or when they are to about to steal or for involvement in common assault/affray; instead of charging them accordingly if in the eyes of the law, they have committed any of the said offenses; their captors turn around and charge them for “armed robbery” or “attempted murder” or “kidnapping”, among other phantom offences that attract capital punishments on judicial conviction; on the ground of their refusal or inability to offer huge amounts of money as “bail fees”..

Because sufficient pieces of triable and convictable evidence that can sustain such bogus charges in court are nonexistent or very difficult to come by, such citizens find themselves detained and tortured for several months before being arraigned in magistrate courts (if survived from torture) lacking jurisdiction for those bogus capital offence charges and subsequently remanded in prison custody to swell the rank or number of awaiting trial inmates in Nigeria.

In some, if not in many cases, such citizens die in custody while being tortured by their captors especially Police SARS operatives. These also explain why police prosecutors and lawyers loss 65% or more of their criminal prosecutions due to watery and improper criminal investigations and their reports. Owing to rampancy of these losses in the prosecution of criminal suspects in court particularly those arrested for offenses carrying capital and multi-year imprisonments, such suspects when freed judicially, become more menacing and *repeat offenders or returned violent crime offenders.*

There is also grave misuse, misapplication and mislabelling of the offenses of murder, attempted murder, kidnapping (abduction) and armed robbery in Nigeria. These categories of crime are commonly called or referred to as *traditional or non political capital offenses or street capital offence crimes.* There is also grave misuse, misapplication and mislabelling of *political capital offenses of treason, treasonable felony and terrorism and terrorism financing;* and non capital offenses of corruptionparticularly by the present central Government in Nigeria now headed in acting capacity by Professor Yemi Osinbajo; a professor of law and Senior Advocate of Nigeria.

Through the said State actor grave misuse and misapplication (criminal labelling) of the named “first class” offenses, thousands of citizens are recklessly or indiscriminately accused, arrested, detained and tortured on daily basis; leading to either their death in custody or several months in detention without trial or administrative bail. It is credibly estimated that at least 250 Nigerians die in police custody every month and that since June 2015; a period of two years today, at least 5000 arrested and detained citizens have died in police custody across the country. Their death largely originates from criminal executions/killings and torture and other cruel, inhuman and degrading treatment or punishment while in custody.

Atrociously too, through the *four traditional capital offenses especially those of armed robbery and kidnapping;* combatively and investigatively managed bythe Nigeria Police Force particularly its Special Anti Robbery Squad (SARS) and Federal/State Criminal Investigations Departments (F/SCIDs), thousands of Nigerians are annually sent to their untimely graves outside the law or through torture, extra judicial, summary and arbitrary executions. That is to say that citizens circumstantially and prejudicially comprised of *the bad, the ugly and the good* who are all constitutionally and prejudicially presumed innocent are routinely arrested, detained incommunicado, tortured to death or shot and killed in custody after being criminally labelled, without court trial and conviction, of being “armed robbers” or “kidnappers”.

It must be clearly stated that the authorities and personnel of the Nigeria Police Force are not alone in these *unlicensed butcheries*. As a matter of fact, the unlicensed butcheries are structurally and politically aided, condoned and abetted by Nigeria’s criminal justice administrators and political office holders or serving political class.

Till date, these core stakeholders in the country’s criminal justice system including States’ Attorneys General, the Attorney General of the Federation, the authorities of the Nigeria Police Force under the IGP, the State Governors and the State Assemblies and the Presidency and the National Assemblies have failed woefully to upgrade and digitalize processes and procedures of criminal investigation and prosecution as well as putting in place or institutionalizing proactive, preventive and intelligence policing in Nigeria and its component units or States.

Apart from merely passing laws making offenses of kidnapping, armed robbery and terrorism a capital offense, no efforts or concrete steps have been taken till date towards revolutionalizing or making *criminal investigation and prosecution* as well as *proactive, preventive and intelligence policing* in Nigeria and its components units or States scientifically revolutionalized or mentally rationalized and ICT driven.

* *Reasons for this Special Investigation Report*:

The issuance of the special report of ours by revisiting the Ezu River Police SARS killings of 19th January 2013 which we thoroughly investigated; follows increasing, shocking, saddening and alarming rate of torturing and killing of some, if not many of the arrested and detained citizens by the Anambra Police SARS operatives in the course of their so called “combating of violent crimes of armed robbery and kidnapping in the State”.

Instead of drastic reduction in the number of deaths and torture, Anambra Police SARS operatives have become deadlier and more menacing; consolidating and concretizing their atrocious practices of custodial torture and killing through their theatre of butchery. The amount of torture and killing going on at Anambra Police SARS headquarters at Awkuzu and its annexes or unit locations in the State has risen to an apogee.

It is recalled that between 25 and 40 dead bodies or more were shockingly found floating on Ezu River located at Amansea part of Awka, the capital city of Anambra State in the early morning of 19th January 2013. The villagers who first saw the corpses raised a public alarm which instantly caught the attention of the world including the then Federal Government of Nigeria and the Government of Anambra State as well as concerned non State actors such as our organization (**Int’l Society for Civil Liberties & the Rule of Law**), Amnesty International, UK and US based Human Rights Watch.

It is still on record, till date, that we are the only human rights organization that did a comprehensive *open-source* or non forensic science investigation into the Ezu River saga. We had in our report, titled: **the Return of Anambra Killing Fields (1, 2 and 3),** issued in January and February 2013 strongly indicted the Anambra Police SARS operatives of sole responsibility for the torture, killing and dumping of the slain corpses inside the Ezu River.

Therefore, our *first* reason for issuing this special report is to draw the attention and alert the entire world particularly the United Nations and its Human Rights Council, Amnesty Int’l, Human Rights Watch, World Organization Against Torture, and other rights groups and research bodies and institutions as well as the generality of Nigerians over the raging and untamed unlicensed butcheries and cruel and degrading treatments perpetrated by Anambra Police SARS operatives against detained citizens in their custodies; practices now being perpetrated with impunity or reckless abandon.

This special report of ours is also issued for the purpose of launching local, regional and international campaigns and mounting of extensive pressures on Nigeria’s governing and criminal justice authorities to put an end to the Stone Age practices and bring the country’s criminal justice especially criminal investigation and prosecution management into conformity with international best practices including ICT compliance and local and international human rights standards.

Our *second* reason for issuing this special report is to put the records straight as it concerns what actually transpired at Ezu River in the late night/early morning of 18th/19th January 2013. This is with respect to: *who killed and dumped over 40 slain bodies inside the River, what killed them and what are the identities and native/social backgrounds of those killed.*

This is to caution some groups and persons including some serving political office holders in Anambra State and their socio-political antagonist and protagonist camps who with little or no investigative insight into the Ezu River butchery go about with reckless abandon playing politics with the dead and surviving (tortured) victims of the unlicensed butchery by way of proxy or direct politicization, propaganda and campaign of calumny; instead of stepping up efforts to end such unlicensed butchery by Anambra Police SARS and ensure that those responsible for them are brought to justice and their dead and surviving victims adequately appeased and compensated.

Instead of transforming the Anambra Police SARS and its operatives into a state-of-art modern violent crimes control or processing outfit and human rights, mental and ICT driven; using their enormous political contacts, available public funds and constitutionally provided title of “chief security officers of their State”, etc; these serving political office holders and their public relations handlers have resorted to playing to the gallery by mocking the dead and facilitating, aiding and abetting more torture and killings by the murderous Anambra Police SARS outfit.

Our *third* reason for issuing this special report is to technically or expertly expose and educate Nigeria’s core stakeholders in criminal justice system and administration especially those manning criminal investigation and prosecution in the country including Anambra State. This special report apart from strongly calling for an end to and prohibition of the unlicensed butcheries and torture under complaint; also importantly provide technical or expert tips or modern ways of criminal investigation and prosecution all clothed with modern science of crime and ICT powered crime investigation and interrogation.

These methods are majorly composed of effective and efficient modern techniques for investigative interrogation and criminalistics and ICT powered toolkits for criminal investigation. The technical aids so availed are geared towards avoiding *critique without solution or way-out approaches or attitudes in nowadays Nigeria’s social and rights advocacy campaigns.* Provided at the end of this special investigation report are ***fourteen expert recommendations***; which if judiciously implemented by Nigeria’s criminal justice administrators and public office holders will put an end to the unlicensed policing torture and custodial butcheries in Nigeria or any part thereof particularly Anambra State.

The *technical sections 1 and 2* of the expert report contained in its pages 6 to 9 outline and highlight constitutional and statutory or code law provisions guiding *accusation, arrest, detention, investigation including interrogation and procession; prosecution, sentencing or acquittal* of citizens by policing criminal investigators and prosecutors in Nigeria or any part thereof including Anambra State. The *technical sections* also highlight same or similar provisions clearly provided in various regional and international human rights, humanitarian and treaty law conventions which Nigeria is a full State-Party. The international Basic Principles and Rules on use of force including its proportionality; self defense and treatment of prisoners and other custodial detainees and awaiting trial inmates are also clearly pointed out.

The *technical section 3(understanding modern criminal investigations)* contained in pages 9 to 12 and *technical section 4* (*understanding* *modern and non-torture criminal interrogation/interview techniques)* contained in pages 27 to 31 are clearly highlighted and simplified for reading and understanding of the general public as well as for technical use and adoption by Nigeria’s core stakeholders in criminal justice system and administration especially the country’s criminal investigators and interrogators. The technical section contained three world leading modern methods or techniques for criminal interrogation; namely: *Reid Technique, PEACE Method and KINESIC Interview/Interrogation Technique.*

Other important subsections contained in the expert report which are a must read are ***turning Anambra State into theatre of butchery (pages 5-6), origin of Anambra Police SARS (pages 12-13), patterns of Anambra Police SARS corruption and atrocities (page 14), how SARS fetched and slaughtered their human cows (pages 14-15), patterns of torture and killings by Anambra Police SARS (pages 15-16), custody of human cows slaughtered by Anambra Police SARS (pages 16-17), statistics of human cows slaughtered by Anambra Police SARS (pages 17-20), slaying of MASSOB Nine by Anambra Police SARS (pages 20-22), star witness account (pages 22-23).***

Others are ***reaction of the then Government of Anambra State on Ezu River SARS butchery (pages 23-24), critics of the reaction (page 24), role of the Federal Government of Nigeria and its Police (page 25), then Senate cover-up (pages 25-26), role of then MASSOB Leadership (page 26), 3Es Crime Investigation Triangle (pages 30-31) and Expert/Advocacy Recommendations (14-point recommendations-pages 31-32).***

Copies of this special investigation report has also been sent with an introductory letter dated 19th July 2017 to the Acting President of Nigeria, Chief Justice of Nigeria, Senate President, Deputy Senate President, Speaker of House of Reps, Attorney General of the Federation, DG SSS, Minister of Interior, National Security Adviser, Inspector General of Police, DIG FCID, Governor of Anambra State, Commissioner of Police of Anambra State, Attorney General of Anambra State, Chief Judge of Anambra State, DCP in Charge of the Anambra State CID, OC/SARS, Anambra State and the Country Director of Amnesty International in Nigeria. We had in the introductory letter collectively and separately called on them to carefully and critically study the four technical sections and the entire special report for the purpose of jointly and separately overhauling, upgrading and digitalizing Nigeria’s criminal justice administration especially criminal investigation, interrogation and prosecution in conformity with local, regional and international human rights and humanitarian standards.

**Expert/Advocacy Recommendations:**

* *Call for international interventions and enquiries into high incidences of, and uncontrollable Police SARS torture and custodial deaths and related atrocious practices in Nigeria with Ezu River Police SARS killings of 19th January 2013 as a case study.*
* *Call for proper and round-the-clock international, regional and local monitoring of the activities of relevant policing agencies including the Nigeria Police Force and the SSS in the country especially in the areas of torture, use of force and internal security operations.*
* *Call for immediate and proactive advocacy, diplomatic, human rights and humanitarian attentions and pressures from relevant UN bodies such as UN Rapportuers on Torture, Summary, Extra Legal and Extra Judicial Executions, etc and the UN Rights Council and its specific rights committees as well as the Governments of USA, Canada, UK and members of the EU on the subject matter under complaint.*
* *Call for digitalization and upgrading to international best practices of policing operations in Nigeria especially crime detection, intelligence and investigation and their conformity at all times with international human rights standards.*
* *Call for revolutionalization of science of crime and crime management in Nigeria especially the return and upgrading of moribund Nigeria Police crime/forensic laboratory and use of well developed human and mental resources abundantly available at various universities in Nigeria including NOUN, UNILAG, ABU, UNIMAID, UNICAL, UNI-IBADAN, UNIBEN, UNIJOS, UNN, UNIABUJA, UNIZIK, etc; under “contract staff” or “expert resource exchange” arrangements.*
* *Call for computerization of the Nigeria Police Force and intensification of in-service and out-service trainings and workshops for its officers especially the personnel of its special or technical departments such as SARS, FCID and SCIDs.*
* *Call on the Inspector General of Police(Ibrahim Kpotum Idris) and his Nigeria Police Management Team and specifically the Force Criminal Investigations and Force Operations Departments to critically and expertly study and analyze the* ***four technical sections*** *of this special/expert investigative report for the purpose of using them to revolutionalize, computerize and digitalize the Force manually, mentally and scientifically.*
* *Call on the National Assembly and the Attorney General of the Federation as well as the State Governors and their AGs and the State Houses of Assembly to revisit, overhaul and upgrade the Nigerian Federation’s criminal justice and associated human rights code laws (Acts and Laws)in line with international best practices including immediate adoption or ratification and domestication of outstanding regional and international rights and humanitarian treaties. Section 33 (2) (a) of Nigeria’s 1999 Constitution and the Police Order 237 of the Nigeria Police Act and Regulations of 2004 should specifically be expunged or streamlined in definition.*
* *Call on the authorities above named including the Nigeria Police authorities to take serious exception to and condemn strongly and practically at all times all forms of custodial torture, shootings and killings by their law enforcement officers and desist from their incurable habit of false denials which have entrenched a culture of impunity and lawlessness among the authorities and officers of the Force and other policing agencies in Nigeria.*
* *Call on the present Government of Anambra State headed by Governor William Obiano and other State Governors to “fight violent crimes” in their respective States with human face and conscience by respecting the sanctity of human lives and refraining from being complicit in torture and all forms of extra judicial and unlawful killings by their Governments’ financed State Joint Security Taskforces particularly the murderous activities of the Special Anti Robbery, Anti Terrorism and Anti Cult Squads of the Nigeria Police Force operating in their States.*
* *Call on the present Government and Executive Governor of Anambra State and other State Governors to critically and expertly study the* ***four technical sections*** of this special investigation/expert report especially sections three and four and use them to upgrade and transform their States’ SARS headquarters into a state-of-art criminal investigation procession facilities; fully equipped with modern crime labs and libraries with well trained personnel and staff. They should also overhaul and operationalize their Coroner’s laws and their procedures.
* *Call on the named State Governors and their States’ Police Commissioners, SARS Commanders, politicians and the rich class to stop and desist from flooding SARS formations and cells with* ***the good, the bad and the ugly*** as labeled “violent crime suspects” and restrict the operations of their SARS officers to violent crimes of armed robbery and abduction; with the cases of murder, terrorism and related others taking over by their States’ Criminal Investigations Departments or SCIDs.
* Demand that the SARS commanders and the Nigeria Police authorities must release all detainees wrongly held in SARS cells and arrest and prosecute members of the public including politicians and rich or privileged class who framed them up or wrongly or vindictively labeled such citizens as “armed robbers”, “terrorists” and “kidnappers” and got them detained and tortured alive or tortured to death in SARS custodies.
* *Call for total abolition and prohibition both in theory and in practice of all forms of police corruption especially those highlighted above; and take a concrete step further to periodically investigate the illicit earnings or sources of out- service incomes of SARS commanders including those of CSP James Oshim Nwafor (the notorious OC/SARS in Anambra State between 2012 and 2015 and alleged chief operational and mastermind of the Ezu River SARS killings of 19th January 2013) who critics have alleged to be far richer than his statutory remunerations as a serving Chief Superintendent of Police (CSP) in Nigeria.*

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