



### 3.5.19

## **NIGERIA | Government Ordered to Investigate Killings**

The Court of Justice of the Economic Community of West African States (ECOWAS) ordered the Nigerian government to investigate the mass killings and destruction that occurred in Benue state in 2016, and identify and prosecute the perpetrators and compensate the victims.

Around 500 people are believed to have died when Fulani militiamen, who were allegedly backed by helicopters, devastated the Agatu community during a series of attacks in 2016.

In a verdict delivered Feb. 26 on a suit brought by Catholic priest Rev. Father Solomon Mfa and 11 other plaintiffs against the President, the Inspector General of Police (IGP), the Chief of Army Staff and the Minister of Internal Affairs of Nigeria, the Court also found the Nigerian government in “violation of their obligation to protect the human rights of the Agatu Community and prevent its violation.” It additionally ordered the government to provide adequate security by deploying more security personnel to Agatu “to protect the Community and prevent the further occurrences” of this violence.

Significantly, the Court rejected the Federal governments’ description of the violence in Benue state as communal clashes between farmers and herders, and upheld the Plaintiffs’ argument that armed Fulani Herdsmen were attacking and killing communities in Benue. The Court also rejected the contention that the Defendants (the Nigerian government) could not be held responsible for any ethnic crime committed by unidentified and unknown persons.

However, the Court declined to award the monetary compensation of \$13,869,625.50 requested by the Plaintiffs, as the personal details of victims and the location and value of destroyed properties had not been supplied.

CSW’s Chief Executive Mervyn Thomas said, “We welcome the ruling of the ECOWAS Court of Justice and urge the incoming Nigerian government to comply by investigating and prosecuting the perpetrators of the 2016 attacks on Agatu as swiftly as possible, and compensating the victims. We also appeal for this action to be replicated for every community in central Nigeria and elsewhere that has been devastated by militia attacks in recent years. It is particularly important to note the Court’s rejection of the

characterization of this violence as 'farmer-herder clashes', and its acknowledgment that in reality, armed herders are attacking communities. The ruling validates CSW's assertion that the 'communal clashes' narrative has been rendered obsolete by the sustained, asymmetric and orchestrated nature of the current violence, which can be described legitimately as ethno-religious cleansing. It is time to end the mischaracterization of this violence, and for the government to move swiftly to end the impunity that surrounds it."