



**REPORT OF THE HOUSE OF REPRESENTATIVES**

**COMMITTEE ON ARMY**

**ON**

**INVESTIGATION OF CRISES IN OGONI LAND**

**RIVERS STATE**

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## EXECUTIVE SUMMARY

### Introduction

The office of the Speaker on the 3<sup>rd</sup> of March, 2016, pursuant to provisions in Section 88 of the Constitution of the Federal Republic of Nigeria 1999 (as amended), Order 18, Rule 16 (1) and Order 17 Rule 3(1)(iii) of the House Standing Orders, communicated and referred a petition from Civil Liberties Organisation, South-South Zone, against the Nigerian Army and some political candidates of All Progressive Congress (APC) in Rivers South-East senatorial and in Eleme, Tai/Oyigbo Federal Constituency in March 2016 re-run election and other Army officers, to the Committee on Army to investigate and report back to the House.

### Terms of Reference

- i. Determine the authenticity of the petitions and allegations against the Nigerian Army;
- ii. Determine what actually happened in Ogoni land on those dates and
- iii. Make necessary recommendations to the House for further legislative action.

### Methodology

One interactive Session, Two investigative Hearings were conducted by the Committee in Abuja and Rivers State. Oral and written submissions were taken and analyzed. On-the-spot assessment was also conducted.

### Interactive Session

The Interactive Session was held on 10<sup>th</sup> March, 2016, at the House of Representatives Hearing Room 1. The Petitioner, Civil Liberty Organisation (CLO) South-South zone, Nigerian Army, the Traditional Ruler Chief Solomon Ndiaragbe and Youth Leaders were in attendance.

### Investigative Hearing in Rivers State

An Investigative hearing was held in River State House of Assembly Complex on the 18<sup>th</sup> April, 2016 to allow the Committee to reach the people in the affected communities and other stake holders in order to give them the opportunity to make input.

### **Visits to Rivers State**

Along with the public Investigative Hearing held in Rivers House of Assembly, Port Harcourt, the Committee made courtesy calls on the Governor of Rivers state and the Speaker of the Rivers House of Assembly, to take the position of the government and as well as conducted on-the-spot assessments in some of the affected communities as well as met with some victims' families.

### **Investigative Hearing at the House of Representatives Abuja**

The Hearing was held on 7<sup>th</sup> November 2016 and 21<sup>st</sup> November, 2016 to give another opportunity to those who could not attend the first investigative Hearing.

### **OBSERVATIONS**

From documents submitted as well as oral evidence by the various stakeholders highlighted above, the Committee observed the following:

1. It was clear that the Nigerian Army operations in Ogoni land resulted in casualties. However, the number of persons killed and where they were killed do not indicate that they were all killed in Yeghe, where the Army said that it had received a distress call. The killings cut across several communities in Khana, Gokana and Tai Local Government Areas.
2. Several non-indigenes, traders and others, who do not belong to the Ogoni rivals, were killed. Many of those young men, according to survivor and relations were extra judicially executed by the Army Personnel. These include two brothers, Linus Nwafor and Kelechi Nwafor.
3. The Army could not be specific on the identity of the person who alerted the 2<sup>nd</sup> Amphibious Brigade of crises in the affected areas before moving in. The distress call went to the Army. The Police and other Security Agencies have not record of such a distress call. The Army has refused to furnish the Committee with the full Report on its operation in Ogoni land as promised. The identity of the distress caller(s) and the detail of the distress call were not made available to the Committee.

4. There are several individuals and groups who testified against the Army and others who criticize the CLO of being politically motivated to write the petition.
5. Most of the controversy surrounds the role of Chief Solomon Ndigbara, who appeared before the Committee in Abuja and said that, his woes started when he refused the offer to leave PDP for the APC. He had offered to surrender himself for prosecution if his safety could be guaranteed. His Militancy activities are no different from other forms of militancy in the area. He told the Committee during the first Hearing that he had since accepted amnesty and lived peacefully until the time he refused to decamp to APC. He said he was willing to surrender to the security if they would assure him that they were not going to kill him.
6. That Chief Ndigbara and his gang are not the only groups/cults operating in the area. The Army, police and other Security Agencies failed to name the other gangs and leaders. Chief Solomon Ndigbara could not have been fighting himself, if it was a cult clash as claimed by the Army. It is inconceivable that the security agencies could name only Solomon and his gang.
7. The tension heightened when the security agencies arrested and detained members of one rival gang rather than the arrest and prosecution of all those involved. This action, and the rather unprofessional defence of one group by the Security agencies, especially the Army has the tendency of increasing tension and predisposing the area to more violence and reprisal activities
8. The immediate cause of the killings could be adduced to the fact that Solomon Ndigbara withdrew his support and loyalty from APC candidates and probably teamed with a rival party, assumedly, PDP, as all involved groups and parties in the community made plans to ensure that their political party had victory in the proposed March re-run election. The activities of military officers and soldiers did not show that they exhibited neutrality in the matter; and the rules of engagement during their operation in civilian populated area appeared not to have been followed.

9. There was no coordination/collaboration among the security agencies on all the operations on the dates in issue. The other security Agencies should have been involved, as criminals should be prosecuted by relevant agencies.

## **FINDINGS**

1. The Nigerian Army actually carried out an operation in Khana, Gokana and Tai Local Government Areas within the period under review based on a distress call the Army said was received from this area;
2. The operation resulted in high casualty of residents;
3. The identity of the caller was not made available;
4. Other security forces were not involved in the operation;
5. The cult groups which allegedly clashed could not be listed or named, except one which was alleged to have been led by one Solomon Ndigbara, who also claimed that he was hunted for refusing to decamp to the All Progressive Congress. (APC);
6. Several civilians were arrested and are yet to be prosecuted by the Army;
7. There is absence of collaboration and coordination among the security agencies working in the state.

## **Recommendations:**

1. In any urgent issue that requires military deployment, other security agencies should be carried along or notified appropriately;
2. The summary execution of two Ibo men, namely, Linus Nwafor and Kelechi Nwafor, who were not part of the Ogoni factions and were executed far away from the scene of the conflict, should be further investigated and the officers and men responsible should be prosecuted;
3. Adequate compensation be paid by the Federal Government to the families of the deceased and to those who lost their properties after a proper assessment of the losses and deaths;

4. There is the urgent need to start withdrawing soldiers from the streets across the country and replace them with internal security operators; and
5. The Federal Government should encourage the Rivers State Government to embark on reconciliation and peace building measures in Ogoni land;
6. Urge the Federal Government and the Rivers State Government to grant amnesty to Chief Solomon Ndigbara and related persons, in line with international best practice, with an undertaking to maintain peace.

**Conclusion:**

The Committee resolved and concluded that the extrajudicial killings in Ogoni land in Rivers State were politically motivated and perpetrated by various groups and actors based on their political divide; and that The Nigerian Army did not perform professionally in Ogoni land to the extent that its neutrality became suspect.

## 1.0 INTRODUCTION:

The office of the Speaker on the 3<sup>rd</sup> of March, 2016, pursuant to provisions in Section 88 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and Order 17 Rule 3(1)(iii) of the House Standing Orders, communicated and referred a petition from Civil Liberties Organisation, South-South Zone, against the Nigerian Army and some political candidates of All Progressive Congress (APC) in Rivers South-East senatorial and in Eleme, Tai/Oyigbo Federal Constituency in March 2016 re-run election and other Army officers, to the Committee on Army to investigate and report back to the House.

The Petition written by the Civil Liberties Organisation was made against Lt. Gen. Tukur Yusuf Buratai, (Nigeria Chief of Army Staff), the Brigade Commander 2nd Amphibious Brigade, Bori Camp, Port-Harcourt, Brig. Gen. Stevenson Olabanji, Lt. Col. M.C. Ogoanda (Commanding officer Leading Operation), Senator Magnus Ngei Abe (APC Rivers South-East senatorial candidate) in the March 19, 2016 re-run election), Mr. Barry Mpigi (APC Eleme, Tai/Oyigbo Federal Constituency candidate in March 2016 re-run election) and other Army officers.

## 2.0 COMMITTEE MEMBERS

1. Hon. Rimamnde Shawulu Kwewum	Chairman
2. Hon. Princess Olufunke Adedoyin	D\Chairman
3. Hon. Yakubu Abiodun Balogun	Member
4. Hon. Adeyinka Ajayi	'
5. Hon. Abiodun Awoleye Dada	'
6. Hon. Akinforlarin Mayowa Samuel	'
7. Hon. Adekunle A. Abdul'kabar	'
8. Hon. (Comrade) Philips Shuaibu	'
9. Hon. Jephtha Fiongha	'
10. Hon. Emmanuel Udende	'
11. Hon. Mutu Ebomo Nicholas	'
12. Hon. Gaza Gbefwi Jonathan	'
13. Hon. Udende Emmanuel Memga	'
14. Hon. Shehu Sale	'
15. Hon. Jisalo Zephaniah Bitrus	'
16. Hon. Sadiq Ibrahim	'
17. Hon. Lawal Yahaya Gamau	'

18. Hon. Aishatu Jibril Dukku
19. Hon. Onyewuchi Francis Ezenwa
20. Hon. Dr. Patrick Asadu
21. Hon. Chuba Ikpeazu Lynda
22. Hon. Jagaba Adams Jagba
23. Hon. Yuguda Hassan Kila
24. Hon. Murtala Isa
25. Hon. Sa'adu M. Nabunkari
26. Hon. Salisu Garba Koko
27. Hon. Musa Ado Tsmiya
28. Hon. Mustapha Bala Dawaki
29. Hon. Golu Timothy
30. Hon. Baballe Bashir
31. Hon. (Engr.) Solomon B. Marem
32. Hon. Kabir Shuaibu
33. Hon. Victor Nwokolo
34. Hon. Murktar Aliyu Betara
35. Hon. Ezekiel A. Adaji
36. Hon. Bamgbose H. Joseph
37. Hon. (Dr.) Amb. Kingsley S. Ebenyi
38. Hon. Danlami Kurfi
39. Hon. Jarigbe Atom
40. Johnbull Shekarau
41. Hon. (Brr.) Rita Oji
42. Hon. Ibrahim Baba
43. Hon. Davematics D.E. Ombugadu
44. Hon. T.A. Aina
45. Hon. Ekpoattai Ime
46. Hon. Olajide O. Bolanle

### **3.0 SECRETARIAT**

1. Balarabe Inuwa Dutse
2. Ibukun Olu' Akinyele

Clerk  
Assistant Clerk

#### 4.0 TERMS OF REFERENCE:

The Committee outlined the following terms of reference to guide its investigation:

- I. Determine the authenticity of the petitions and allegations against the Nigerian Army;
- II. Determine what actually happened in Ogoni land on those dates and
- III. Make necessary recommendations to the House for further legislative action.

#### 5.0 METHODOLOGY

The Committee invited the petitioners and the Chief of Army Staff for an interaction in Abuja; conducted an Investigative Hearing in Port Harcourt to give the people and parties involved opportunity to state their side of the story and also visited the affected areas for an on-the-spot assessment of the situation. The committee also conducted a second Public Hearing in House of Representatives, Abuja, to enable those who could not testify in Port Harcourt to make inputs. Memos received were analyzed and used for cross-examination.

Some of the major stakeholders, Organizations and individuals that made presentations or submitted memos include:

- i. The Nigerian Army
- ii. Rivers State Government
- iii. Khana L.G.A
- iv. Gokana L.G.A
- v. Sime Community of Tai L.G.A
- vi. National Youth Council of Ogoni People
- vii. Nigeria Security and Civil Defence Corp
- viii. Indigenes Without Borders (IWB) Rivers South-East Senatorial District Chapter
- ix. Ogoni Women Forum
- x. Kagote (Ogoni Apex Social Cultural Organization)
- xi. Koroma Community (Ward 4) in Tai L.G.A

- xii. Botem Development Union (BDU) in Tai L.G.A
- xiii. Hon. Gideon B. Deemor Community of Kira Town in Tai L.G.A
- xiv. Barikpue Kane of Korokoro (Ward 13) of Tai L.G.A
- xv. Mrs. Grace NtootoTambari of Nonwa Tai in Tai L.G.A
- xvi. Kenneth Mamawa Boo of Sime Town in Tai L.G.A
- xvii. HRH Barinaada, Traditional Ruler of Yeghe
- xviii. National Association of Democratic Lawyers
- xix. Barisi Kenneth (wife of deceased Mr. Kenneth Peter Odemuo) of Bori Ogoni
- xx. Penu Christian, Youth Leader, Yeghe
- xxi. Senator Magnus Abe
- xxii. Tombari Fiiwe ( Mother of deceased Mr. Leekaaga Armstrong Barielop) of Lewe in Gokana L.G.A
- xxiii. Nukpaka Dumle of Yeghe Community
- xxiv. Dornubari, Sorbarinor Nwaibani of Gure Community
- xxv. Kpugneka Goodluck Ndeemii of Kaani Community in Khana L.G.A
- xxvi. Parakor Veronica B. of Uegwere Boue Community of Khana L.G.A
- xxvii. Eric Koryene
- xxviii. Victor Nkeloo
- xxix. Roland Nwikwor
- xxx. Barine Sunday
- xxxi. Bassy Otudor

## 6.0 INTERACTIVE SESSION

### 6.1 Petitioner's-Submission by CLO:

The spokesman of the CLO, Mr. Chinedu K. Uchegbu, at the interactive session of 10<sup>th</sup> March, 2016, at the House of Representatives Hearing Room, stated that on different occasions the houses and family home of one Mr. Solomon Ndigbara, a prominent son of Ogoni land, an ex-Niger Delta militant and an agitator were attacked by the Nigerian Army. He gave the accounts that on 10<sup>th</sup> January, 2016 the first of the series of attack occurred, that the house and vehicles in his resident in Gokhana LGA of Rivers State were vandalised, his wife and siblings brutalized and arrested. That on 22<sup>nd</sup> January, 2016 in his house in Yeghe another raid took place and a man was arrested. That again on 22<sup>nd</sup> February, 2016 his other family houses were demolished and his house in Port Harcourt was

vandalised. That the last raid 22<sup>nd</sup> of February, 2016 through 23<sup>rd</sup> February, 2016 left 24 people dead, 6 people injured and several in detention, including school children. (See annexure 1A-1D)

He stated further that upon personal investigation into this incident they were told that the Army claimed they had received a distress call and report of gun fire in Yeghe community and moved to curb the situation.

### **Prayer**

He thus prayed the House to investigate the matter, withdraw the Army from the community and prevail on the Army to pay compensation to the families of the deceased.

### **6.2 Submission by the Army**

Brig. Gen. Rogers Nicholas, of the Nigerian Army, in his response stated that Mr. Solomon Ndigbara had been declared wanted after the 2015 general elections. That his house was searched on the 24 February 2016 arms and hard drugs were recovered. That he was a gun runner, a drug dealer, a cult leader, a kidnapper and a murderer who buried his victims alive. That arrest was made of some of his boys who confessed to the above. Another confessed that he was also planning to disrupt the forth coming re-run election in the state in March 2016. The General further stated that Chief Solomon and his gang had attacked APC office in Bori and the convoy of the commander of the 29<sup>th</sup> Battalion on patrol.

He disclosed that the Army came in as the first responding security outfit to the distress call due to the fact that three major security bodies, namely; the Police, the DSS and the Armed Forces were detailed to that region for joint operations.

He however neither confirmed nor denied the number of casualties. He implored the Committee to wait for the report of the internal investigations which he said will be made available in two weeks.

### **6.3 The Traditional Ruler of Yeghe: HRH Barinaada**

The monarch in his own account stated that Senator Magnus Abe through Mr. Barry Mpigi sought his assistance to have a meeting with Mr. Ndigbara. At the said meeting N5,000,000.00 only was given to him to work for APC in the forthcoming election in the state by March 2016 .N20,000.00 only was given to a young man who led Mr. Mpigi to his Palace. He disclosed further that Mr. Mpigi then sternly advised Mr. Ndigbara to work and justify the money just given to him

(Ndigbara), which according to him also prompted a reply from Mr. Ndigbara that the money just given to him would be for the first job he did for them (Mpigi and Co.) had they refused to pay him for, that they should pay him afresh for the proposed job.

#### **6.4 Penu Christian, Youth Leader**

Mr. Penu Christian, the youth Leader of Yeghe narrated how he saw three armoured vehicles with soldiers moving into the community shooting, under the guise of looking for Chief Solomon Ndigbara.

#### **6.5 National Association of Democratic Lawyers**

The spokesman, Barr. N.N. Naazigha-lue disclosed that there were deaths of several people. He stated that two women died including a pregnant woman; that 6 bodies were in the mortuary and so far, 24 people had been confirmed dead.

**(See annexure 2A-2B)**

### **7.0 INVESTIGATIVE HEARING IN RIVER STATE.**

This Hearing was a follow-up to the earlier Interactive meeting held on 10<sup>th</sup> of March 2016. The hearing held in River State House of Assembly Complex on the 18<sup>th</sup> April, 2016.

The Army, the DSS and the Police did not appear at this particular Hearing.

#### **7.1 Chairman Care Taker Committee, Gokana Local Council**

Hon. Austin Sor stated that it is on record that the houses of Chief Solomon Ndigbara, a prominent son of Bua Yeghe was attacked on 10<sup>th</sup> January 2016 by the Nigerian Army under the direct influence of Senator Magnus Abe and Mr. Barinaadaa Mpigi, candidates to the Senate and House of Representatives, respectively. He further stated that between 22<sup>nd</sup> and 23<sup>rd</sup> February, 2016 the houses of Chief Solomon Ndigbara in Port Harcourt and Yeghe were destroyed, vehicles were vandalized, some valuable properties were taken away; that Chief Solomon's wife and children were brutalized during the invasion by the Army led by one Col. Chris. That the soldiers were shooting sporadically which left many people injured and dead. That in all, over 40 people were killed.

He mentioned some of the victims known to him and their conditions namely: Lesi Ledee Meeakue, a pregnant woman and Saturday Gbarazia; both dead. Also,

Bobo Nkie, Deede Keyoor, Nwibari Nbu were seriously injured. That that the properties of the following people namely: Goteh Gbaranor, Konaa-era Bagbi, Boy Tore Neh, Tanadee Ndo-e John Gbarazia and some others were destroyed. That Monday Barawii and Bomboy Saul were arrested by the soldiers and taken away. That on 23<sup>rd</sup> of February 2016 in Bori, scores of strangers doing their business were gruesomely murdered by the soldiers. **(See annexure 2A)**

### **Prayer**

The Chairman thus prayed, among other things, that invasion of the past, present and other cases surrounding the Gokana military invasion be properly investigated and that compensation paid to the victims accordingly.

### **7.2 National Youth Council of Ogoni People:**

In their submission signed by Barinuazor Emmanuel, the Secretary General and Kelvin Ture Nagbo, the PRO, the organisation called for holistic approach in the investigation. He said that the remote and immediate causes of violence in Ogoni land should be investigated. That the Military invasion of Ogoni land on 23<sup>rd</sup> February 2016; and similar military activities in other parts of Rivers State and arms proliferation should be thoroughly investigated. They further enjoined the Ogoni youths and leaders to unite for peace, progress and political development of Ogoni land.

### **7.3 Submission by Eyewitness-Nukpaka Dumle:**

She stated that she was returning from farm on 22<sup>nd</sup> February, 2016 and sighted Chief Solomon Ndigbara and some other men (names mentioned) in military camouflage and assorted kinds of arms, torturing one Mr. Pabby Koryene at a place called Kemaake in Yeghe and later killed him. That they later wanted to kill her too but she fled. **(See annexure 3)**

### **Prayer**

She called for continued deployment of military to the communities.

### **7.4 Submission by Eyewitness-Eric Koryene:**

He stated that on 22<sup>nd</sup> February, 2016 he was informed on phone while he was in Bori that Chief Solomon Ndigbara and his boys in military camouflage were shooting sporadically, killing and chasing people away. That he was also told that his brother Pabby Koryene had been caught and killed. That he immediately went

to Yeghe through the bush and informed the community chiefs, but they could not respond for the entire community was held hostage. That he, on returning to Bori sighted Chief Solomon Ndigbara and his boys (names mentioned) setting ablaze the office of Senator Magnus Abe in Bori. That he later alerted the military. **(See annexure 3)**

#### **Prayer**

He called for the deployment of military in the communities

#### **7.5 Submission by Eyewitness-Victor Nkeloo:**

He stated that some days before 22<sup>nd</sup> and 23<sup>rd</sup> February, 2016 he observed the presence of the military in his community, Yeghe, following the security report that some ex-militant leaders were still keeping fire-arms and other explosives and were illegally using them to terrorize the people. He asserted that Chief Solomon Ndigbara was indicted in the security report and soldiers were deployed to Yeghe for a search on him.

That on the 22<sup>nd</sup> of February 2016, Chief Solomon Ndigbara and his boys repelled the search operation and caused a gun battle between them and the military for about three hours in broad day light. That he later ran to his working place, the Senatorial Liaison Office directly opposite Birabi Memorial Grammar School at Bori where he and others were taking refuge at the time. That about 5: pm he saw Chief Solomon Ndigbara and his boys again all in camouflage and they set on fire the Senatorial Office building. That they went to Places, including Ken Saro-Wiwa Polytechnics, Zaakpon community among other places, harassing people.

He claimed that it was the stray bullets from Chief Solomon Ndigbara's camp that fell many innocent people on that fateful day in Yeghe, Bori and Zaakpon community. That the military was able to curb the situation in the evening and also the following day, 23<sup>rd</sup> February. **(See annexure 4A-4E)**

#### **7.6 Submission by Eyewitness-Roland Nwikwor:**

He stated that while he was in his office about 5: 00 pm, (Magnus Abe Senatorial Office, Bori) he observed unusual vehicular movement and went outdoors to investigate. That he discovered an armed mob believed to be led by Chief Solomon Ndigbara was heading toward his direction. That he locked the office and bolted, observing things from a nearby mechanic shop. That He saw the gang

set his office on fire. That the gang went towards Ken Saro-Wiwa Polytechnic and Zaakpon, shooting sporadically killing innocent and perceived APC supporters and Magnus Abe's supporters on their way. That he reported the case to the Police about 7:30 pm. That the Army brought peace to the community on the 23<sup>rd</sup> February, 2016 after a lot of killings had taken place.

## **8.0 VISITS TO RIVERS STATE**

### **8.1 Courtesy Call on the Governor of Rivers by the Committee**

The House committee on Army paid a courtesy call on the Governor upon arrival in at the state. In his remarks, the Chairman, Hon. Rimamde Shawulu Kwewum stated that the committee was in the state on a fact finding mission following a petition against the army by the Civil Liberties Organisation, CLO,(South-South Zone) on the killings of Ogoni people in their communities.

He assured the Governor that the committee was not in the state to apportion blame, but to determine what led to the alleged death of 24 persons during the military invasion, and that the committee was not in the state to defend any political party.

The chairman also informed the governor that the committee would visit the affected communities, and would also hold public hearing before it would report back to the House for further legislative action.

### **8.2 Governor's Remarks**

Responding, the Governor of Rivers State, Nyesom EzenwoWike declared that the reports of alleged massive insecurity and political killings before the rerun elections were concocted by misguided politicians to mislead Nigerians. He stated that after the rerun elections, the sponsored propaganda reports no longer dominate the media because there were no political killings in the state. He noted that the challenges in the state were cult related violence, which were being tackled by the security agencies frontally with the support of the Rivers State Government.

He added that like every other state, Rivers has its security challenges, while he decried the tendency to play politics with security, noting that the security challenges in the state were prompted by the politicisation of the state's security framework.

He concluded that Rivers State is largely peaceful with increasing internally generated revenue, IGR, which indicates that businesses are thriving and functional.

### **8.3 Visit to Rivers House of Assembly**

The Chairman of the Committee, while addressing members of the State House of Assembly in Port Harcourt at the Assembly complex, said the visit became imperative following the weighty nature of the allegations leveled against the Nigerian Army. He stated that presently, Army was deployed to over 30 states of the federation, adding that it has the obligation to protect the nation from any aggression. He again assured that, the Committee was not there to pursue anybody's agenda, but because of the allegation against the Army.

### **8.4 Speaker's Remarks**

In his remark, the Speaker, Rivers State House of Assembly, Dabatarudima Adams, charged the committee members to be transparent in their fact-finding mission in the state, particularly concerning the alleged Army killing by the Army in Ogoniland.

### **8.5 On-The-Spot Assessment at Ogoni Land by the Committee**

The Committee visited the affected Ogoni communities. They inspected and noted the level of destruction of the house of ex-militant leader Solomon Ndigbara in Yeghe community.

Another place visited by the Committee include Taabaa junction at the Caravans in Bori where over five people including two Igbo brothers, KelechiNwafor and Linus Nwafor who operate a fast food in the area and a Berber were allegedly shot dead by the Army. During the visit they discovered litters of bullets shells and a live bullet around the shops.

The committee also met with family members of those who were killed and injured in Yeghe, Zaakpon and Bori communities as well as observed the level of damage done to the senatorial office building of Senator Magnus Abe before rounding off their visit.

He further called on Ogoni politicians to come together regardless of their political affiliations and find a lasting solution to the crisis and insecurity situation in Ogoniland.

## **9.0 INVESTIGATIVE HEARING AT THE HOUSE OF REPRESENTATIVES ABUJA**

The Hearing was on 7<sup>th</sup> November 2016 and 21<sup>st</sup> November, 2016. The Investigative Hearing was a follow-up to the earlier Interactive session and Investigative Hearing held on 10<sup>th</sup> of March 2016 and 18<sup>th</sup> April, 2016 respectively.

### **9.1 Submission by the Civil Liberties Organisation (CLO)**

- That the Nigeria Army at the instigation of Senator Magnus Abe & Barry Mpigi through the Chief of Army Staff- LT. Gen Tukur Yusuf Buratai and Brig. Gen. Stevenson Olabanji directed one LT. Col. M.C Ogoanda who led army officers and men to invade Yeghe, Zaakpo, Bon & Babbeni in Gokhana & Khana L.G.As of Rivers State.
- That the reasons for the invasion was allegations of gun running and other criminal charges against a prominent Ogoni Leader, Chief Solomon Indigbara whom they approached to work for them politically, but he refused to do, having worked for them in the past and was not appropriately paid.
- That the Army sent a team that demolished/ vandalized his houses and properties and those of his relations within the same community and Port-Harcourt.
- That the invasion by the Nigerian Army led to the death of several persons in that area between February 22-23, 2016 including: Nwibari Mbu, Bariture Ziibo, Lesi Ledee (a pregnant mother), Saturday Gbarazia, Kelechi Nwafor & his Brother, Linus Nwafor amongst others.
- That several persons were also arrested and detained among which are; Gambo Festus, Dennis Macaulay Nbina, Ndiwu Tekpe, Nwii Peter, Gabriel Ndigbara Piabari, Mrs Kate Ndigbara, Bob Nkue and Smart Deebom.
- That several other people sustained injuries and were hospitalised some of whom are Chikwodo Nkwankwo and Azubuikelga.
- That this incident was politically motivated for reasons of re-run elections into National and State Assembly during the period.

### **Prayers**

- Thorough investigation of the Incident and the roles played by Senator Magnus Ngei Abe and Barry Mpigi
- Immediate redeployment of the Brigade Commander of Bori Camp and other affected officers pending the determination of this matter.
- The president should pull the Army out of Niger Delta unless there are verifiable and cogent facts of insecurity.
- The Federal Government should ensure that adequate compensations are paid to victims of the Army invasion lest they may seek redress in court.

### **9.2 Submission by Indigenes without Borders (Rivers Non- Indigenes Forum)**

- That one Chief Solomon Ndigbara of neighbouring Yegbe community in Gokana LGA, Rivers state has been repeatedly sought for by security operatives especially the army. That, the Army on that day, shot sporadically from Chief Ndigbara's place in Yegbe, Gokana LGA to Bori in Khana LGA with innocent lives lost.

### **Prayers**

- Indigenes without Borders (IWB) demands for investigation into this incident and proper punishment for the culprits.

### **9.3 Submission by Peoples Democratic Party (PDP) Kelga Chapter, Ikwerre LGA.**

- That as the elections drew near, the PDP got intelligence report that some members of All Progressives Congress (APC) were colluding with some military officers to rig the elections.
- That the PDP sought and obtained court injunctions restraining the deployment of soldiers to Rivers State for the elections but same was disobeyed by the Nigeria Army.
- That one Army Captain Isa Al-Makura led other officers and soldiers to disrupt and rig the election in favour of APC which caused resistance and Chaos.

### **Prayers**

- INEC should collate and announce the LGA results as collated by INEC officials.

- The Army should be reprimanded for its role in the mayhem.

#### **9.4 Submission by Dornubari Sorbarinor Nwibani (Mrs)**

- That on the said date, her deceased husband left his residence at No 6 Kenule street, Bori Ogoni for RTC park to patch his vehicle's tyre. And soon after, she received a phone call that he had been shot down by the Army.
- That he was taken to the General Hospital Bori but died two days after.
- That an autopsy was conducted on him and about 2-3 bullets were discovered on his body.

#### **9.5 Submission By Barisi Keneth (Wife to the deceased)**

- That on the said date her deceased husband left his residence for his machine spare parts shop at No 1 Taaboa Road Bori Ogoni. Soon upon arrival, he was shot dead with five others by the Army.

##### **Prayer**

- Investigate and prosecute the culprits.
- She solicits for support of any kind, including employment and scholarship for the children.

#### **9.6 Submission by Kpugneka Goodluck Ndeemi**

- That on the said date, while on the road to his shop, he was shot at his left arm and by the side of his stomach.
- That the bullet from the gunshot still lies in his body.
- That some other people who were not lucky died from the gunshots by the soldiers.

##### **Prayer**

- He demands for investigation and justice.

### **9.7 Submission by Botem Community Development Union (BDU)**

- Alleged invasion of Botem community in Tai LGA of Rivers State by men of Nigerian Army from Bori Camp, Port Harcourt on 18<sup>th</sup> March, 2016, allegedly instigated by Hon. Barinada Mpigi, the APC's candidate for the March 19<sup>th</sup>, 2016 Rerun election for Eleme/ Oyibo/ Tai Federal Constituency; who allegedly brought a group of thugs led by one Dornubari Measua, Piale Silas (now deceased) and Gbenekanu Mpigi- armed with weapons to cause panic among natives and destroyed houses, properties of some PDP members and their supporters.
- No one was reported injured
- No one was reported killed
- Those whose properties were destroyed include Mr. Grace NsanehBazia, Dr A.P. Nwiado, Prince NdidineNtah, John KenebariNdeh, YerebaJonathan, Hyacinth MkueneNtah, Sobarikor Joseph, Jude Ntorrode, Baribe Eke and Anthony Nwiaga.

#### **Prayer**

- Urges the committee to investigate the incidence and punish offenders

### **9.8 Submission by Sime Community of Tai LGA of Rivers State**

- Alleged illegal arrest and detention of innocent indigenes of Sime Tai by men of the Nigerian Army allegedly sponsored by Hon. Barinada Mpigi, from the Zaman Lekwot Military Barrack (Bori Camp), Port Harcourt, who were alleged to have invaded the community to mop up illegal arms from criminal elements, yet ended up causing panic, shot into the air, destroyed houses and properties of innocent persons.
- That though no arms were recovered, some persons who are still in detention were arrested. He urged the House Committee to probe and punish the alleged offenders. The incident took place on 18<sup>th</sup> February, 2016 and was led by Mr. Lucky Obezi and one Mr. Chu who accompanied the soldiers.
- No one was killed

- The following persons were arrested and are still being detained: Dennis Macaulay, Prince Ndine, Gambo Festus, Peter Ernest and Victor Eyi.

### **9.9 Submission by Khana Local Government Area, Rivers State**

- The Care Taker Committee Chairman of Khana LGA- alleged that Hon. Barry Mpigi, on 22 February 2016 led some soldiers in two trucks and pick up vans to one Solomon Ndigbara's house at Yeghe Town to attack and destroy properties in his house including intense gunshots which were heard in nearby Bori Town, causing panic and sudden closure of businesses. That on the 2<sup>nd</sup> day being 23 February 2016, six more trucks each carrying about 30 soldiers including two armoured tanks as well as other soldiers numbering about 300 invaded Bori Town and shot sporadically, killing and injuring many people and destroying properties. That he got a call that soldier stormed Bori General Hospital's Mortuary with an ambulance demanding to know if there were corpses deposited there. He mobilizes Families of the victims rushed to the hospital to prevent soldiers from carrying the corpses deposited at the mortuary and instructed the mortuary attendant to abscond, so as to prevent the soldiers from identifying new corpses brought in there, which ultimately forced the soldiers to leave the hospital.
- The CTC further alleged that the incident was politically motivated by Senator Magnus Abe who allegedly raised false alarm of security breach.
- 17 persons were reported to have been killed.
- 24 were allegedly injured
- Chief Solomon's native home at Nortern, Bori was destroyed.
- Deeper Life Bible Church, Nortern, Bori was also attacked. **(See annexure 5A-5B)**

#### **Prayers**

- He appealed to the Committee to prevail on the military not to be partisan or intimidate opposition members.
- That the President should condemn the genocide and compensate the families of the victims.

### **9.10 Submission by Hon. Gideon B. Deemor from Deeyor Community, Kira Town, Tai LGA, Rivers State**

- Dr. Deemor is an indigene of Kira Town in Tai LGA, Former CTC Chairman of Tai LGA and Director General of PDP candidate campaign for Tai/ Eleme/ Oyigbo Federal Constituency, Hon (Dr.) Jacobson Nbina.
- Accused the Nigerian Army's inhuman role and treatment, torture and killing of innocent persons before and during the 19<sup>th</sup> March, 2016 Rerun Election in Rivers allegedly instigated by BarinadaMpigi, the APC's House of Reps candidate for Eleme/ Oyibo/ Tai Federal Constituency.
- That Hon. BarinadaMpigi of APC masterminded the hijacking of electoral materials and INEC officials, chasing way influential PDP leaders/ members from various wards and villages in Tai LGA leading to deaths and the infliction of bodily injuries on the people.
- That his younger brother, Sunday Deemor was shot by the Nigerian Army and was still lying critically ill at Specialist hospital in Port Harcourt.
- That the Committee should recommend punishing the culprits.
- 2 people were reported dead but no names were mentioned or stated.
- His brother, Sunday Deemor, was shot in the Shoulder allegedly by the military.
- No property was destroyed.

### **9.11 Submission by Parakor Veronica B. Uegwere Bo-Ue Town, Khana LGA, Rivers State.**

- Alleges that she was shot by the Nigerian Army along Hospital Road in Bori in the evening hours of 22 February 2016, on her way to Kenule Street to meet her Aunt.
- No person was reported dead
- She received bodily injury from gunshot
- No property was destroyed.

#### **Prayer**

- She urged the Committee to investigate the incident.

### **9.12 Submission by Fiiwe Tombari (Mother)**

- Reported the death of Kaaga Armstrong Barietop, a native of Lewe in Gokana LGA, student of the Apostolic Church of Theological Seminary, Bodo an affiliate of Ahmadu Bello University Zaria; he was allegedly shot dead on the 23 February 2016 at Polytechnic Junction, Bori, by the Nigerian Army, while on his motorbike riding to school. He was married to Zortura Armstrong and blessed with a baby named Favour. He was an OND holder from Ken Polytechnic Bori.
- One person was reported killed- Leekaaga Armstrong Barietop
- No person was reported injured
- No property was reported destroyed.

### **9.13 Submission by Barine Sunday, Elder Brother to Late Miss Torka Sunday.**

- He reported the death of late Miss Torka Sunday, a native of Luwa Community in Khana LGA of Rivers State, seamstress and a holder of the Senior School Certificate who was said to have been shot dead by men of the Nigerian Army along Polytechnic Junction, Bori, on her way to 68 Gokana Street Bori, where she resided on the early hours of 23<sup>rd</sup> February, 2016. That till the date of the petition the government has not done anything to console her bereaved family; she was the only trained daughter of her family.
- No person was reported injured or detained
- No property was destroyed.

#### **Prayer**

- He urged the government to compensate the family so as to alleviate their long time grief.

#### **9.14 Submission by Chief Nwala N. And Elder Bassey OtudorJp On Behalf Of Non-Indigenes Association in KhanaLga, Rivers State. (Rivers Non-Indigenes Forum).**

- Alleged innocent killings of people by the Nigerian Army in Bori and its environs including Zaakpon / Kor/ Dorgbam and Nortem communities.
- That they had lived more than 35yrs in Bori, without problems until the unfortunate event of 22-23 of February, 2016, which devastated and disrupted commercial activities for those two days.
- They alleged that the incidence was politically motivated by desperate politicians which started with the invasion and sporadic shootings at Chief Ndigbara's Compound in Gokana LGA at Yeghe, close to Bori in Khana LGA, Rivers State, by the Nigerian soldiers, which led to the loss of lives of innocent citizens.
- Urged that justice be done
- Bodily injuries sustained by himself and his security man who is still critically ill in hospital, his tenants, NYSC members.
- So many properties destroyed in his house,
- Many allegedly injured but details not attached
- Properties allegedly destroyed but details not stated. ( See Annexure 6A-6B)

#### **9.15 Submissions by Kenneth Mamawa Boo Sime Town, Tai LGA, Rivers State.**

- That Hon. Mpigi along with the others listed above led over fifty soldiers in five Army Hilux Vans to invade his private home at Sime Town, broke into his Compound and shot sporadically, beating up everyone they could see including his security men, himself, his aged (87yrs old) mother, NYSC corps members he gave accommodation, his tenants, domestic servants, etc.
- They were all subjected to inhuman and unwarranted treatment causing injuries and destruction of household items and properties. That Hon. Mpigi held members of PDP in Tai hostage. That he subsequently called the DPO of Tai Police Station who sent his men to assess the damage and asked him to take snap shots of his damaged properties and forward a petition with the pictures attached.

- He urged the committee to compel Hon. Mpigi to account for his dastardly act and the Army to account for their role. That he lost N40 million due to damage caused which devastated and disrupted commercial activities for those two days.

### 9.16 Submission by Families of Murdered Victims

- That Mr. Eric Koryene a native of Yeghe community was told on phone by one Mrs. Nukpaka Dumle not to come to his community because one Chief Solomon Ndigbara and his boys in Military Camouflage armed with sophisticated weapons were shooting sporadically in the community, killing and chasing people away.
- That another call came in and was told that his brother Late Pabby Koryene has been caught and killed by Chief Solomon Ndigbara and his boys.
- That the said Mr. Koryene on his way to Bori where he stayed, he saw Chief Solomon Ndigbara, one Super Yokes, Koonaa Era, Letam Bodo and Saw Man Etc, in Military Camouflage and assorted riffles at the front of Senator Magnus Abe's Senatorial office in Bori shouting and chanting "Burn down the house until the house was set ablaze after which they left in search of the said Eric Koryene
- That on the 23<sup>rd</sup> day of April, 2016 one Master Nornubari Loveday Nyam together with Miss Cecelia Love day and Manger Nkoba, were killed by Chief Solomon Ndigbara when in search of one Mr. Boris Nneenwi which was also killed along with the above mentioned three. **(See Annexure 7)**
- That it is not true that Mr. Bob Nkue is in detention, that he is presently the Chairman of the Caretaker committee of Tai Local Government Council enjoying his freedom of movement.
- That the prevalence of economic sabotage on oil pipeline by militants/cultist activities and the danger posed to the Ogoni Aquatic lives are been checked and control by the presence of the Military.
- **Prayers:**
- That the committee should discountenance the petition by the Civil Liberties Organization as it is unfounded with no iota of truth.

- That military should remain in Ogoni Land as the lives and properties in Ogoni are no longer safe
- That allowing the Military to remain in Ogoni in this direction will restore peace, hope and protection of lives and properties.

#### **9.17 Submission by the Nigeria Security and Civil Defence Corps**

- That prior to the 19<sup>th</sup> March, 2016 re-run election in River State, there were tensions and apprehensions in Ogoni Land based on the information that one Chief Solomon Ndigbara, a suspected Militant had in his possession a large cache of arms and ammunitions for election.
- That intelligence was shared by the relevant Agencies and the security outfits that had direct mandate commenced operation. That Ogoni Civil Liberty Organization saw it as invasion of Ogoni land and went to court
- That the Nigeria Security and Civil Defence Corps in River State did not received any petition in respect of the operation and no report was made against the Corps.

#### **Prayer**

- The Nigeria Security and Civil Defence Corps will request for additional logistic support in the areas of additional handcuffs, and Leg cuffs, tear gas brand, patrol vehicles, more arms and ammunitions

#### **9.18 Submission by Ogoni Women Forum**

- That the Civil Liberties Organization has never defended nor paid any assessment visit to the Ogoni land nor defended the affected people and there was no genocide outburst or concern ever expressed for the Ogoni people.
- That over 15 persons has been gruesomely murdered since 2015 till now with attendant increase of widows, fatherless children forced into destitution.
- That there is no village or Community that is militarized in Ogoni land by the Federal Troops.
- That the Nigerian Army has constitutional duties to secure and protect the sovereignty of Nigerian territorial Integrity which Ogoni is part of it.

- That without adequate security in Ogoni land by the Nigerian Army, the implementation of the UNEP report on Ogoni land will be very difficult to implement and that the success of the re-run election for December 10<sup>th</sup> 2016 will be impossible.
- That the persons killed were not killed by the Army.

#### **9.19 Submission by Kagote (Ogoni Apex Social Cultural Organization)**

- That there are several cases of violent crimes of terrorist dimension resulting into killing, raping, maiming and destruction of properties of Ogoni people and that if not for the presence of the Military most Ogoni communities would have gone to extinction.
- That the Organization condemns in strong terms these terror crimes and sympathizes with the families of persons killed and properties destroyed due to this violence related activities in Ogoni land.
- That it is embarrassing and regrettable that some individuals of the non-Ogoni extraction will allow themselves to be sponsored to make grave allegations against Senator Magnus Ngei Abe and Hon. (Dr.) Barry Mpigi, two illustrious sons of Ogoni.
- That Ogoni problem and killings were not politically motivated and Senator Magnus Abe and Hon. Mpigi were not involved.
- That the organization is aware of military presence in several areas of River State and there have been no petition from Civil Liberties Organization to that effect.

#### **Prayer**

- That no group or individual should meddle into the internal affairs of the Ogoni People.
- That committee should encourage the continue stay of military in Ogoni to support the protection of lives and property in the most professional manner.

## **9.20 Submission of Letter from the Ministry Of Defence In Reply to the Petition by Civil Liberty Organization against the Nigerian Army.**

- That the upsurge in violence was attributed to the activities of an Islander Cult Group led by Mr Solomon Ndigbara, an ex-militant, who engaged in arms proliferation, illegal possession of arms and other nefarious activities.
- That the violence was underscored by political interests, and motivated by monetary inducement by politicians;
- That a rival cult group destroyed and vandalized the property of Mr. Solomon Ndigbara;
- That there was no evidence of genocide on the part of the Nigerian Army but rather the creation of fears and intimidation by Mr. Solomon Ndigbare and his cult group;
- That no person's fundamental right was breached during the joint operations of the Security Agencies to curb the activities of the Islander Cult Group

### **Prayer**

- Demanded for apology to the Nigerian Army in the interest of justice and fair play.

## **9.21 Senator Magnus Abe**

Senator Magnus Abe, one of the main personae whose name has been mentioned in the petition and all for a bothering on the Ogoni crisis, wrote a letter to the committee, criticizing the Speaker of the house of Representative for investigating the matter based on a petition by the CLO. He also alleged that the Speaker was biased for entertaining the petition. He dissociated himself from any hearing organized by the House of Representatives as he claimed that the Speaker and the members of the House of Representatives have been compromised.

## 10.0 OBSERVATIONS

From documents submitted as well as oral evidence by the various stakeholders highlighted above, the Committee observed the following:

1. It was clear that the Nigerian Army operations in Ogoni land resulted in casualties. However, the number of persons killed and where they were killed do not indicate that they were all killed in Yeghe, where the Army said that it had received a distress call. The killings cut across several communities in Khana, Gokana and Tai Local Government Areas.
2. Several non-indigenes, traders and others, who do not belong to the Ogoni rivals, were killed. Many of those young men, according to survivor and relations were extra judicially executed by the Army Personnel. These include two brothers, Linus Nwafor and Kelechi Nwafor.
3. The Army could not be specific on the identity of the person who alerted the 2<sup>nd</sup> Amphibious Brigade of crises in the affected areas before moving in. The distress call went to the Army. The Police and other Security Agencies have not record of such a distress call. The Army has refused to furnish the Committee with the full Report on its operation in Ogoni land as promised. The identity of the distress caller(s) and the detail of the distress call were not made available to the Committee.
4. There are several individuals and groups who testified against the Army and others who criticize the CLO of being politically motivated to write the petition.
5. Most of the controversy surrounds the role of Chief Solomon Ndiagbara, who appeared before the Committee in Abuja and said that, his woes started when he refused the offer to leave PDP for the APC. He had offered to surrender himself for prosecution if his safety could be guaranteed. His Militancy activities are no different from other forms of militancy in the area. He told the Committee during the first Hearing that he had since accepted amnesty and lived peacefully until the time he refused to decamp to APC. He said he was willing to surrender to the security if they would assure him that they were not going to kill him.

6. That Chief Ndiagbara and his gang are not the only groups/cults operating in the area. The Army, police and other Security Agencies failed to name the other gangs and leaders. Chief Solomon Ndagbara could not have been fighting himself, if it was a cult clash as claimed by the Army. It is inconceivable that the security agencies could name only Solomon and his gang.
7. The tension heightened when the security agencies arrested and detained members of one rival gang rather than the arrest and prosecution of all those involved. This action, and the rather unprofessional defence of one group by the Security agencies, especially the Army has the tendency of increasing tension and predisposing the area to more violence and reprisal activities
8. The immediate cause of the killings could be adduced to the fact that Solomon Ndigbara withdrew his support and loyalty from APC candidates and probably teamed with a rival party, assumedly, PDP, as all involved groups and parties in the community made plans to ensure that their political party had victory in the proposed March re-run election. The activities of military officers and soldiers did not show that they exhibited neutrality in the matter; and the rules of engagement during their operation in civilian populated area appeared not to have been followed.
9. There was no coordination/collaboration among the security agencies on all the operations on the dates in issue. The other security Agencies should have been involved, as criminals should be prosecuted by relevant agencies.

## **11.0 FINDINGS**

The Committee made the following findings:

1. The Nigerian Army actually carried out an operation in Khana, Gokana and Tai Local Government Areas within the period under review based on a distress call the Army said was received from this area;
2. The operation resulted in high casualty of residents;
3. The Identity of the caller was not mad available;

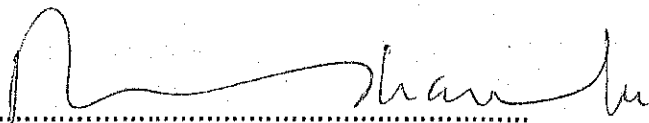
4. Other security forces were not involved in the operation;
5. The cult groups which allegedly clashed could not be listed or named, except one which was alleged to have been led by one Solomon Ndigbara, who also claimed that he was hunted for refusing to decamp to the All Progressive Congress. (APC);
6. Several civilians were arrested and are yet to be prosecuted by the Army;
7. There is absence of collaboration and coordination among the security agencies working in the state.

## **12.0 RECOMMENDATIONS:**

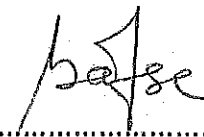
1. In any urgent issue that requires military deployment, other security agencies should be carried along or notified appropriately;
2. The summary execution of two Ibo men, namely, Linus Nwafor and Kelechi Nwafor, who were not part of the Ogoni factions and were executed far away from the scene of the conflict, should be further investigated and the officers and men responsible should be prosecuted;
3. Adequate compensation be paid by the Federal Government to the families of the deceased and to those who lost their properties after a proper assessment of the losses and deaths;
4. There is the urgent need to start withdrawing soldiers from the streets across the country and replace them with internal security operators; and
5. The Federal Government should encourage the Rivers State Government to embark on reconciliation and peace building measures in Ogoniland;
6. Urge the Federal Government and the Rivers State Government to grant amnesty to Chief Solomon Ndigbara and related persons, in line with international best practice, with an undertaking to maintain peace.

### 13.0 CONCLUSION:

The Committee resolved and concluded that the extrajudicial killings in Ogoni land in Rivers State were politically motivated and perpetrated by various groups and actors based on their political divide; and that The Nigerian Army did not perform professionally in Ogoni land to the extent that its neutrality became suspect.



Hon. Rimamnde Shawulu Kwewum  
Chairman



Balarabelnuwa Dutse  
Committee Clerk

## **ANNEXURES**

- 1A-1D- Properties of Solomon Ndigbara
- 2A-2B- Corpse of Lesi Ledee, a pregnant woman and other corpses at to be deposited in the mortuary
- 3- Mr. Pabby Koryene, allegedly buried alive
- 4A-4E- Victims at zaakpon town
- 5A-5B- Bullet spots on Deeper Life Church building
- 6A-6B- Properties attacked in the chief's compound
- 7- Bodies of Mr. Boris Nneenwi and two others
- 8- Memorandum from CLO
- 9- Memorandum from Gokana Local Govt Council
- 10- Memorandum from Ogoni Women Forum
- 11- Memorandum from KAGOTE-Ogoni Apex Socio-cultural Organisation
- 12- Memorandum from National Security and Civil Defence Corps
- 13- Memorandum from Hon. Gideon B. Deemor