

# NIGERIA

COI Compilation  
October 2015



# Nigeria

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This report collates country of origin information (COI) on Nigeria up to 30 September 2015 on issues of relevance in refugee status determination for Nigerian nationals.

The report is based on publicly available information, studies and commentaries. It is illustrative, but is neither exhaustive of information available in the public domain nor intended to be a general report on human-rights conditions. The report is not conclusive as to the merits of any individual refugee claim.

All sources are cited and fully referenced. Users should refer to the full text of documents cited and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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## List of Abbreviations

APC – All Progressives Congress  
CJTF – Civilian Joint Task Force  
CID – Criminal Investigation Division  
EFCC – Economic and Financial Crimes Commission  
FGM/C – Female genital mutilation/cutting  
FCT – Federal Capital Territory  
IDP – Internally displaced persons  
JTF – Joint Task Force  
MSM – Men who have sex with men  
MNJTF – Joint Multi-national Intervention Force  
NEMA – National Emergency Management Agency  
NPF – Nigeria Police Force  
ORO – Operation Restore Order  
PDP – People’s Democratic Party  
SARS – Special Anti-Robbery Squad  
UNHCR – United Nations High Commissioner for Refugees

# 1 General Information

The Federal Republic of Nigeria is a country in Western Africa, bordering the Gulf of Guinea, and bordering Benin in the west, Niger in the north, and Cameroon and Chad in the east. Africa's most populous nation with 181 562 056 inhabitants, the country has a total area of 909, 890 km<sup>2</sup> and a GDP per capita PPP of 6,000 USD in 2014. (CIA, 11 August 2015)

## 1.1 Geography

### 1.1.1 Map



Source: IOM, Migration in Nigeria: A Country Profile 2009. Available at: [http://publications.iom.int/bookstore/free/Nigeria\\_Profile\\_2009.pdf](http://publications.iom.int/bookstore/free/Nigeria_Profile_2009.pdf)

### 1.1.2 Administrative units

The country is composed of the Federal Capital Territory, where the capital, Abuja, is located, and 36 states, distributed in six zones (CIA, 11 August 2015):

- a. South-West Zone: Lagos, Ekiti, Ogun, Ondo, Osun, Oyo
- b. South-South Zone: Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Rivers
- c. South-East Zone: Abia, Anambra, Ebonyi, Enugu, Imo
- d. North-West Zone: Kaduna, Kano, Katsina, Jigawa, Kebbi, Sokoto, Zamfara
- e. North-Central Zone: Benue, Kogi, Kwara, Nassarawa, Niger, Plateau
- f. North-East Zone: Adamawa, Bauchi, Borno, Gombe, Taraba, Yobe

## 1.2 Government Structure

### 1.2.1 Historical background

Modern Nigeria was created through the merging of two British colonial territories in 1914 (Global Post, 10 March 2014). A Global Post's March 2014 article describes the country's formation as we know it today as follows:

"The amalgamation was an act of colonial convenience. It occurred mainly because British colonizers desired a contiguous colonial territory stretching from the arid Sahel to the Atlantic Coast, and because Northern Nigeria, one of the merging units, was not paying its way while Southern Nigeria, the other British colony, generated revenue in excess of its administrative expenses.

It made practical administrative sense to have one coherent British colony rather than two. It also made sense to merge a revenue-challenged colonial territory with a prosperous colonial neighbor, so the latter can subsidize the former." (Global Post, 10 March 2014)

In 1963, Nigeria broke its direct links with the British Crown, and became a Republic within the Commonwealth. The independence constitution provided for a federation of three autonomous regions - Northern, Western and Eastern - each with wide-ranging powers, its own constitution, and public service. The overarching but weaker federal government had powers limited to national issues, including control of the police and army, and economic planning. (UK Home Office, 3 February 2014, p.15)

Only a few years later, in 1966, the country faced its first coup d'etat. "Military officers claimed that only this type of regime could manage a diverse Nigerian polity beset by simmering tensions among the country's 250 ethnic groups, as well as between religious communities." (Freedom House, 19 January 2012)

A civilian government was again inaugurated in 1979, but the new democratic regime was "burdened by factionalism, corruption, and communal polarization. Economic mismanagement and deeply flawed elections triggered another military intervention in 1983, followed by 16 more years of military rule." (Freedom House, 19 January 2012)

In 1999, Olusegun Obasanjo won the presidential election through its People's Democratic Party (PDP). "While hailed throughout the international community for bringing an end to almost two decades of military dictatorship, the 1999 elections featured numerous instances of voter intimidation and fraud." (Freedom House, 19 January 2012). In May 1999, a new constitution promulgated by the Provisional Ruling Council (PRP) came into force, including provisions for a bicameral legislature, in which the executive branch and the office of the president would retain strong federal powers. (UK Home Office, 3 February 2014, p.16)

The United States Commission on International Religious Freedom (USCIRF)'s 2015 report discussed the challenges emerging from the return to democracy in 1999 as follows:

"The return to democracy and elected leadership ended decades of corrupt military rule, but created a winner-take-all fight for presidential power between regions. Managing this diversity and developing a national identity has been, and continues to be, a problem for Nigerians and the Nigeria government, especially between its 'Muslim North' and 'Christian South.'" (USCIRF, 31 January 2015, p.101)

Following the return to civilian rule in 1999, the Peoples Democratic Party continued to govern the country for three consecutive mandates (Nation, 2 April 2015), until the 2015 elections, when the All Progressives Congress (APC) came into power. A report by the United States Department of State (USDS) from June 2015 adds:

"In 2010 then Vice President Goodluck Jonathan, of the governing Peoples Democratic Party (PDP), assumed the presidency following the death of President Yar'Adua. In 2011 President Jonathan was elected as president to a four-year term, along with Vice President Mohammed Namadi Sambo, also of the PDP. International and domestic election observers considered the 2011 presidential, gubernatorial, and legislative elections to be generally credible and orderly, although marred by instances of violence, fraud, and irregularities." (USDS, 25 June 2015)

The same report also claims that "while election observers judged the presidential election to be more organized than the legislative elections and largely free, fair, and transparent, they reported fraud and electoral irregularities, including vote rigging and buying, underage voting, ballot stuffing, late openings and overcrowding of polls, insufficient voting materials, and intimidation and political violence in some precincts." (USDS, 25 June 2015).

Freedom House also described that "domestic and international observers generally regarded the 2011 elections as free, fair, and credible, despite postelection violence that killed some 800 people and left 65,000 displaced." (Freedom House, 28 January 2015).

Regarding the 2015 elections, an article by BBC dating from April 2015 explained that the "former military ruler Muhammadu Buhari has become the first opposition candidate to win a presidential election in Nigeria." (BBC, 1 April 2015). An April 2015 article from The Guardian mentioned that "the result, which followed a uniquely competitive, expensive and at times vicious campaign, was hailed by analysts as a milestone for multiparty democracy on the continent." (Guardian, 1 April 2015).

Amnesty International (AI) equally added that “the ruling People’s Democratic Party (PDP) and the All Progressives Congress (APC), formed in February 2013 from several opposition parties, were the main parties campaigning for the 2015 election.” (AI, 25 February 2015).

### *1.2.2 Political system and electoral process*

Nigeria’s current constitution, the fourth since independence, went into effect on May 29, 1999. It was modeled after the U.S. Constitution and provides for the separation of powers among a strong executive, an elected legislature, and an independent judiciary. (Embassy of Nigeria – Rome, n.d.)

The Library of Congress’ Nigeria country profile dating from 2008 summarizes the Nigerian political system as follows:

“Nigeria is a federal republic with a presidential system. The constitution provides for a separation of powers among the three branches of government. [...] Executive power is vested in the president, who is simultaneously chief of state and head of government. The president is eligible for two four-year terms. The president’s Federal Executive Council, or cabinet, includes representatives from all 36 states. The National Assembly, consisting of a 109-member Senate and a 360-member House of Representatives, constitutes the country’s legislative branch. Three senators represent each of Nigeria’s 36 states, and one additional senator represents the capital city of Abuja. Seats in the House of Representatives are allocated according to population. Therefore, the number of House members from each state differs. Members of the National Assembly are elected to a maximum of two four-year terms. [...]

Each of Nigeria’s 36 states has an elected governor and a House of Assembly. The governor is elected to a maximum of two four-year terms. The number of delegates to the House of Assembly is based on population (three to four times the number of delegates each state sends to the federal House of Representatives) and therefore varies from state to state within the range of 24 to 40. Nigeria’s states are subdivided into 774 local government areas, each of which is governed by a council that is responsible for supplying basic needs. The local government councils, which are regarded as the third tier of government below the federal and state levels, receive monthly subsidies from a national “federation account.” (Library of Congress, July 2008, p. 17)

Regarding Nigeria’s electoral process, Freedom House in its ‘Freedom in the World Report 2015’, published January 2015, explains:

“The president is elected by popular vote for no more than two four-year terms. Members of the bicameral National Assembly, consisting of the 109-seat Senate and the 360-seat House of Representatives, are elected for four-year terms.” (Freedom House, 28 January 2015)

The United States Commission on International Religious Freedom’s (USCIRF) 2015 report also noted:

“The practice has been for presidential tickets to include candidates from both regions and to be religiously balanced. The charter of the ruling Peoples’ Democratic Party requires its presidential candidates to switch between the north and south every eight years. Critics argue that President Goodluck Jonathan upset the regional alternation when he succeeded the late

President Umaru Yar'Adua and continued to seek re-election in 2011 and 2015. During the 2011 and 2015 presidential elections, many in the north felt that it was still that region's turn for the presidency. (USCIRF, 31 January 2015, p.101)

A report by the United States Department of State (USDS) dating from June 2015 confirmed the power-sharing arrangement and added:

“To promote national unity and loyalty, the law mandates that the composition of the federal, state, and local governments and their agencies, as well as the conduct of their affairs, reflect the diverse character of the country. The Jonathan administration [former president of Nigeria] demonstrated this diversity--President Jonathan is an Ijaw from the southern state of Bayelsa, the vice president is a Hausa Fulani from the northern state of Kaduna, the senate president is an Idoma from the central state of Benue, and the speaker of the house is from the northwest state of Sokoto. The government attempted to balance other key positions among the different regions and ethnic groups, but with more than 250 ethnolinguistic groups, ensuring representation of every group in the government was difficult.” (USDS, 25 June 2015)

Regarding Nigeria's multiparty system, the same Freedom House 2015 report explained:

“[It] provides opportunities for the participation of opposition parties in the political process. According to the INEC, there are more than 25 registered political parties. Although the PDP continues to dominate both national and state elections, opposition parties made significant inroads in 2011. In 2013, four opposition groups - the ACN, the CPC, the ANPP, and a faction of the All Progressives Grand Alliance (APGA) - merged under the banner of the APC. In 2014, the APC drew strength from defections by leading members of the PDP, including the speaker of the House of Representatives. The PDP has allegedly attempted to disrupt the activities of these defectors, especially those with presidential aspirations.” (Freedom House, 28 January 2015)

### 1.2.3 *Government institutions*

Nigeria's executive powers are vested in the President, who is the Head of State, Chief Executive of the Federation and Commander-in-Chief of the Armed Forces (Europa World, 24 January 2013). The country's current president, Muhammadu Buhari, was elected in 29 May 2015, with a 53% majority of the votes. The next Nigerian elections are scheduled for 2019 (CIA, 11 August 2015).

Nigeria's government institutions are described by the International Crisis Group (ICG), in its Africa Report N° 216, as follows:

“Since returning to civilian rule in 1999, the state has suffered growing security, capacity and legitimacy gaps, demonstrated in the declining capacity of its institutions to deliver public goods, including security, transportation, water, medical care, power and education. [...]”

With the failure of governance and development, an ever increasing number of ethnic militias, separatist groups and millenarian religious movements are being mobilised, both for self-defence and for pressing ideological and practical goals.” (ICG, 3 April 2014, p.1)

Regarding Nigeria's bureaucracy system, an article by AP Government Nigeria, states:

“The elaborate civil service put in place by British during colonial days allowed Nigerians to fill lower-level jobs in the bureaucracy. After independence, the civil service remained in place, and has grown tremendously over the past decades.

Overall, the bureaucracy is known to be corrupt and inefficient due to common bribery and the patron-client system (a.k.a. prebendalism). Not surprisingly, this system has led to a rapid increase in the number of bureaucratic jobs.

[...] Nigerian government agencies are para-statals (corporations owned by the state and designated to provide commercial and social welfare services). Theoretically, they are privately owned, but their boards are appointed by government ministers, and their executives are interwoven into the president’s patronage system.

Para-statals commonly provide public utilities, i.e. water, electricity, public transportation, and agricultural subsidies. Others control major industries such as steel, defense products, and petroleum.” (AP Government, n.d.)

A Global Post article from March 2014 declared that “mismanagement of national resources and misrule by multi-ethnic and multi-religious coalitions of successive rulers since independence have impoverished and denied opportunities to the majority of Nigerians.” (Global Post, 10 March 2014)

The Central Intelligence Agency (CIA) 2015 World Fact Book information on Nigeria further noted:

“Despite its strong fundamentals, oil-rich Nigeria has been hobbled by inadequate power supply, lack of infrastructure, delays in the passage of legislative reforms, an inefficient property registration system, restrictive trade policies, an inconsistent regulatory environment, a slow and ineffective judicial system, unreliable dispute resolution mechanisms, insecurity, and pervasive corruption. [...]

The government continues to face the daunting task of reforming a petroleum-based economy, whose revenues have been squandered through corruption and mismanagement.” (CIA, 11 August 2015)

The United States Department of State (USDS) discusses the issue in its Fact Sheet on the Nigeria-U.S. relations by stating that “Nigeria has yet to develop effective measures to address corruption, poverty, and ineffective social service systems, and mitigate the violence.” (USDS, 9 December 2014)

The World Bank country overview also addresses the situation briefly in reference to the impact of the decrease in oil prices:

“Much lower oil prices will continue to pose strong challenges for public finance at all levels of Government during the year, and will also represent a major constraint on the ability of the new Federal Government to launch some of its ambitious programs.” (World Bank, 28 April 2015)

The International Crisis Group (ICG) also provides an overview of the current situation in the Sahel countries, including Nigeria, in its Africa Report N° 217, which suggests:

“With struggling economies unable to absorb the huge population increase, jobs are scarce. This is due in part to structural factors, such as arid land, desertification, extensive and traditional agriculture and lack of factories. But it is also attributable in large part to extensive corruption; poor use of aid and revenues generated by extractive industries; poor infrastructure and failure to provide technical training. The result is weak belief in the state and little willingness – individually and collectively – to reinforce society and state institutions.” [...]

“As a Nigerian analyst noted, amid temptations to respond military first, ‘it remains crucial to understand that the inability of the state to educate and offer opportunities has alienated these swathes of population from the state, and a security-based response will not address the real causes of the problems, risking aggravating the distance between the state and the people, and leaving more space for jihadi recruitment.’” (ICG, 25 June 2015, pp.9-10)

#### 1.2.4 *Judicial system*

The Central Intelligence Agency (CIA) World Fact book on Nigeria notes that the country’s legal system is mixed between the English common law, the Islamic law (in twelve northern states), and traditional law. (CIA, 11 August 2015).

The UK Home Office’s June 2015 report discussed the issue and noted:

“While there is an established judicial system across the country affording hearings and rights of appeal within common or customary law (including under Sharia law) the judiciary is susceptible to pressure from the state and the business sector. Additionally its effectiveness is undermined by, amongst other things, understaffing, underfunding, lack of motivation, inefficiency, lack of equipment and training of court officials, and corruption.” (UK Home Office, 9 June 2015, pp. 4-5)

According to Babalakin & Co., one of Nigeria’s leading law firms, the country operates the court proceedings in a similar way that other common law countries. However, the jury system works in a different way, as the presiding judge is both a judge of the law and fact (Babalakin & Co, 5 July 2013).

The same source also noted that the 1999 Constitution made provisions for the establishment of the following courts: the Supreme Court of Nigeria, the Court of Appeal, the Federal High Court, the High Court, the Sharia Court of Appeal and the Customary Court of Appeal, and further explained:

“[The Supreme Court of Nigeria] is the apex court in the hierarchy of courts in Nigeria and is situated in the Federal Capital Territory, Abuja. The Chief Justice of the Federation heads the Judiciary of Nigeria and presides over the Court. The court has limited but exclusive original jurisdiction in any dispute between the Federation and a State or between States if and in so far as that dispute involves any question (whether of law or fact) on which the existence of a legal right depends. Its appellate jurisdiction is to determine appeals from the Court of Appeal and this is also to the exclusion of any other court. [...] The decision of the Supreme Court on any matter is final and is not subject to an appeal to any other body or person. [...] The decisions of the Court are binding on all other courts in Nigeria.

[The Court of Appeal] is next in the hierarchy of courts in Nigeria and its decisions are binding on all other lower courts. It is composed of the President of the Court of Appeal and other

Justices of the Court of Appeal not being less than forty-nine. The court has original and exclusive jurisdiction over questions as to whether a person has been validly elected to the Office of President or Vice President of the Federation or whether the term of office of such person has ceased or whether the office has become vacant. [...]

[The Federal High Court comprises] of a Chief Judge and such number of Judges as the National Assembly may prescribe. The court has limited but exclusive jurisdiction in civil and criminal causes or matters as set out in the Constitution. It however has no appellate jurisdiction. [...]

[The High Court] is made up of a Chief Judge and such other number of judges as the State House of Assembly or the National Assembly (in the case of the High Court of the Federal Capital Territory) may prescribe. The High Courts of the various States have general original jurisdiction over civil and criminal matters except matters in respect of which any other court has been vested with exclusive jurisdiction, making them the courts with the widest jurisdiction under the Constitution. [...]

[The Sharia Court of Appeal] has appellate and supervisory jurisdiction in civil proceedings involving questions of Islamic personal law, which the Court is competent to decide in accordance with the Constitution. [...]

[The Customary Court of Appeal] has appellate and supervisory jurisdiction in civil proceedings involving questions of customary law and is comprised of a President and such number of Judges as the National Assembly or the State Houses of Assembly (as the case may be) may prescribe." (Babalakin & Co, 5 July 2013)

Babalakin & Co. described the Magistrate and District Courts as follows:

"In addition to these courts created by the Constitution, there also exist Magistrate Courts, District Courts, Area Courts and Customary Courts established in various states by state laws. These courts are of limited jurisdiction as specified in their enabling laws and appeals from them lie to the High Court, Sharia Court of Appeal or Customary Court of Appeal as the case may be." (Babalakin & Co, 5 July 2013).

The Central Intelligence Agency (CIA) World Fact book discussed the judge selection and term of office as follows:

"Judges appointed by the president on the recommendation of the National Judicial Council, a 23-member independent body of federal and state judicial officials; judge appointments confirmed by the Senate; judges serve until age 65." (CIA, 11 August 2015).

Isaac Terwase Sampson, a scholar from the National Defence College, noted in his 2014 article on Religion in Nigeria:

"Thus the existence of multiple judicial systems based on secular, religious, and traditional jurisprudence, as well as multiple educational systems based on secular and religious principles, only serve the purpose of obfuscating the real character of the Nigerian state, whether secular or religious." (Sampson, 2014, p. 312)

With regards to judicial independence in Nigeria, Freedom House in its Freedom of the World 2015 report described:

“Judicial independence in Nigeria is constitutionally and legally enshrined. The judiciary has achieved some degree of independence and professionalism in practice, but political interference, corruption, and a lack of funding, equipment, and training remain important problems. Certain departments, particularly the Court of Appeals, have frequently rejected election challenges or allegations of corruption against powerful elites, raising doubts about their independence.” (Freedom House, 28 January 2015)

Amnesty International (AI) in its 2015 ‘The State of the World’s Human Rights’ report explains the Nigerian criminal justice system and states:

“The criminal justice system remained under-resourced, blighted by corruption and generally distrusted. Security forces often resorted to dragnet arrests instead of arresting individuals based on reasonable suspicion.

In the past decade, at least five presidential committees and working groups on reforming the criminal justice system have been set up. However, the majority of their recommendations – including on combating torture – had not been implemented by the end of the year.” (AI, 25 February 2015)

In the subject of criminal justice, the issue of lack of responsibility and impunity is addressed by the United Nations Special Rapporteur on Minority Issues, following her mission to Nigeria in February 2014:

“Lack of accountability and impunity were repeatedly stated as major flaws of the criminal justice system. A culture of impunity has extremely pernicious effects; investigations are not undertaken or poorly managed, prosecutions are not initiated or pursued, victims are left defenceless, the role of security forces is negatively perceived and, in many cases, people decide to take the law into their own hands. Perpetrators must be persecuted [sic] and held accountable for their crimes. Police and security forces must be trained in human rights and minority issues and provided with sufficient and adequate means to carry out their tasks. Mechanisms for adequate compensation and redress of victims must be implemented.” (UNHRC, 5 January 2015, p. 19)

Regarding the lack of funding for the judiciary, the International Crisis Group (ICG) further noted in its April 2014 report:

“Supreme Court Chief Justice Mariam Aloma Mukhtar has lamented the steady decline in funding for the judiciary. The Nigerian Bar Association (NBA) has raised concerns over bought judgments, and a prominent lawyer describes judicial officers as ‘a danger to democracy’.” (ICG, 3 April 2014, p.5)

### 1.2.5 Shari'a system



Source: Nile Bowie, Nigeria: Fertile Ground for Balkanization.  
 Available at: [http://nilebowie.blogspot.sn/2012\\_04\\_01\\_archive.html](http://nilebowie.blogspot.sn/2012_04_01_archive.html)

The scholar Brandon Kendhammer provides a brief introduction of the Shari'a system in Nigeria through his article entitled “The Sharia Controversy in Northern Nigeria and the Politics of Islamic Law in New and Uncertain Democracies” as follows:

“Nigeria’s sharia controversy provides a key case for understanding the politics of sharia in new democracies. In a four-year period following Nigeria’s 1999 transition, the democratically elected governments of twelve Muslim-majority states in northern Nigeria incorporated sharia into state criminal law and launched extensive Islamic social and economic reforms. Given Nigeria’s religious divisions (its population of about 170 million is divided in roughly equal proportions between Muslims and Christians, with a slight Muslim majority), many Nigerian Christians interpreted sharia implementation as a political and cultural provocation. The sharia implementation crisis set off a chain reaction of political conflict that witnessed several failed federal efforts to prevent sharia implementation and a sustained period of sectarian violence at the worst level since Nigeria’s civil war.” (Kendhammer, 2013, p. 292)

Human Rights Watch (HRW)'s report on human rights and Islamic law dating from September 2004 equally discusses the role of Shari'a courts and notes:

“Ordinary people have found it very difficult to challenge decisions of the Shari'a courts, especially as judicial officials, religious officials and others have often portrayed these as the decisions of God rather than the decisions of judges—a view which has discouraged many from openly questioning the outcome of trials. [...]

Following the introduction of the new Shari'a legislation, most state governments set up structures and groups to ensure the implementation of Shari'a. These structures included Shari'a implementation committees and groups known as hisbah, whose main role was to ensure observance of Shari'a among the population and to report any breaches. The creation of the hisbah was popular in some quarters because of a deep distrust in the Nigerian federal police force, both among the general public and among state politicians. In several states, the hisbah have been used to carry out arrests, for example in cases of suspected adultery or fornication, consumption of alcohol and other offenses. As described in this report, members of the hisbah have been responsible for a range of human rights abuses in the course of enforcing Shari'a, especially in the one to two years after they were set up.” (HRW, September 2004, p.16)

As reported by the United States Department of State (USDS), the Nigerian constitution currently recognizes sharia courts for “civil proceedings” but is silent on the use of such courts for criminal cases (USDS, 28 July 2014). The report also states:

“Sharia courts in 12 northern states also have authority to hear criminal cases where both the Muslim complainant and the Muslim defendant agree to the venue; the sharia courts may pass sentences based on the sharia penal code, including *hadd* offenses and punishments, such as caning, amputation, and death by stoning. Non-Muslims have the option to try their cases in the sharia courts if involved in civil disputes with Muslims. Common law courts hear the cases of Muslims and non-Muslims who do not agree to use sharia courts. Sharia courts cannot compel participation by non-Muslims, but in the past some non-Muslims took cases to sharia courts, citing their speed and low cost. Aggrieved parties can appeal sharia court judgments to three levels of sharia appellate courts. Decisions by the Sharia Court of Appeal (the highest level of the sharia courts) theoretically can undergo appeal to the Federal Court of Appeal and then to the Supreme Court, although none has done so. [...]

Despite constitutional language supporting only secular criminal courts and the prohibition against involuntary participation in sharia criminal courts, a Zamfara State law requires that a sharia court hear all criminal cases involving Muslims. Zamfara's state-level religious affairs commission regulates religious affairs and preaching, distributes licenses to imams, and attempts to resolve religious disputes in the state.” (USDS, 28 July 2014).

The same source's 2014 Country Report on Human Rights Practices on Nigeria investigated this matter further and added:

“Varying sharia (Islamic law) penal codes exist in 12 northern states, and sharia courts hear cases in which the complainant and accused consent to using sharia courts rather than common law courts. Sharia courts may deliver “hadd” sentences, for example, amputation of a hand for theft or caning for minor offenses, such as petty theft, public consumption of alcohol, and prostitution. Stoning is an authorized hadd penalty but was not carried out during the year.

Statutory sharia law mandates state governors treat all court decisions equally, regardless of whether they were passed down by a sharia or nonsharia penal court, including sentences such as amputation or the death penalty. Authorities, however, often did not carry out sentences passed by sharia courts because defendants frequently appealed to a higher sharia court, a process that could be lengthy. Because no relevant case has been appealed to the federal level, federal appellate courts had not ruled on whether such punishments violated the constitution. Although sharia appellate courts consistently overturned stoning and amputation sentences on procedural or evidentiary grounds, such sentences were not challenged on constitutional grounds.

The sharia criminal procedure code allows defendants 30 days to appeal sentences involving mutilation or death. Appeals often took months or years to decide. Caning was not challenged in the courts as a violation of statutory law. Sharia courts usually carried out caning immediately. In some cases convicted individuals paid fines or went to prison instead of being caned.” (USDS, 25 June 2015)

Regarding the influence Shari’a courts have on women’s position in Nigeria, a Wilson Center’s 2011 article on the subject explains:

“Since before Independence in 1960, Nigeria has always had three systems of law in the realm of family and personal status (concerning marriage, divorce, child custody, inheritance and the like). These were general (sometimes referred to as secular or civil law), Muslim laws, and customary laws. In the Sharia courts over the past twenty to thirty years, the Sharia courts have increasingly recognized and upheld women's rights to inherit (especially to inherit land), to divorce on demand (often without, or with only token payments), to custody of their children, to being able to hold their children's property in trust, against forced marriages, and so on. [...]

The provisions of the Penal Codes are generally gender-neutral. However there are some exceptions – with the exceptions generally being in favour of men. As in the 1960 ('secular') Penal Code, the Sharia Penal Codes continue to permit husbands to beat wives. Nor do they recognise marital rape (which is not recognised in general secular law in Nigeria either). Some of the Penal Codes (Niger, Kano, and Birnin Kebbi states) specify that men's testimony will be worth more than that of women. The diya (monetary compensation in cases of hurt, if the victim or his/her family are willing to accept this instead of the stated punishment) to be paid for Muslim men is higher than that of Muslim women (or non-Muslims), although qisas (retaliatory punishment) can be applied regardless of gender. In one instance, men are subject to harsher punishments than women – in Kano State, never married men convicted of zina may not only be lashed but also subject to one year's imprisonment (never-married women would liable for lashing only).

In the Sharia Penal Codes, rape is treated as a form of zina – illicit sexual intercourse. Reporting rape is thus equivalent to confessing to zina. In the most probable situation of lack of two witnesses or a confession from the rapist, rape would be hard to prove, and so women would find themselves not only subject to zina punishments, but also liable for false witness in addition. Thus, the new Sharia Penal Codes deprive women of protection from rape and sexual assaults.” (Wilson Center, 7 July 2011)

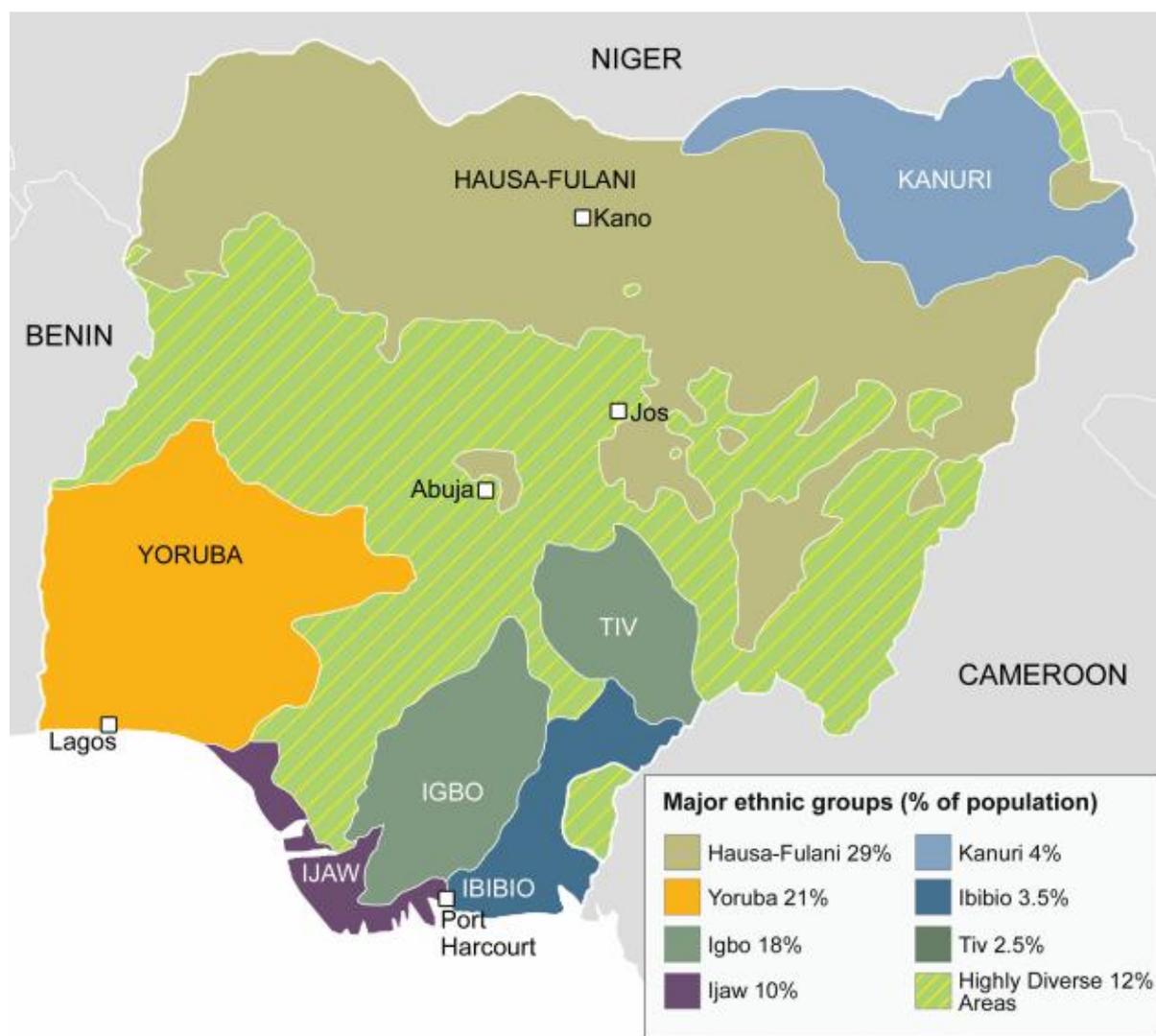
### **1.3 Population Structure**

According to the Central Intelligence Agency (CIA) World Fact book, the population of Nigeria is estimated at 181 562 056 as of July 2015. The source also notes that “estimates for this

country explicitly take into account the effects of excess mortality due to AIDS; this can result in lower life expectancy, higher infant mortality, higher death rates, lower population growth rates, and changes in the distribution of population by age and sex than would otherwise be expected” (CIA, 11 August 2015).

The same source also notes that population growth is estimated at 2,45% in 2015 and adds that life expectancy in the country lies at 53,02 years - 52 year for males and 54,1 years for females - (CIA, 11 August 2015).

### 1.3.1 Ethnic groups



Source: Ulrich Lamm, Mapping Nigeria's diversity

Available at: [http://africacenter.org/wp-content/uploads/2011/06/AfricaBriefFinal\\_14.pdf](http://africacenter.org/wp-content/uploads/2011/06/AfricaBriefFinal_14.pdf)

In reference to the ethnic composition of Nigeria’s population, the Central Intelligence Agency (CIA) World Fact book notes that “Nigeria, Africa's most populous country, is composed of more than 250 ethnic groups; the most populous and politically influential are: Hausa and the Fulani 29%, Yoruba 21%, Igbo (Ibo) 18%, Ijaw 10%, Kanuri 4%, Ibibio 3.5%, Tiv 2.5%” (CIA, 11 August 2015).

Human Rights Watch (HRW) provides a comprehensive overview of the country's ethnic composition and explains:

“Nigeria, with more than 250 different ethnic groups, is a country of great diversity. Its national population of some 170 million people is roughly evenly divided between Muslims and Christians. Ethnic identity and religious and political affiliation often overlap. The vast majority of northern Nigeria is Muslim and primarily from the Hausa or Fulani ethnic groups, often referred to together as Hausa-Fulani. In southwest Nigeria, where the Yoruba are the largest ethnic group, the region has large Christian and Muslim populations, while the southeast of the country is dominated by the Igbo ethnic group and is largely Christian. The Middle Belt in central Nigeria is home to numerous smaller ethnic groups, often referred to as minority groups, most of which are predominately Christian, although many areas in this region also have large Muslim populations.

Many of Nigeria's ethnic groups had no relationship to each other before being shoehorned into the same colony in 1914 by the British colonial government. The pre-colonial relationships that did exist between Nigeria's different groups were often antagonistic. In the Middle Belt region, for example, numerous minority groups during this time resisted conquest and were victims of frequent slave raids by the more powerful Hausa-Fulani states to the north.

Following Nigeria's independence in 1960, the country's three administrative regions—Northern, Western, and Eastern—were eventually divided into 36 states, including Plateau and Kaduna. State and local governments in Plateau and Kaduna—as well as in varying degrees other states across Nigeria—enforced divisive state and local government policies that discriminate against individuals solely on the basis of their ethnic heritage or in some cases religious identity. Ethnic groups that can trace their ancestry to those regarded as the original inhabitants of an area are classified as “indigene” groups, while all other people in that area, regardless of how long they or their families have lived there, are referred to as “settlers,” and relegated to permanent second-class status. Non-indigenes are often denied access to state and local government jobs and academic scholarships, while those who cannot find a local government in Nigeria to grant them an “indigene certificate” are effectively “stateless” and cannot apply for federal government employment, thus denying them access to some of the most important avenues of socio-economic mobility.” (HRW, 12 December 2013)

Minority Rights Group International (MRG) adds to the discussion and summarizes each region as follows:

“The middle belt area of Nigeria, from the Cameroon highlands on the east to the Niger River valley on the west, includes some 50 to 100 linguistic and ethnic groups, ranging from larger Tiv and Nupe to much smaller language groups. [...] They speak a Niger-Congo language related to Yoruba and Igbo and practice Islam.

Plateau State, just east of the centre of the middle belt is especially diverse. Among the main minority groups there are Berom, Tarok, Jawara and Gemai. The state is also religiously diverse, with Christians in a majority, a sizeable Muslim minority, and many people who still practice traditional beliefs. [...]

The south is divided into a western, Yoruba-speaking area and an eastern Igbo-speaking area, a middle section of related, but differing groups and areas of Niger Delta peoples on the eastern and central coasts.” (MRG, n.d.)

Scholar Okwudiba Nnoli's 2003 article mentions that the relationship between the ethnic groups and the government must be thoroughly examined, as the state in Nigeria "has historically been engaged in a phenomenally aggressive accumulation and projection of political power" that has deprived established and independent communities of their autonomy and status and destabilized power hierarchies amongst them. (Indiana University, 2003, p.1)

For an extensive description of Nigeria's ethnic groups, please see below:

### 1.3.1.1 Nigeria Hausa-Fulani

'Come to Nigeria', a website promoting tourism and business in the country, provided detailed information on the Hausa-Fulani ethnic groups as follows:

"The Hausa and Fulani people are located mostly in northern part of Nigeria. With a population of over 30 million, they have the largest population in West Africa because of their intermarriages and constant interaction with different peoples.

With the decline of the Nok and Sokoto, who had previously controlled Central and Northern Nigeria between 800 BCE and 200 CE, the Hausa were able to emerge as the new power in the region. Closely linked with the Kanuri people of Kanem-Bornu (Lake Chad), the Hausa aristocracy adopted Islam in the 11th century CE.

In 1810 the Fulani, another Islamic African ethnic group that spanned across West Africa, invaded the Hausa states.

The cultural similarities of these two groups, however, opened doors for a significant integration between the groups, who in modern times are often demarcated as "Hausa-Fulani", rather than as individuated groups.

The Hausa remain pre-eminent in Northern Nigeria. Their impact in Nigeria is paramount, as the Hausa-Fulani amalgamation has controlled Nigerian politics for much of its independent history." (Come to Nigeria, undated)

Minority Rights Group International (MRG) summarized the role of both groups as follows:

"Hausa and the traditionally pastoralist Fulani (Fula) peoples are concentrated in the north and practice Islam. Together they constitute around 29 per cent of the population and have dominated Nigerian politics. In Kaduna state, where Hausa and Fulani form a majority, predominantly Christian minority groups include the Katab, Kaje, Gbabyi, Numana, Kono, Kagoma and Chawai." (MRG, n.d.)

With reference to the Hausa, Freedom House in its Freedom of the World 2015 report states:

"Nigeria has a total population of over 175 million people; over 27 million of them are the Hausa. In fact, the Hausa are the largest ethnic group in all of West Africa. Thirty percent of all Hausa can be found in the north and northwest regions of Nigeria, an area known as 'Hausaland.'" (Freedom House, 28 January 2015)

A Human Rights Watch (HRW) report of December 2013 describes the Fulani as follows:

“Rural communities in Plateau and Kaduna also have large populations of rural Fulani. Fulani pastoralists have long used migratory cattle routes through West Africa, including the fertile Middle Belt lands for grazing. In the early 1900s, Fulani from northern Nigeria also migrated south and settled in rural communities throughout Plateau State and southern Kaduna State. The rural Fulani, who primarily raise cattle for their livelihood, are predominantly Muslim, while the surrounding indigene groups, which are largely Christian, are mostly farmers. Although there have been some efforts to establish clear cattle routes and grazing reserves in these areas, periodic disputes between the Fulani pastoralists and indigene farmers often over destruction of crops or cattle theft, have also sparked conflict.

Fulani cattle and herders who migrate far from home are vulnerable to attack. To counter this threat, the Fulani have established a reputation in the region that “if they or their cattle are attacked there will always be a response at a later date” to avenge the attack.” (HRW, 12 December 2013)

### 1.3.1.2 Yoruba

The Encyclopedia Britannica shares a comprehensive description of the Yoruba people as follows:

“Yoruba, one of the three largest ethnic groups of Nigeria, concentrated in the southwestern part of that country. [...] They speak a language of the Benue-Congo branch of the Niger-Congo language family. [Most Yoruba men are farmers. Others are traders or craftsmen.] Women do little farm work but control much of the complex market system – their status depends more on their own position in the marketplace than on their husbands’ status. The Yoruba have traditionally been among the most skilled and productive craftsmen of Africa. [...]

The Yoruba have shared a common language and culture for centuries but were probably never a single political unit. [...]

There is much diversity in social and political organization among the Yoruba, but they share many basic features. Inheritance and succession are based on patrilineal descent; members of the patrilineage live together under the authority of a headman, share certain names and taboos, worship their own deity, and have rights in lineage lands. The Yoruba also have several kinds of voluntary associations, including the egbe, a male recreational association; the aro, a mutual-aid association of farmers; and the esusu, whose members contribute a fixed amount of money and from which they can receive loans. Political authority is vested in the oba and a council of chiefs; constituent towns each have their own ruler, who is subordinate to the oba. The oba is also a ritual leader and is considered sacred. [...] Many Yoruba are now Christians or Muslims, but aspects of their traditional religion survive.” (Encyclopedia Britannica, 30 June 2014)

Minority Rights Group International (MRG) further adds that “nearly 30 million Yorubas make up approximately 21 per cent of Nigeria's population and are dominant in the south-west” (MRG, n.d.).

### 1.3.1.3 Igbo

With regards to the Igbo, the Encyclopedia Britannica explains:

“Igbo, also called Ibo, people living chiefly in southeastern Nigeria who speak Igbo, a language of the Benue-Congo branch of the Niger-Congo language family. The Igbo may be grouped into the following main cultural divisions: northern (Onitsha), southern (Owerri), western (Ika), eastern (Cross River), and northeastern (Abakaliki). Before European colonization, the Igbo were not united as a single people but lived in autonomous local communities. By the mid-20th century, however, a sense of ethnic identity was strongly developed, and the Igbo-dominated Eastern region of Nigeria tried to unilaterally secede from Nigeria in 1967 as the independent nation of Biafra. By the turn of the 21st century the Igbo numbered some 20 million.

Most Igbo traditionally have been subsistence farmer. [...] Some livestock, important as a source of prestige and for use in sacrifices, is kept. Trading, local crafts, and wage labour also are important in the Igbo economy, and a high literacy rate has helped many Igbo to become civil servants and business entrepreneurs in the decades after Nigeria gained independence. [...] Traditional Igbo religion includes belief in a creator god, an earth goddess, and numerous other deities and spirits, as well as a belief in ancestors who protect their living descendants. Many Igbo are now Christians.” (Encyclopedia Britannica, 30 July 2015)

The Migration Policy Institute (MPI) further adds that as a consequence of the Biafra war (1967-1970), in which the eastern region attempted to secede from Nigeria, over 1 million Nigerians, mostly Igbo were internally displaced. (MPI, 30 June 2010)

#### 1.3.1.4 [Ijaw](#)

According to the Ijaw Foundation, the Ijaws are the most populous indigenous inhabitants of the Niger Delta, and constitute the fourth largest ethnicity within the borders of Nigeria (Ijaw Foundation, n.d.). The Foundation adds:

Other names referring to Ijaw people are Uzo (at Benin), the original ancestral name Oru (in Ijaw and Ibo land) and Kumoni (in Ijaw). These names were applicable through the Niger Delta and environs. (Ijaw Foundation, n.d.)

Online Nigeria, a Nigerian community portal, also reports:

“The Ijaw speak 9 closely-related Niger-Congo languages, all of which fall under the Ijoid branch of the Niger-Congo tree. [...]

Formerly organized into several loose clusters of villages which cooperated to defend themselves against outsiders, the Ijaw increasingly view themselves as belonging to a single coherent nation, bound together by ties of language and culture. This tendency has been encouraged in large part by the environmental depredations that have accompanied the discovery of oil in the Niger delta region which the Ijaw call home, as well as by a revenue sharing formula with the Federal government that is viewed by the Ijaw as manifestly unfair. The resulting sense of grievance has led to several high-profile clashes with the Nigerian Federal authorities, including kidnappings and in the course of which many lives have been lost. [...]

Although the Ijaw are now primarily Christians, with Catholicism being the variety of Christianity most prevalent amongst them, the Ijaw have elaborated traditional religious practices of their own.” (Online Nigeria, n.d.)

### 1.3.1.5 Tiv

Minority Rights Group International (MRG) describes the Tiv in its Directory of Minorities as follows:

The estimated 3.5 million Tiv of Nigeria live in the central-eastern state of Taraba in the valley of the Benue River, and neighbouring states. Tiv are prosperous subsistence farmers and traders growing yams, millet and sorghum and raising small livestock and cattle. They speak Nyanza or Benue-Congo, part of the Niger-Congo language family. Traditionally Tiv formed a classic segmentary society in which strongly organized patrilineages linked large portions of the ethnic group into named non-local segments. Local organization, land tenure, inheritance, religious beliefs, law and allegiances were all related to this segmentary lineage. Tiv political organization and the possibility of conflict or alliance among territorial groups are traditionally based on the relative closeness of patrilineal descent members to a male ancestor. Nonetheless all Tiv have united against neighbouring enemies because of their common ancestors. Many Tiv continue to practice their traditional religion, while others have converted to Christianity and Islam. (MRG, 12 November 2013)

### 1.3.1.6 Kanuri

Encyclopedia Britannica reports that the Kanuri are found in the Borno state in northeastern Nigeria, as well as in large numbers in southeastern Niger. The Kanuri language is classified as belonging to the Saharan branch of the Nilo-Saharan family (Encyclopedia Britannica, n.d.-a).

The same source explains the tribe's way of living as follows:

"The Kanuri developed a powerful state at the Sudanese terminus of the major trans-Saharan trade route through the Bilma oasis to Libya. This empire, called Bornu (or Kanem-Bornu), reached its zenith in the 16th century. The Kanuri have been Muslims since the 11th century and practice the Malikite code of Islamic law. [...]"

The Kanuri live in settled villages and towns and farm the sandy soil of the surrounding countryside.. The Kanuri are a commercial people with well-developed internal trade; they trade with the Fulani and Shuwa Arab herders for dairy products. [...]"

Kin groups are not as important among the Kanuri as they are among most other African peoples; the household of a rich, powerful, and noble individual becomes the central focus for many people. The Kanuri are polygynous. The typical household unit is the nuclear family of husband, wife, and children or the polygynous family living in a compound." (Encyclopedia Britannica, n.d.-a).

Minority Rights Group International (MRG) also adds:

"Most of the estimated 5.6 million Kanuri inhabit an area in north-eastern Nigeria near Lake Chad. Even though Kanuri language, culture and history are distinctive, other elements of their society are similar to Hausa. The Kanuri subsistence economy is based on agriculture, with peanuts grown as a cash crop. With much overlap, a belt of other peoples occupy the area between the predominately Kanuri north-east and predominantly Hausa and Fulani north." (MRG, n.d.)

### 1.3.1.7 [Berom](#)

According to the Joshua Project, a database website for minority groups worldwide, the Berom are located around the Plateau state, Kaduna state and Bauchi state, with a population of around 1 173 000. They are mostly Christian (96%) and speak the Berom language (Joshua Project, 2015-a)

### 1.3.1.8 [Jukun](#)

Encyclopedia Britannica describes the Jukun people as follows:

“Jukun, a people living on the upper Benue River in Nigeria, commonly believed to be descendants of the people of Kororofa, one of the most powerful Sudanic kingdoms during the late European Middle Ages. [...] The population speaks a language of the Benue-Congo branch of the Niger-Congo family. The people comprise a congeries of many smaller groups, each organized on a different basis, although polygynous extended families seem to be the dominant unit.” (Encyclopedia Britannica, n.d.-b)

### 1.3.1.9 [Eggon](#)

An article by Leadership, a Nigerian news outlet, describes the Eggon as “one of the tribes found mostly in Nasarawa State and southern parts of Kaduna State [who] are known for their deep traditional beliefs.” (Leadership, 28 November 2014).

The Joshua Project refers to the Eggon as follows:

“The Eggon receives its name from the hill where the people lived before coming down to the plain. [...] The Eggon generally believe in Ahogben (God) who is far beyond the sky and they believe he created man and the universe and anything good is from him, because he is far above they feel they can only communicate to him through Ashim (a close god to humans) which is a supreme God. Individuals or families also keep items like a pot or stone as their god at home which they believe in and also make sacrifices to. But with the coming of missionaries, Islam and Christianity have spread widely in their land. Today Islam and Christianity are the major religion in the land. The supreme god is called Angbashim. In order to consult this god a libation is poured on the ground seven times with some confession by the elder or priest. Apart from the Ashim, there are some religions practiced by individuals or families such as Akuk, Arikya, Gango and Yamba. They use items like stones, cowries, pots and sticks as gods. Such items are kept mostly at home in a separate room for worshiping and they offer sacrifices to the item, believing it chases away evil spirits in the land or away from the family and make land fit for farming.” (Joshua Project, 2015-b)

For more information on the Eggon, please refer to section 3.3.

### 1.3.1.10 [Goemai](#)

According to the Joshua Project, the estimated population of the Goemai in Nigeria is around 337 000 (Joshua Project, 2015-b). The website describes them as “tribal, divided into clans” and adds:

“The Goemai are located in the Shendam, Gerkawa, and Namu districts in the Plateau State of Nigeria. They are closely related to the Jukun, who live south of them, and the Ngas, who are

located north of them. Goemaliland is fertile and well watered, and is the basis for the Goemai being an agricultural society. [...]

The Goemai practice subsistence farming, mainly raising ginger, millet, guinea corn, beans, and fruit. They also grow rice, peanuts, pumpkins, and tomatoes. Some cattle are kept because they are fundamental in fertilizing the fields. [...] [They] are almost completely ethnic religionists whose beliefs are manifested in most aspects of their daily lives.” (Joshua Project, 2015-c).

#### 1.3.1.11 [Tarok](#)

Titilayo Orisaremi, a scholar from the University of Jos, describes the Tarok in her 2012’s African Sociological Review article:

“The Tarok constitutes the predominant ethnic group in Langtang North and Langtang South Local Government Areas (LGAs) located in the lowland Southern Senatorial District of Plateau State. Tarok men and women are traditionally agriculturalists who cultivate several kinds of cereal: guinea corn (*Sorghum Bicolour*), millet (*Pennisetum Americanum*) and sesame. [...]

The dominant religions in Tarok land are traditional religion and Christianity. The traditional religion of the Tarok is characterised by the belief in a supreme being and the worship of the spirits of deceased ancestors through orim which is the highest institution of social control and is exclusive to men. [...]

The Tarok are organised around patriarchal system. Juridical rights over children however, rest in their maternal uncle or grand uncle (ukyan). They practice strict lineage exogamy and traditionally, marriage is mostly polygynous with patrilocal mode of residence with each uterine family having a separate hut.” (Orisaremi, Titilayo, 2012, pp. 64-65)

The World Heritage Encyclopedia in its article on Tarok people further describes:

“In the literature, other names have been used for Tarok as Appa, Yergam and its variants of Yergum and Yergem. The name Tarok itself has been wrongly spelt by some as Taroh. The name Appa on the other hand is used by the Jukun to refer to oTarok as a friendship term. These fresh insights are pointing to a conclusion that Tarok was a nickname given to the Tal/Ngas immigrants. The name of the original group is lost and has been replaced by the nickname.” (World Heritage Encyclopedia, n.d.)

#### 1.3.1.12 [Shuwa Arab](#)

The Joshua Project describes the Shuwa Arabs as commonly referred to as the “Baggara”, a name “derived from the Arabic word bagar, meaning "cow," and refers to the Arab tribes in West Africa who are cattle herders.” (Joshua Project, 2015-d). The website also notes:

“They are spread from the Lake Chad region eastward to the Nile River in the countries of Sudan, Niger, Chad, Cameroon, Nigeria, and the Central African Republic. They live in a hot, semi-arid climate with zones ranging from sparse shrub lands to wooded grasslands.

The Baggara tribes are of Arab descent and mainly speak the Shuwa dialect of the Arabic language. They entered western Sudan between the twelfth and thirteenth centuries, and have gradually moved east and west from there. By the eighteenth century, they were concentrated

primarily to the north and east of Lake Chad. Their tribes continued moving eastward until they became widely scattered across the horizontal plains of West Africa.” (Joshua Project, 2015-c)

### 1.3.1.13 *Ogoni*

A 2003 Minority Rights Group International (MRG) article explains the social profile of the Ogoni people as follows:

“The Ogoni people are an indigenous minority in southern Nigeria, numbering approximately 500,000. The Ogoni region covers approximately 100,000 square kilometres in the south-east of the Niger delta. Traditionally, the Ogoni have depended on the rural livelihoods of agriculture and fishing. They revere the land on which they live and the rivers that surround them. In the local language, Doonu Kuneke (tradition) means ‘honouring the land’. [...] As elsewhere in Nigeria, land tenure is based on customary laws, which hold land to be community property, over which individuals only have rights of usufruct: only the community may sell or dispose of land. [...]

For the Ogoni, as for other peoples of the Niger delta – including Ekpeyes, Ibibios, Ijaws, Ikwerres, Ilajes, Itsekiris and Ogbas – the environmental, social and economic costs of oil exploitation have been high, and very little of the national wealth that their region generates has returned to them.” (MRG, 2003, p. 1)

A 2011 article in the Global Nonviolent Action Database describes the Ogoni people’s struggle in the Niger Delta region:

“Since 1990 the Ogoni have been engaged in a struggle with the government of Nigeria and the Shell Company to maintain their rights as the original inhabitants of the land. The nonviolent Movement for the Survival of the Ogoni People (MOSOP) has been met with violence on the part of the government as well as the assassination or imprisonment of many Ogoni leaders. Yet the Ogoni people have managed to force Shell Oil to withdraw from the area and have raised substantial international awareness of their situation.” (Global Nonviolent Action Database, 11 March 2011)

For more information on the Niger Delta conflict, please refer to section 2.3 of this compilation. Information on inter-communal fighting is also contained in section 2.2.

### 1.3.2 *Religious affiliations*

Regarding religious affiliations in Nigeria, Minority Rights Group International (MRG) notes:

“Islam is the religion of around half of all Nigerians and is the dominant religion in the north. Christianity, practiced by one-third of the population, is dominant in the south. The remaining population holds traditional religious beliefs.

These broad patterns in Nigeria's ethno-linguistic and religious patchwork are overlaid with the complication of substantial movements of people among the country's various regions - resulting, for example, in a sizeable Christian minority in the north and a large Muslim minority in the south. The central plateau region is particularly diverse.” (MRG, n.d.)

More detailed information on the distribution of religious groups within the country can be found in the United States Department of State’s (USDS) 2013 report on religious freedom:

“Most observers estimate 50 percent [of the population] is Muslim, 40 percent is Christian, and 10 percent adheres to indigenous religious beliefs. The predominant Islamic group is Sunni, divided between Sufi groups including Tijaniyah and Qadiriyyah. Growing Shia and Izala (Salafist) minorities exist. Christian groups include Roman Catholics, Anglicans, Baptists, Methodists, Presbyterians, evangelicals and Pentecostals, and The Church of Jesus Christ of Latter-day Saints (Mormons). Groups that together comprise less than 5 percent of the population include Jews, Jehovah’s Witnesses, Bahais, and individuals who do not follow any religion.

The Hausa-Fulani and Kanuri ethnic groups dominate the predominantly Muslim northern states. Significant numbers of Christians also reside in the north, and Christians and Muslims reside in about equal numbers in central Nigeria, the Federal Capital Territory, and the southwestern states, where the Yoruba ethnic group predominates. While most Yorubas are either Christian or Muslim, some adhere to traditional Yoruba religious beliefs. In the southeastern states, where the Igbo ethnic group is dominant, Catholics, Anglicans, and Methodists constitute the majority, although many Igbos combine traditional practices with Christianity. In the Niger Delta region, where the Ogoni and Ijaw ethnic groups predominate, Christians form the majority, while an estimated 1 percent of the population is Muslim. Pentecostal groups are growing rapidly in the central and southern regions. Ahmadi Muslims maintain a small presence in the cities of Lagos and Abuja.” (USDS, 28 July 2014).

The United States Institute for Peace’s (USIP) 2015 article entitled “Religion and Conflict in Nigeria” states:

“The religiously mixed states of the north central and southwest are also politically mixed. Overall, Nigeria is by far the largest country in the world with religious identities evenly divided between Muslims (90 million) and Christians (90 million).” (USIP, 2015, p. 2)

A 2014 article by scholar Isaac Terwase Sampson, National Defence College, builds on this discussion and adds:

“The major religious groups in this country of more than 160 million inhabitants are Christianity and Islam. There is a scientific representation of neither the numerical strength of these religious groups nor their geographical distribution. The Islamic faith preponderates in the northwestern and northeastern parts of the country [which is composed of Sokoto, Zamfara, Borno, Yobe, Katsina, Kano, Kebbi, Jigawa, Bauchi, Taraba (although Taraba State has an almost equal distribution of Christians and Muslims), Gombe, and Adamawa states]. On the other hand, Christianity is more prominent in the southeastern and south-south geographical zones (composed of Imo, Enugu, Anambra, Abia, Ebonyi, Delta, Edo, Bayelsa, Rivers, Cross-Rivers, and Akwa Ibom states—with Edo State arguably comprising an equal distribution of Muslims and Christians.

The southwest and north-central zones (composed of Lagos, Oyo, Ogun, Ondo, Ekiti, Osun, Kaduna, Niger, Plateau, Nassarawa, Benue, and Kogi states) and the north-central zone (the Federal Capital Territory) have reasonably balanced numbers of Muslims and Christians; except for Benue State, which is entirely composed of Christians and followers of Traditional Religion (TR). Although often marginalized, TR has a fair amount of followers and, therefore has a significant degree of influence in the determination of state–religion relations. In spite of the apparent dominance of Islam and Christianity in public relations, the syncretic nature of religion among Nigerian tribes has paradoxically made TR a sort of melting pot, as those who

profess both Islamic and Christian faiths frequently patronize traditional religious priests for spiritual rituals. Thus, in spite of the apparent scorn of TR by Nigerian elites as a result of the modernizing influences of the colonizing religions, TR continues to be furtively patronized by a great many adherents of both Islam and Christianity and has therefore maintained its relevance.” (Sampson, 2014, pp. 311-312)

The article also notes that “religion is often instrumentalized for political and hubristic ends, thereby creating strong animosity among religious groups. [...] The politicization of religion inevitably breeds premeditated inequities in terms of resource allocation and other ramifications of patronage by the dominant religious group(s)”, and summarizes “the consequence of this dysfunctional configuration of state–religion relations is the persistence of religiously induced conflicts in the country since the early 1980s.” (Sampson, 2014, p. 313).

A Global Post’s 2014 article explains the relationship between religious affiliations and Nigeria’s ethnic conflicts as follows:

“Religion became a major topic of national political debates, with each religious community pushing increasingly adversarial agendas. In Northern Nigeria, clashes between Muslim groups—mainly ethnic Hausa and Fulani—and Christian and traditionalist communities have become a monthly affair, with devastating consequences. In this charged environment where religion functions as the primary idiom of political identity, conflicts over resources, cattle, land, and political offices have often taken on a religious coloration, with Muslims pitted against Christians.

Christian ethnic groups in Southern Nigeria have been drawn into these religious conflicts, with their members in Northern Nigerian cities frequently targeted by Muslim mobs. Muslim Northern Nigerians have sometimes been targeted in revenge killings in Southern Nigeria.” (Global Post, 10 March 2014)

For more information on religious or ethnic-related conflicts, please refer to sections 2.2 and 2.5 of this compilation.

### *1.3.3 Economic migrants*

An article by the Migration Policy Institute (MPI) dating from June 2010 explains the historical background of the migration flows into and outside of Nigeria as follows:

“Documented history of migration in the territory that is now Nigeria dates back to four simultaneous slave trades in Africa between 1400 and 1900, the largest being the transatlantic in which 12 million slaves were exported from west, west-central, and eastern Africa to the European colonies in the Americas beginning in the 15th century. [...]

The arrival of the British in the mid-19th century provided a framework for large-scale migration as the British needed a large labor force for mines, plantations, and public administration. The resulting rural-rural migration moved people to work as either migrant tenant farmers, farm labor, and/or migrant traders. [...]

During colonial rule, Nigeria also experienced international flows. Geographer Adejumo Afolayan and colleagues have found evidence of immigration and emigration as far back as 1903. An estimated 10,000 to 30,000 Tuaregs from Niger moved into Kano city and its environs

between 1914 and 1922. Kano city offered better grazing facilities, wells for pastoralists and their flocks, veterinary services, and lower taxes. For similar reasons, another 250,000 people moved into the northwestern region of Nigeria between 1931 and 1952 from French West Africa [...].” (MPI, 30 June 2010)

Regarding migration policies, the same source also notes:

“The primary law governing immigration into Nigeria is the Immigration Act of 1963, currently governed by the 1999 Constitution of the Federal Republic of Nigeria.

Following the principles of international law, the act provides that an alien can only enter Nigeria with a valid passport or other travel document and a visa or recognized entry permit. Admission into Nigeria is under specified conditions, including duration of stay, place of residence, place of employment, and restricted movement within the country.

Migrants of African origin wishing to reside in Nigeria are required to regularize their papers after which they are issued a resident card. The card and registration allow them to bring family members, work, and own property and businesses in Nigeria. Migrants and members of their families are protected under the Nigerian constitution to seek redress in a court of law on any issue of conflict and entitled to earn the same wages as their Nigerian counterparts.” (MPI, 30 June 2010)

The latest available figures from the Population and Housing Census indicate that as of 2006, there were 999,273 foreign residents in Nigeria (representing 0.7% of the population), and 2,342,645 Nigerians by naturalization (representing 1.7% of the population) (ICMPD and IOM, March 2015, p. 257) The International Centre for Migration Policy Development (ICMPD) and the International Organization for Migration’s (IOM) report dating from 2015 also notes:

“According to the Population and Housing Census of 2006, 51% of foreign residents were nationals from ECOWAS Member States, 16% were nationals from other African states and 33% were non-Africans. More specifically, Benin, Ghana, Mali, Togo, and Niger appear to be the main countries of origin.” (ICMPD and IOM, March 2015, p. 257)

The same report also discusses the issue of irregular migration as follows:

“Although the Immigration Act of 1963 (Chapter 171) and its subsequent regulations tend to focus on migration control, the legislation fails to provide a comprehensive framework for irregular migration management. The outdated character of a number of provisions can also be noted. For instance, when referring to the deportation of foreigners, the Immigration Act mentions the following categories: “an idiot, insane person, or person suffering from any other mental disorder”.<sup>1100</sup> It should be noted, however, that the immigration legislation has been reviewed and the revisions are currently awaiting adoption. The adoption of a specific law on smuggling is also pending. During the past years, there has been an increase in the deportation of foreigners, mostly Chadians and Nigeriens, related to national security issues in the north part of the country. In practice, Nigerian authorities are facing significant challenges in terms of border management. Borders are long – some 4,900 km – and with a varied topography – desert, mountains, swamps, and sea. Only 84 legal border crossing points exist, border services are understaffed and underequipped, and patrols are generally limited to a five kilometre radius around border posts.” (ICMPD and IOM, March 2015, p. 263)

The International Organization for Migration's (IOM) 2009 report discusses the issue of skilled migration in Nigeria and adds:

"Nigeria is also a destination country for highly skilled migration. According to the latest data, immigrants figure prominently in categories such as general managers (2.73%), corporate managers (0.89%), and physical, mathematical and engineering science professionals (0.43%), and less so in clerical work such as customer service clerks (0.21%) or manual work. Most of the immigrants working in the professional/technical and related workers' group are from Europe (47.37%), while most of the immigrants working in clerical jobs are from the neighbouring ECOWAS countries (42.84%)" (IOM, 2009, p. 15)

## 1.4 Socio-economic Situation

### 1.4.1 Poverty and unemployment

The World Bank describes Nigeria as "the biggest oil exporter in Africa, with the largest natural gas reserves in the continent." (World Bank, 28 April 2015). And yet, "[f]ew Nigerians, including those in oil-producing areas have benefited from the oil wealth." (BBC, 12 June 2015), and "[o]ver 62% of Nigeria's 170 million people live in extreme poverty" (CIA, 11 August 2015).

Poverties, a website dedicated to publicizing social scientific research, explains that considering its income per capita only, nothing has changed in Nigeria since 1970, "nevertheless at the same time the country has become richer and richer thanks to the exploitation of its oil resources." (Poverties, April 2013)

Nigeria's income inequality is also documented by Amnesty International (AI) in its 2015 report entitled 'Boko Haram's Reign of Terror in North-East Nigeria':

"In 2014 Nigeria became the largest economy in Africa. This success story masks great inequality among Nigeria's regions and a huge gap between the rich and poor. In 2010 the northeast had the second highest rate of poverty, at 69%, compared with the national average of 61%. Nationally, 33% of the population aged six and above in Nigeria was not literate in 2006. In Borno state, this percentage was 67%, in Adamawa 48% and in Yobe 65%." (AI, 13 April 2015, p. 9)

A 2013 strategy report from the Department for International Development (DFID) provides an overview of Nigeria's vulnerability indicators:

"More than 100 million of Nigeria's 160 million population (i.e. 64%) are estimated to live on less than £1 a day. The country has the most poor people in the world after India and China. A quarter of Africa's extreme poor are Nigerian." (DFID, January 2013, p.1)

The World Bank's country description website on Nigeria equally discusses the issue of poverty rates and adds:

"The share of people living below \$1.25 PPP poverty line declined by an average 0.5% per year from 32.7% in 2010 to 30.4 in 2015. Growth has been an important driver of poverty reduction, yet at this rate of reduction, due to the rapid population growth close to 3%, the actual number

of the poor may continue to increase. According to our estimates, their number would increase from about 61 in 2010 to 67 million by 2016.” (World Bank, 28 April 2015).

The same article by Poverties highlights that poverty is related to rural issues and explains:

“Poverty in Nigeria is essentially a rural issue. Therefore experts usually consider access to banking and micro-credit services crucial to help local farmers invest in agriculture, be it for crops, machines, transport vehicles and so forth.

Given the country's high unemployment rate, this means that entrepreneurship is key to reducing poverty in Nigeria and that obstacles to business creation - such as corruption - are barring the country from its right to development.” (Poverties, April 2013)

Regarding the possible causes of poverty in the country, an April 2014 report by the International Crisis Group (ICG) explains a different view on the issue:

“Poverty is a product of bad governance, including a bloated administration. A bulging percentage of federal and state budgets is allocated to salaries, allowances, pocket money, foreign trips and temporary duty tours constraining capital and development projects. The federal government has been borrowing for recurrent consumption, not to invest in development.

Prices but not salaries have risen. Decaying infrastructure, chronic electricity shortages and an influx of cheaper imported products have led to massive factory closures and worsening unemployment. Educated young people, including a growing number of university and polytechnic graduates, seek ever more elusive jobs. Many youths in the north lack education, have few or no skills and are hardly employable. Idle, they are easily recruited by anti-state and militia groups.

Poverty has been increasing despite relatively strong economic growth; 112.5 million – over 70 per cent of the population – are classified as poor and absolutely poor. Sokoto state in the North West has the highest poverty rate (86.4 per cent), Niger state in North Central the lowest (43). The North East, Boko Haram’s main operational field, has the worst poverty rate of the six official ‘zones.’” (ICG, 3 April 2014, p. 3)

The same source also discusses the country’s economic trouble and notes:

“Most Nigerians are poorer today than they were at independence in 1960, victims of the resource curse and rampant, entrenched corruption. Agriculture, once the economy’s mainstay is struggling. In many parts of the country, the government is unable to provide security, good roads, water, health, reliable power and education. The situation is particularly dire in the far north. Frustration and alienation drive many to join “self-help” ethnic, religious, community or civic groups, some of which are hostile to the state.” (ICG, 3 April 2014, p. i)

A June 2015 report from the same source explains the government’s struggle to respond to these issues as follows:

Regional youths are increasingly restless over slow economic growth, lack of job opportunities and narrow political space. Dissatisfaction and disillusionment are exacerbated by readily available digital images (through smartphones and satellite television) of prosperity and development around the globe. Governments are resented as unwilling or unable to provide for

basic needs and aspirations. Routes to active, fulfilling roles in society are closed and upward mobility almost non-existent. ‘No one seems capable of responding to the youths’ quests for opportunities’, said a man familiar with the region, ‘neither their families, nor the state, nor traditional community leaders.’

With struggling economies unable to absorb the huge population increase, jobs are scarce. This is due in part to structural factors, such as arid land, desertification, extensive and traditional agriculture and lack of factories. But it is also attributable in large part to extensive corruption; poor use of aid and revenues generated by extractive industries; poor infrastructure and failure to provide technical training. The result is weak belief in the state and little willingness – individually and collectively – to reinforce society and state institutions. [...]

As a Nigerian analyst noted, amid temptations to respond military first, “it remains crucial to understand that the inability of the state to educate and offer opportunities has alienated these swathes of population from the state, and a security-based response will not address the real causes of the problems, risking aggravating the distance between the state and the people, and leaving more space for jihadi recruitment.” (ICG, 25 June 2015, p.9)

On the same note, Action Aid Nigeria also describes the government’s measures to address income inequality, poverty and unemployment as follows:

“In subsequent years, especially following the return to civilian rule, the Nigerian government conceived and implemented several other socio-economic programmes aimed at alleviating the poverty rate in the country. One of such programmes was the Universal Basic Education (UBE) scheme. Launched in 1999, the aim of UBE is to provide intellectual and nonintellectual competencies to all Nigerian children. It was formed based on the realisation that the high rate of poverty ravaging the country, especially the Northern region, was partly linked to low literacy rates.

In a further attempt to stem poverty and unemployment rates, the Federal Government also introduced the Poverty Alleviation Programme, for which it earmarked the sum of N10 billion which was supposed to create 200,000 jobs in the year 2000. The failure of the programme can be traced to a philosophy which posited that the high level of poverty and rising unemployment could be reduced merely by paying stipends to selected beneficiaries without giving them any meaningful or actual work. The stipend approach was exploited by some privileged members of society who filled the available places with their own protégés, thereby denying the intended beneficiaries access to the funds.

Along the same line, the National Poverty Eradication Programme (NAPEP) was created in January 2001 with the goal of eradicating absolute poverty in the country by the year 2010. Its specific objectives included: empowerment of Nigerian youth to acquire skills; provision of functional infrastructural facilities; provision of necessities of life to all Nigerians to bring about a socially-organised and economically-prosperous society; enhancing long-term optimum development of natural resources; and the reduction of objectionable practices in resource exploitation to the minimum. Despite the huge sum committed, this programme has made very little impact on the poverty situation in Nigeria.” (Action Aid Nigeria, 2015, p. 27).

### 1.4.2 Corruption

According to the International Crisis Group (ICG), “Nigeria is consistently ranked as one of the most corrupt countries. This has denied millions opportunities. According to former World Bank

Vice President for Africa Dr. Obiageli Ezekwesili, it has lost more than \$400 billion to large-scale corruption since independence in 1960.” (ICG, 3 April 2014)

A May 2015 article from Transparency International (TI) notes:

“Nigeria ranks 136 out of 176 countries with a score of just 27 out of 100 on the 2014 Corruption Perception Index; 85 per cent of Nigerians surveyed believe corruption has increased from 2011 to 2013.

Corruption hits hardest at the poor in Nigeria who make up more than 40 per cent of the 179 million people. Global Financial Integrity estimates more than US\$157 billion in the past decade has left the country illicitly. Corruption is everywhere: even the health and medical services, considered the least corrupt government institution, are considered very corrupt by 41 per cent of Nigerians.” (TI, 28 May 2015)

Human Rights Watch (HRW) reported on this phenomenon and explained some of its consequences on Nigerian society as follows:

“Corruption has turned what should be one of the country’s strongest assets—its vast oil wealth—into a curse. Rather than lead to concrete improvements in the lives of ordinary Nigerians, oil revenues have fueled political violence, fraudulent elections, police abuses, and other human rights violations, even as living standards have slipped and key public institutions have collapsed.” (HRW, August 2011, p. 6)

On this note, a 2015 report from the same source further explains:

“Endemic public sector corruption continued to undermine the enjoyment of social and economic rights in Nigeria. In February 2014, the government suspended then-Governor of the Central Bank of Nigeria Sanusi Lamido Sanusi, on allegations of financial impropriety. Sanusi had alleged large-scale corruption by the Nigeria National Petroleum Corporation, which the government has yet to investigate.

In May, President Goodluck Jonathan told journalists that allegations of corruption against members of his cabinet were politically motivated and that most acts were no more than “common stealing.”

The Economic and Financial Crimes Commission and its public sector counterpart, the Independent Corrupt Practices and Other Related Offences Commission, failed to effectively tackle high-level corruption and financial crimes in the country. Many of the arrests and prosecutions were against low-level officials, while allegations against highly placed politicians and the elite were not investigated.” (HRW, 29 January 2015, pp. 3-4)

Human Rights Watch’s (HRW) 2011 report also describes the creation of the Economic and Financial Crimes Commission (EFCC), the agency responsible for investigating financial crimes, as follows:

“Following the end of military rule in 1999, and in recognition of the widespread nature of corruption, the Nigerian government established the Independent Corrupt Practices and Other Related Offences Commission (ICPC) in September 2000 to combat public sector graft such as bribery and abuse of office by public officials. [...] Amid pressure from the international community to address what then-president Olusegun Obasanjo referred to as the “corruption

quagmire” in Nigeria, the Nigerian government established the Economic and Financial Crimes Commission (EFCC) in December 2002 with the National Assembly’s passage of the Economic and Financial Crimes Commission (Establishment) Act. The agency, which was granted broad powers to investigate and prosecute economic and financial crimes, was intended primarily as a tool to fight crimes such as money laundering and advance fee fraud. Since its inception, the EFCC has grown into Nigeria’s largest anti-corruption agency, with an annual budget of US\$60 million in 2010 and more than 1,700 personnel.” (HRW, August 2011, p. 8)

The weaknesses of the agency are emphasized in this 2015 report from Freedom House:

“Although the Economic and Financial Crimes Commission (EFCC), Nigeria’s main anticorruption agency, secured more than 110 convictions in 2014, cases against high-profile politicians and businessmen are hampered by political interference and an inefficient judiciary. Moreover, the EFCC has been accused of targeting those who have lost favor with the government.” (Freedom House, 28 January 2015)

Furthermore, corruption may also affect poverty levels, as mentioned in a 2015 report by Action Aid Nigeria:

“Given the country’s enormous resources, it is puzzling that such a huge portion of the populace lives in poverty. This vast incidence of poverty in the midst of plenty has severally been linked to the endemic corruption in the country, as it involves the massive stealing of resources that would have otherwise been invested in providing wealth-creating infrastructure for the citizens. This perception is reinforced by an accepted position that corruption is a global incidence that tends to retard the growth of countries where it manifests. Corruption is also taken as having the tendency to exacerbate and cause conflicts, promote poverty, and impact negatively on the best use of human and natural resources.” (Action Aid Nigeria, 2015, p. 6).

## 2 Security Situation

### 2.1 Overview

The International Coalition for the Responsibility to Protect (ICRtoP) has described the current security situation in Nigeria:

“In March 2014, United Nations High Commissioner for Human Rights, Ms. Navi Pillay, stated that Nigeria was ‘currently facing its most daunting set of challenges for decades.’ The country is split between Muslims and Christians, with an area called the middle belt edging the predominately Muslim north and Christian south. Ten percent of the country follows indigenous sects, constituting over 174 million people, and close to 350 ethnic groups speak 250 languages. The country is also divided along economic lines. As of February 2014, CFR recorded poverty levels at 72 percent in the north, starkly contrasting the 27 percent in the south and 35 percent in the Niger Delta.

These divisions and inequalities, and the existence of vulnerable peoples, alongside ongoing battles against insurgent groups and high levels of corruption, have contributed to the current security crisis in Nigeria. Human Rights Watch (HRW) and the CFR Nigeria Security Tracker purport that over 25,000 people have been killed in the country since 1999, and events since the start of 2014 have reached unprecedented levels. In April 2014, Amnesty International (AI) published a briefing expressing concern over actions by both Boko Haram, the Nigerian militant

Islamist group, and the Nigerian state security forces that may constitute ‘war crimes’ and ‘crimes against humanity,’ urging the immediate investigation of violations of international humanitarian law. The Global Centre for the Responsibility to Protect (GCR2P) also warned of the gravity of such acts, stating, ‘indiscriminate violence heightens the risk of further mass atrocities, including possible crimes against humanity.’” (ICRtoP, 2015)

The World Bank also refers to the overall security situation in the country and claims:

“Niger Delta militants have threatened a possible resumption of their disruptive activities under a Buhari presidency, and this will need to be defused. In the North East, Boko Haram remains a threat, and millions of displaced persons require assistance. There has been major destruction of infrastructure along with the loss of lives and impoverishment in this region. The new government will have a difficult time in the short term financing the major programs that it wants to roll out.” (World Bank, 28 April 2015)

## **2.2 *Inter-communal violence in the Middle-Belt***

Human Rights Watch (HRW) describes the region known as the Middle-Belt as a highly volatile area in central Nigeria and a source of communal strife for decades (HRW, 12 December 2013). A Times report from March 2010 also notes that the region is a melting pot where “the major ethnic groups of Nigeria – Hausa-Fulani Muslims and Yoruba and Igbo Christians – usually coexist peacefully but sometimes collide. Many Nigerians argue that the real reason for the violence isn’t ethnic or religious differences but the scramble for land, scarce resources and political clout.” (Times, 10 March 2010)

According to Action Aid Nigeria’s 2008 report, the region can be understood in terms of geography as well as politics, and describes:

“The first definition emphasizes geography and defines the Middle-Belt as a region that consists of all political units that fall within central Nigeria. Coleman sees it as the lower half of the northern region. Thus ‘the whole of Ilorin, Kabba, Benue and Plateau provinces, the Southern parts of Bauchi and Zaria provinces, the whole of Niger Province except for the area north of Kontangora town and the Numan Division of Adamawa province together with the Districts of Muri and Wurkun in the Muri Division of the same Province’.

Politically, the Middle-Belt is described as consisting of the areas with the highest concentration of minority ethnic groups in the North in particular and Nigeria as a whole in terms of the culture, population, religious beliefs, language, territorial claims and land ownership.

It is claimed that the minority political identity there developed as a response to the dominance of Islamic groups in politics and society in the north. The Middle-Belt was described in pre-independence period as a region that constituted opposition to the Northern Peoples Congress (NPC) government; an opposition that was reinforced by anti-Islamic sentiments developed from the Christian religious identity. The Middle-Belt, following this description, included areas to be found in south-eastern parts of the Sokoto ruled Islamic society and the southern parts of the Borno centred Islamic society. (Logams, 2004: 786-788) Currently, the Middle-Belt comprises areas such as Taraba, Adamawa, Plateau, Nassarawa, Benue, Kogi, Southern Bauchi, Southern Zaria, southern Kaduna.” (Action Aid Nigeria, 2008, p. 2)

Action Aid (2008), equally explains that “the Middle Belt remains the Nation's food basket, not to mention its potential to contribute to economic growth through its vast resource of solid minerals”, but makes a reservation regarding tensions in the region:

“The conflicts in the Middle Belt are about disagreement regarding citizens' right of residency, the right to engage in economic activity, the right to participate in the governance process, in addition to the right to control political power at state and local council levels. The conflicts in the region are therefore rooted in the crisis of citizenship. The issue of indigeneity has continued to be a recurring decimal as a cause of most of the conflicts.” (Action Aid 2008, p. 20)

The Special Rapporteur on minority issues, Rita Izsák, stated during her February 2014 mission to Nigeria:

“The use of and competition for land has triggered many of the violent clashes among communities. The growing presence of pastoralists from the North in the Middle Belt region seeking grazing pastures for their livestock and the increasing cultivation of land by local farmers have resulted, in a number of cases, in violent intercommunal conflicts. The dynamics of these tensions and conflicts have grown in complexity when ethnic and religious affiliations of the groups involved have been mobilized.” (UNHRC, 5 January 2015, p. 18)

According to a 2013 report from Human Rights Watch (HRW), numerous minority ethnic groups living in the surrounding areas of Plateau and Kaduna State (the Middle Belt) see themselves in a position of vulnerability in their own communities. They face not only economic competition from Yoruba and Igbo residents who have well-established connections to the more economically prosperous south, “but they also face economic competition as well as the risk of political, cultural, and religious domination by Hausa-Fulani Muslims from the north.” (HRW, 12 December 2013). The article goes on to add:

“According to leaders of these indigene groups, the Yoruba and Igbo have not challenged their political power or threatened their cultural or religious identity, but the Hausa-Fulani have been much more forceful in asserting cultural rights, advancing their religious identity, claiming indigene rights, and seeking political power in this region. [...]

The conflict over indigene rights has been particularly fierce in the town of Yelwa, in Shendam local government area, between the predominately Christian Goemai and the largely Muslim Jarawa ethnic groups. [...]

In the southern part of Plateau State, communal conflicts have also centered on competing claims by ethnic groups to indigene status, as well as disputes over the selection of traditional chiefs, and conflicts between Fulani pastoralists and farmers from indigene groups, such as the Tarok, which are predominately Christian.” (HRW, 12 December 2013).

The United States Department of State (USDS) further noted that while Nigeria has been suffering from widespread societal violence, including of ethnic, regional and religious nature, communal violence also remains an issue in a few regions of the country. (USDS 25 June 2015)

Reports of ethnic tension and clashes in the region have also been documented in the media in recent years. An April 2013 article available on the Council on Foreign Relations website describes:

“Over Easter weekend there were at least fifty deaths attributable to ethnic and religious conflict near Jos in Plateau state in Nigeria’s Middle Belt. This time, based on media reports, most of the victims appear to have been Christian farmers, with the perpetrators allegedly Hausa-Fulani Muslim herdsmen.” (Council on Foreign Relations, 1 April 2013)

Only a month later, in May 2013, an article from The New York Times reported at least 30 killed in ethnic clashes in the Middle-Belt:

“Clashes between rival ethnic groups have killed at least 30 people in eastern Nigeria since Friday, the police said Saturday. Members of the Jukun ethnic group were marching through the town of Wukari, in the state of Taraba, on their way to a funeral when an argument broke out with local Hausa and Fulani youths. The dispute quickly degenerated into pitched battles with guns and machetes. Attackers also set fire to about 30 houses, the police said.” (The New York Times, 4 May 2013).

Human Rights Watch (HRW) describes episodes of communal violence in Nigeria in both its 2014 and 2015 World Reports as follows:

“Elsewhere in Nigeria, communal violence, fueled by competition for power and access to land between nomadic pastoralists and farming communities, killed more than 1,200 people in the north-central states in 2014. [...]

Inter-communal violence, which has plagued the Middle Belt states of Plateau and Kaduna for years, extended to other states in northern Nigeria, including Benue, Nasarawa, Taraba, Katsina, and Zamfara.

Recurring violence in these states since 2010 has resulted in the death of more than 4,000 people and the displacement of more than 120,000 residents. The failure of federal and state authorities to investigate and prosecute crimes committed by all sides, including ethnic and economic groups in these five states, exacerbated the struggle for political power between ethnic groups and failed to resolve contested access to grazing land by both sedentary farmers and nomadic herdsmen.” (HRW, 29 January 2015)

“Episodes of inter-communal violence in the Middle Belt states of Plateau, Taraba, Benue, and Nasarawa left more than 400 people dead and scores of houses destroyed. Federal and state authorities failed to hold accountable the perpetrators of these crimes and break the cycle of violence. In response, ethnic and religious groups in this region resorted to forming their own militias to deliver justice and security. State and local government policies fed discontent by discriminating against “non-indigenes”—people who cannot prove that they are descendants of the original inhabitants of an area.” (HRW, 21 January 2014)

Amnesty International (AI) also addressed communal violence in its 2015 “State of the World’s Human Rights” report on Nigeria, as quoted below:

“Communal violence occurred in many parts of the country, particularly in the Middle Belt area. The NGO International Crisis Group (ICG) estimated that, between January and July, more than 900 people were killed in intercommunal violence in the states of Kaduna, Katsina, Plateau, Zamfara, Taraba, Nasarawa and Benue.

On 14 and 15 March, gunmen thought to be Fulani herdsmen killed about 200 people in three villages in Kaduna State. Around 200 people were also killed in clashes between gunmen and local vigilante groups in Unguwar Galadima, Zamfara State, over two days in April. In August at least 60 people died in fighting between Fulani herdsmen and ethnic Eggon farmers in Nasarawa State. In another incident in the area in November, at least 40 people lost their lives in clashes between the Eggon and Gwadara ethnic groups over a piece of land. In April, 25 people died in Andoyaku in Taraba State when attackers burned down the entire village.” (AI, 25 February 2015)

According to the United States Commission on International Religious Freedom (USCIRF), “Human Rights Watch estimates that between January 2010 and December 2013, 2,000 to 3,000 Muslims and Christians in the Middle Belt were killed in revenge attacks on each other’s communities.” (USCIRF, 31 January 2015, p. 104)

### **2.3 Bakassi Peninsula**

An article dated 12 February 2014 by The Guardian explains the conflict over the Bakassi region as follows:

“Twelve years after an international court of justice (ICJ) ruling demarcated the Cameroon-Nigeria border, the UN and the governments of both countries are making headway in physically laying down the border and helping develop the long-marginalised oil-rich Bakassi region. [...]

Complicating this process is insecurity in many of the target areas: Bakassi is on the Gulf of Guinea, where piracy is rife, on the Nigerian side Boko Haram and its affiliate militant groups engage in kidnapping and other violence , and there are "acts of banditry all over," said the UN head in Cameroon, Najat Rochdi. [...]

While still insecure, the border area is now heavily patrolled, with military factions from both governments on either side. UN observers are also in place to monitor people's protection and basic rights.

But some suspicions linger, said an officer with Cameroon's rapid intervention battalion, stationed in Akwa, near the Nigeria border. "We are there to protect both the land and people, but many locals do not understand this. Whenever we, the military, pass, some run into the bushes. I think they still think we are there for war with Nigeria," he said. He said that in 2013, nine soldiers and many local traders were killed in trans-border crime incidents.” (Guardian, 12 February 2014)

The Open Society Foundation (OSF) equally describes the situation and adds:

“Nigeria took a significant step earlier this month towards resolving its long-running dispute with neighboring Cameroon over the oil-rich Bakassi peninsula, when it stated publicly that it will indeed honor a 2002 ruling that awarded the territory to Cameroon. But the risks over this issue remain; the leaders of both countries must now take urgent steps to avoid a chain of events that could lead to renewed military confrontation. [...]

On October 2 2012, a group known as the Free Bakassi Association initiated legal proceedings before Nigeria’s Federal High Court in Abuja to compel the government to resume full control of the peninsula. In early August 2012, a group calling itself the Bakassi Self-Determination

Front announced that it had established a pirate radio station and a flag for an autonomous territory of Bakassi, threatening major disruption in the area and to its life with the rest of Nigeria.

These developments inspired a vociferous coalition of Nigeria's civic and political leaders, including notable voices in both chambers of Nigeria's parliament and the Nobel laureate, Wole Soyinka. Together, they launched a campaign to unilaterally nullify the ICJ judgment and reclaim Bakassi, even at the risk, of triggering a needless new war between Nigeria and Cameroon. [...]

On the 10th anniversary of the judgment by the ICJ, such calculated implausibility casts a long shadow over one of Africa's least known citizenship crises, with thousands already rendered stateless as a result of this dispute. It also threatens to unleash what would be a protracted conflict, with subsequent internal displacement and refugee crises. [...] Unless both countries wake up to the human tragedy unfolding in Bakassi, amid growing maritime piracy and militia threats, the area could become the site of Africa's next inter-state war. [...]

Despite its rich endowments in natural resources, Bakassi is a desperate place. It has no significant economic life, few schools and abysmal skills. With its economic ties to Nigeria severed, it will require decades to achieve any meaningful integration into Cameroon.

The majority of Bakassi inhabitants are Nigerian nationals. Cameroon does not permit dual Nationality, and so when full sovereignty over the territory is transferred to Cameroon in 2013, the people of Bakassi will be faced with a choice as to their nationality. Those who choose to remain Nigerians will become aliens on their own land. Although the Greentree Agreement promises to respect their rights to citizenship and residence, there is no obligation on Cameroon to grant residency permits to anyone. As a fact, Cameroon is currently not issuing any identification or citizenship documents in Bakassi. It could also choose to impose impossible conditions for doing so." (OSF, 11 October 2012)

Regarding the displacement situation the conflict has generated, the Immigration and Refugee Board of Canada (Canada) explained:

"Nigerians account for approximately 90 percent of the Bakassi Peninsula's population, which is thought to be close to 300,000. However, it is estimated that over 100,000 Nigerians have left the Peninsula for Nigeria in the last few years. The government of Nigeria has reportedly offered to relocate those Nigerians who do not wish to stay in the Peninsula under Cameroonian authority, although several sources consulted by the Research Directorate suggest that resettlement measures have not been adequate.

Concerning the Nigerians who have decided to remain in the Bakassi Peninsula, they may keep their Nigerian citizenship or may obtain Cameroonian citizenship. In August 2008, following the final hand-over of the territory to Cameroon, the Cameroonian President reportedly reassured Nigerians in the Peninsula that their "safety and rights will continue to be guaranteed, [and that] they will be able as in the past, to continue their lives in peace as long as they abide by the laws of Cameroon". However, cited in an 11 September 2008 IRIN article, a Nigerian journalist claimed that many of the Bakassi residents returning to Nigeria had been "terrorised" by the Cameroonian authorities. The journalist also claimed that the authorities of Cross Rivers State [southern Nigeria] were investigating allegations of Cameroonian soldiers killing Nigerians in the Peninsula." (Canada, 29 October 2008)

For more information on the Bekassi conflict, please refer to section 4.1.4.

## 2.4 *Boko Haram insurgency*

For information on the Boko Haram insurgency, please refer to section 3 of this compilation.

## 2.5 *Niger Delta*

An article from the Integrated Regional Information Networks (IRIN) dated 4 February 2010 describes the Niger Delta region as follows:

“Despite abundant oil wealth in the Niger Delta region in southeast Nigeria, residents lack basic services including electricity, piped water, health clinics and schools. The region has seen decades of unrest stemming mostly from local militants’ uprisings over what they call neglect of the moneymaking region.” (IRIN, 4 February 2010)

The origins of the conflict in the Niger Delta region can be traced back to the 1990s, and are explained by Human Rights Watch (HRW) 2002 report on the region as follows:

“When a civilian government was reinstated in Nigeria in 1999, many of those living in the Niger Delta region, the source of Nigeria’s oil wealth, hoped that a “democratic dividend” would end decades of neglect they had suffered under successive military regimes. From the early 1990s a cycle of protest and repression had led to the militarization of large parts of the delta, notably in Ogoniland, a small area of Rivers State where demonstrations leading to the closure of oil production had led to a five-year deployment of a special military taskforce to the area and the 1995 execution of nine minority rights leaders, including author and activist Ken Saro-Wiwa.” (HRW, October 2002, p. 2)

According to Consultancy Africa Intelligence (CAI), a website that provides research and analysis on Africa, the Niger Delta conflict can be understood as a resource-related conflict:

“Conflict in the oil-rich Niger Delta in Nigeria is one of the examples of a resource-related conflict. Nigeria extracts about 93.1 metric tons of oil annually, accounting for around 2.9% of total world production. Consequently, Nigeria is a major player in the world energy market. In 2010, the United States’ Central Intelligence Agency placed it 10th on the list of the world’s largest oil producers. Nigeria largely depends on oil rents, taxes and royalties paid by transnational oil companies and on profits gained from its equity stakes in those companies’ investments. Oil products account for 80% of Nigerian Government revenues, 95% of export receipts and 90% of foreign exchange earnings. The Niger Delta alone accounts for over 90% of Nigeria’s oil revenue. It hosts a dozen oil companies. The first oil was successfully drilled from the region by the Anglo Dutch Shell Petroleum Development Company in 1956. This company still holds the biggest share in the region and produces 42.2% of the country’s daily output. Later on, other multinational oil companies like Mobil, Elf Aquitaine, Chevron, and Agip started operating in the region. Nigeria’s oil is called Bonny Light, and is highly appreciated since it is low in sulphur content and is consequently more environmentally friendly.

But the richness of the region does not reflect in the richness of its inhabitants. The Niger Delta region is the most underdeveloped region in Nigeria, and for decades oil has been at the centre of the violent conflict between ethnic minorities, the Government and the oil companies. Oil has placed the region on the hot spot map of the world.” (CAI, 2 November 2012)

As a response to the conflict and in order to improve the situation in the Niger Delta region, the government proposed an amnesty program in 2009. A report from the Immigration and Refugee Board of Canada (Canada) describes the program as follows:

“In June 2009, the President of Nigeria, Umaru Yar’Adua, signed an offer of unconditional amnesty for militants operating in the Niger Delta. [...] In writing about the amnesty program’s objectives and deliverables, the Nigerian government identified the following three phases:

- A disarmament phase to take place between 6 August 2009 and 4 October 2009 and to include the collection of biometric data.
- A demobilization and rehabilitation phase to last 6 to 12 months and to include the provision of, among other things, counseling and career guidance for the participants.
- A reintegration phase to last up to five years and to include the provision of, among other things, training and microcredits for the participants” (Canada, 5 August 2011)

Human Rights Watch (HRW) also adds to the discussion and provides the following figures for the program:

“The federal government’s 2009 amnesty program—which saw some 26,000 militants, youth, and gang members surrender weapons in exchange for amnesty and monthly cash stipends—have reduced attacks on oil facilities in the Niger Delta. The government has doled out these financial incentives—some US\$400 million annually—from the additional oil revenue accruing to government following the amnesty, but has still not addressed the region’s underlying causes of violence and discontent, such as poverty, public sector corruption, environmental degradation from oil spills, and impunity for politically sponsored violence. In June, the government announced 2015 as the terminal date for the program and acknowledged that its inability to secure jobs for the trained ex-militants or implement an orderly exit strategy may portend more danger for the region.” (HRW, 21 January 2014)

Another look into the amnesty program shows that it may well be at risk of unraveling, as pointed out by Chris Newsom, an adviser on strategy and research for Stakeholder Democracy Network, in his article for the United States Institute of Peace (USIP):

“Since 2009 the chances for converting the amnesty into something more than a temporary cease-fire have largely eroded. The kidnapping industry in the delta persists, with a broadening of targets crossing new social and geographic divides on a monthly basis. An uptick in sea piracy since August 2010 and a series of armed raids on offshore oil platforms in November 2010 suggest some armed groups feel it is time to return to their previous activities. Incentives for violence in the region have not changed fundamentally, and profitable pursuits such as crude oil theft have not dried up. [...] Most signs suggest a fresh crop of militants are likely to emerge within the next twelve months to demand their share of the resources being tapped from the region—unsurprisingly, when the amnesty process has not addressed root conflict issues or the region’s persisting economy of violence” (USIP, June 2011, p. 1)

One of the main issues of concern currently in the region is the environmental damage wrought by the oil industry, as described by Minority Rights Group International’s (MRG) 2015 report:

“The indigenous Ogoni people of the Niger Delta continued to urge the government to act on the findings of a UNEP (UN Environmental Programme) environmental assessment report into the impact of Shell oil spills on their lands in 2008 and 2009. The UNEP report was released in 2011, but the devastation caused by the spills remains, endangering the living conditions and

livelihoods of residents of small villages and towns such as Yenagoa. The damage to surrounding agricultural land, and other stresses brought on by the urbanization of the region related to the oil industry, has forced many Ogoni to migrate in search of work, further disrupting the traditional culture and cohesion of the group.” (MRG, 2 July 2015)

The Special Rapporteur on minority issues, Rita Izsák, also reported on the grave environmental damage caused by oil industries in the region, following her February 2014 mission to Nigeria:

“Oil industry operations began in the Niger Delta at the end of the 1950s. Numerous oil spills during the past 50 years have resulted in extremely grave environmental damage across the region, causing water and soil pollution and destroying the livelihoods of many communities. One of the areas particularly affected is Ogoniland in Rivers State, the home of the Ogoni people.

The Special Rapporteur witnessed the devastating effects of the oil spills in affected Ogoni and Ikwerre communities, including the destruction of traditional farming and fishing livelihoods owing to widespread soil and water pollution, severe health problems among community members and population migration to other areas. The lack of basic services and adequate facilities in the affected communities have further contributed to their situation of marginalization and abandonment. The authorities are urged to take effective measures to assist the communities in need, providing health care and education facilities and foster means for the creation of alternative livelihood options.

The Special Rapporteur is concerned that, to date, many areas polluted by oil spills in Ogoniland have yet to be cleaned. The Government, in coordination with oil companies implicated in the environmental damage, should implement the recommendations made by the 2011 United Nations Environment Programme report Environmental Assessment of Ogoniland, including the proper maintenance of oilfield facilities and the decommissioning of facilities that are no longer used; the creation of training, employment and livelihood incentives to encourage people not to participate in illegal oil-related activities; the implementation of clean-up actions in all affected areas without further delay; the distribution of potable water to communities where drinking water wells do not comply with Nigerian national standards; and the monitoring of all such measures during and following clean-up operations, including tracking the health of communities exposed to oil pollution and providing adequate medical treatment when needed. Concerned communities must be consulted fully.” (UNHRC, 5 January 2015, p. 19)

## **2.6 Ombatse cult**

Years of sectarian violence between Christians and Muslims have led to massacres and bombings by religiously-inspired groups, such as Boko Haram. This has also led to the revival of Nigeria’s traditional religion, especially in Nasarawa State, a region lying roughly on the dividing line between the Muslim majority in the north and the Christian south (Jamestown Foundation, 17 May 2013). An article by scholar Andrew McGregor discusses how traditional religion cults have transformed into militias and describes the case of the Ombatse cult as follows:

“The Ombatse cult is based on traditional forms of worship practiced by the Eggon ethnic group. The Eggon people of Nasarawa State are roughly divided in their religious allegiance to Christianity and Islam, but many see no contradiction in also following more traditional belief systems. The Eggon speak their own Benue-Congo language (Eggon), though traditional oral

histories of the group trace their origin to Yemen. Today, they are concentrated in the Lafia, Akwanga and Nasarawa-Eggon districts of Nasarawa State.

Though Ombatse (meaning “Time has Come”) has kept a relatively low profile for some years despite occasional clashes with non-Eggon neighbors and police, the traditional religious movement has embarked on a violent campaign of moral and spiritual reform implemented through forced conversions, though the campaign also draws on currents of political frustration and perennial disputes with semi-nomadic herders like the Fulani, who use the same land as sedentary agriculturalists like the Eggon.” (Jamestown Foundation, 17 May 2013)

According to the same source, “a pattern of worsening communal and religiously-inspired violence has emerged over the last year in Nasarawa State.” Some of the violent clashes include: communal violence between Eggon and the Alago ethnic group in June 2012 (Vanguard, 3 June 2012); clashes between the Eggon farmers and Fulani herdsman in February 2013 (Vanguard, 8 February 2013); further clashes between the Eggon and the Fulani in August 2014 (This Day Live, 25 August 2014). While many of these clashes occurred between ethnic groups, the episode known as the Alakyo Massacre claimed the lives of over 80 police officers (Daily Trust, 19 May 2013)

An article by the Daily Trust, dating from May 2013 reports on the main attack in which Nigerian police officers were killed as follows:

“The cold-blooded massacre by Ombatse cultist of over 80 police officers on duty to Alakyo in Lafia East Development Area of Nasarawa State early last week has, indeed, shocked, not only the people of Nasarawa State, but the entire Nigerians. This is, in fact, the first time in the history of this country when police officers got killed in a large number and in a very cruel manner.” (Daily Trust, 19 May 2013)

## **2.7 Cattle rustling**

According to scholar Chris M.A. Kwaja, from the Centre for Conflict Management and Peace Studies, University of Jos, “forms of violence that are linked to cattle rustling underpinned by criminality now pervade the central Nigerian area. The rustling of cattle for economic gains represents the primary drive for the attack of defenseless communities. [...]The rise of an underground economy that is linked to cattle rustling is increasingly being fuelled by a climate of insecurity and violence, which also underpins ethno-religious and communal conflicts in the central Nigerian area.” (Kwaja, C. n.d.)

Reporting on this issue, the Global Observatory explained the impact of cattle raiding in the region:

“Yet, while Nigeria’s security apparatus appears fixated on [Boko Haram], large swaths of the country’s rural areas continue to experience armed clashes between farming communities and ethnic Fulani herdsman, posing further challenges for already strained forces.

Since the 1999 establishment of the Fourth Nigerian Republic, violence related to this phenomenon has reached alarming levels, reportedly killing thousands and displacing tens of thousands more. Aside from the direct humanitarian toll, agriculturalist-pastoralist conflicts have led to a proliferation of ethnic/vigilante militias and aggravated inter-communal tensions, and

have hindered the growth of Nigeria's agrarian sector. As someone who aggressively ran on a presidential platform promising to tackle Nigeria's security and economic woes, Buhari will also need to reduce farmer-herder violence in order to be judged a success.

The cause of this current bout of clashes remains an issue of debate among Nigeria watchers. Some have depicted the violence as a continuation of ethno-religious struggles that predate the colonial era. However, the relative absence of such widespread bloodshed throughout much of Nigeria's post-independence history suggests more contemporary factors are to blame. Specifically, it appears the upsurge in farmer-herder violence stems from the confluence of four developments: the ongoing expansion of land under cultivation, environmental degradation across Africa's Sahel region, the decline of traditional authority figures, and the recent rise of large-scale cattle rustling. [...]

The rise of cattle rustling, meanwhile, has followed the price of meat steadily increasing in West Africa's booming urban centers, with crime syndicates increasingly targeting herds. The results have been devastating for pastoralists: according to Nigerian media reports, thieves stole approximately 60,000 head of cattle in 2013 alone. In response to this threat, many herders have armed themselves with semi-automatic weapons, a move that has frequently led to heavy casualties when they come into conflict with farmers. What's more, victimized pastoralists often blame nearby agriculturalist populations for their loss of livestock, even in cases where the actual perpetrators were Fulani kinsmen. This frequently leads to bloody retaliatory attacks that can leave entire villages devastated.

The overall effect of rising farmer-herder violence has been nothing short of disastrous for Nigeria. Death tolls from clashes regularly number in the dozens; a spate of pastoralist attacks during the final days of former Nigerian president Goodluck Jonathan's administration left approximately 100 individuals dead. One particularly violent period from December 2013 to mid-April 2014 witnessed over 1,000 deaths, according to Human Rights Watch. On top of the mounting number of fatalities, the bloodshed has contributed to Nigeria's crisis of internally displaced persons. A single day of violence in Benue State this past January allegedly left thousands of people homeless." (Global Observatory, 16 July 2015)

## 3 The Boko Haram Insurgency

### 3.1 Boko Haram

#### 3.1.1 Origins of Boko Haram

According to Amnesty International's (AI) 2015 report, "Boko Haram (Jamā'atu Ahlis Sunnah Lādda'awatih wal-Jihad [People Committed to the Propagation of the Prophet's Teachings and Jihad], commonly referred to as Boko Haram [Western education is forbidden]) was established in 2002 in north-east Nigeria as a religious movement committed to a society based on its interpretation of Islam." (AI, 13 April 2015, p. 3)

An April 2014 report on the Boko Haram insurgency by the International Crisis Group (ICG) describes the group's initial activities as follows:

"Boko Haram grew out of a group of radical Islamist youth who worshipped at the AlHaji Muhammadu Ndimi Mosque in Maiduguri, capital of Borno state, in the 1990s. Its leader,

Mohammed Yusuf, began as a preacher and leader in the youth wing, Shababul Islam (Islamic Youth Vanguard), of Ahl-Sunnah, a Salafi group. [...] Yusuf was a charismatic and popular Malam (Quranic scholar) who spoke widely throughout the north. His literal interpretation of the Quran led him to advocate that aspects of Western education he considered in contradiction to that holy book, such as evolution, the big bang theory of the universe's development and elements of chemistry and geography, should be forbidden: in Hausa "Boko Haram".

While critical of the government, Yusuf was involved in official efforts to introduce and implement Sharia in several northern states in the early 2000s. The failure to achieve this fully helps explain Muslim youths' anger with government "deception" and "insincerity" and the call for an authentic Islamist revolution. Most accounts date the beginning of Boko Haram – its formal Arabic name is Jama'tu Ahlis Sunna Lidda'awati wal-Jihad (People Committed to the Propagation of the Prophet's Teachings and Jihad) – to 2002, when it began to attract official attention." (ICG, 3 April 2014, p. 7)

The same source also reported on the Islamic group's goals and objectives:

"While it is comparable to the Maitatsine [a radical movement that became prominent in Nigeria in the 1970s] group, Boko Haram draws ideas and inspiration from newer radical Muslim entities. Importantly, it has concrete links with not only al-Qaeda, but a number of radical African Muslim jihadi groups as well. The skills they have imparted have made Boko Haram a much more significant threat than Maitatsine.

Boko Haram's principal goal is to create a strict Islamic state in the north that it believes would address the ills of society, including corruption and bad governance. The sect's core beliefs are strict adherence to the Quran and the Hadith (sayings of the Prophet Muhammed), and their interpretation as sanctioned by Ibn Taymiyyah (the preferred scholar of Mohammed Yusuf, the sect's leader). Like the majority of Salafi organisations, it is most concerned about what it means to be a good Muslim, defined by observance of the prescriptions of the faith, notably the categorical distinction between what is licit (halal) and what is forbidden (haram). Abu Qaqa, the group's best known spokesman, explained: 'Our objective is to place Nigeria in a difficult position and even destabilise it and replace it with Sharia'. He also said that the group's agenda is to 'take Nigeria back to the pre-colonial period when the Sharia law was practiced.'" (ICG, 3 April 2014, p. 9)

The International Crisis Group (ICG) describes Boko Haram as "the latest in a long list of northern fundamentalist movements, [which] tapped into Muslim revivalism in the north" (ICG, 3 April 2014). ICG's report also discusses the role of the group's leader, Mohammed Yusuf, as follows:

"Boko Haram's early leader, the charismatic preacher Mohammed Yusuf, tried to do so non-violently. While accounts are disputed, the narrative put forward by Boko Haram and now dominant in the region is that around 2002, Yusuf was co-opted by the then Borno state gubernatorial candidate, Ali Modu Sheriff, for the support of his large youth movement, in exchange for full implementation of Sharia and promises of senior state government positions for his followers in the event of an electoral victory. Sheriff denies any such arrangement or involvement with the sect. As the group rose to greater prominence, the state religious commissioner was accused of providing resources to Yusuf, while the government never implemented full Sharia.

Yusuf subsequently became increasingly critical of the government and official corruption, his popularity soared, and the group expanded into other states, including Bauchi, Yobe and Kano. “After the politicians created the monster”, a senior security officer commented, “they lost control of it”. The State Security Services (SSS) arrested and interrogated Yusuf a number of times, but he was never prosecuted, reportedly because of the intervention of influential officials. He also was said to receive funds from external Salafi contacts, including Osama bin Laden, that he used to fund a microcredit scheme for his followers and give welfare, food and shelter to refugees and unemployed youth. [...]

Yusuf, was always political, wanting an Islamic government, but not violent. That changed over time as more radical lieutenants pushed the movement in more confrontational directions. State harassment and perceptions that agreements had gone unfulfilled escalated into vicious conflict, and after Yusuf was killed in 2009 in police custody, all restraint was lifted, and Boko Haram morphed into the brutal organization it is today. [...]

The police frequently intervened, arresting and questioning group members as a result of local complaints from community members. In December 2003, the group, then called the Nigerian Taliban, attacked Kanamma, looted the police arsenal and burned down the station and some government buildings. A smaller faction then proceeded to Dapchi, where it attacked the police station and carted away additional arms; Babbangida town, where it burned down the local government secretariat and a government lodge; and Damaturu, where it stormed a police station, took guns and killed an officer. It was stopped on its way to Maiduguri by a police checkpoint, and fighting left two police and three sect members dead. Troops later deployed to Kanamma engaged the militants in a two-day battle, killing scores and arresting those who did not escape.

The radical faction regrouped in September 2004 and attacked police stations in Bama and Gwoza, near Cameroon, killing some officers, including an assistant police commissioner and seizing arms before fleeing into the 900km-long Mandara Mountains along the border. Troops aided by gunships pursued them and killed a number. Five who crossed into Cameroon were arrested by gendarmes and handed over to Nigeria. Those who escaped went underground.

In 2003, Yusuf fled to Saudi Arabia, ostensibly to study. The police declared him wanted. He claimed he had nothing to do with the attacks, and the then Borno state deputy governor, Adamu Dibal, reportedly met him while on Haj and used contacts with the security agencies to obtain permission for him to return to Maiduguri. Yusuf appears to have concluded, however, that the splinter group was a major asset, as it comprised his most committed disciples, and he called for an internal truce in December 2004.” (ICG, 3 April 2014, p. i, p. 9-10)

### 3.1.2 *Armed activities*

In 2009, a series of clashes erupted in northeastern Nigeria, as Amnesty International’s (AI) 2015 report on Boko Haram describes:

“Riots erupted across the north-east in July 2009 after the police shot at Boko Haram members in a funeral procession to bury one of their members. Mohammed Yusuf threatened the government with reprisals in a video.<sup>9</sup> More than 800 people died in the following week in clashes between the security forces and Boko Haram members, including protesters, Boko Haram members and bystanders. More than 30 police officers were also killed.

The military arrested Mohammed Yusuf on 30 July 2009 in Maiduguri, handed him over to the police and by the end of the day, he had been killed in police custody.” (AI, 13 April 2015, p. 10)

The same source also explains that following the 2009 clashes, during which the group’s founder Muhammed Yusuf was extrajudicially executed, the group began a series of revenge attacks against the police (AI, 13 April 2015, p. 3), and adds:

“In 2010 Boko Haram regrouped and Abubakar Shekau emerged as the leader of the largest faction of Mohammed Yusuf’s more radical followers. Boko Haram carried out armed attacks on police stations in revenge for the unlawful killing of Muhammed Yusuf and the destruction of the sect’s mosque and property in Maiduguri, Borno state. The group also carried out assassinations of those who were publicly critical of the group’s ideology or were thought to have given damaging information about Boko Haram to the security forces. The group also attacked those it viewed as collaborating with the government, killing Muslim and Christian clerics and worshippers, politicians, journalists and lawyers.” (AI, 13 April 2015, p. 10)

The International Crisis Group (ICG) also describes the events as follows:

A series of clashes between Boko Haram members and police escalated into an armed insurrection in 2009. Troops crushed the rebellion, killing hundreds of followers and destroying the group’s principal mosque. Yusuf was captured, handed over to the police and shortly thereafter extrajudicially executed. Boko Haram went underground and a year later launched attacks on police officers, police stations and military barracks, explicitly in revenge for the killings of Yusuf and his comrades. Its spokesman demanded prosecution of those responsible, release of their detained colleagues, restoration of the mosque and compensation for sect members killed by troops. Since 2010, the group’s campaign has grown, targeting not only security forces, government officials and politicians, but also Christians, critical Muslim clerics, traditional leaders, the UN presence, bars and schools. Lately it has evolved into pure terrorism, with targeting of students attending secular state schools, health workers involved in polio vaccination campaigns and villages supporting the government. (ICG, 3 April 2014, p. ii)

According to the UK Home Office, following the initial clashes, the group prepared to dissipate, “but re-emerged a year later under new leadership, orchestrating a large prison break in September 2010 that freed hundreds, including its own members.” (UK Home Office, June 2015, p.11)

Amnesty International (AI) describes how the conflict subsequently escalated:

“Between 2012 and early 2013, the dynamics of the conflict evolved. The number of Boko Haram attacks and the number of victims rose sharply. Since May 2013, President Goodluck Jonathan declared and twice extended a state of emergency in Borno, Yobe, and Adamawa states, giving broad and stringent emergency powers to the security forces. The declaration of the state of emergency also meant that high-level political and security decision-making powers were technically removed from the governors of the three states and transferred to President Jonathan. [...]

“Starting in 2012 Boko Haram began to use more widespread violence to force its ideology on society. In an attempt to stop children receiving western education, seen by the group as responsible for moral decay, Boko Haram set dozens of schools on fire in Maiduguri. Initially the group only burned down school buildings when they were empty. However, from the

beginning of 2013 the attacks became increasingly deadly. Amnesty International's (AI) research found that Boko Haram intentionally targeted teachers and pupils in an effort to prevent children from going to school. At least 70 teachers and more than 100 schoolchildren and students were killed or wounded between January 2012 and October 2013. At least 50 schools were either burned down or badly damaged and 60 more were forced to close. Thousands of children were forced out of schools across communities in Adamawa, Borno, Yobe and Kaduna states. [...]

[Since mid-2013] From these areas [Sambisa forest and other remote areas], the group launched raids on towns and villages across the state and into neighbouring regions, targeting civilians with increasing ferocity. During raids Boko Haram members executed civilians by slitting their throats with knives, machetes or other sharp objects or by shooting them. Boko Haram members destroyed property and were involved in widespread looting of food, medical and other supplies. In several raids, Boko Haram abducted hundreds of young women and girls and, in some cases, young men and boys. Abducted women and girls were forced into marriage with Boko Haram members and abducted men and boys were forcibly recruited into the group or conscripted to serve as spies for Boko Haram.

Attacks on government institutions and law enforcement facilities also continued. In a series of attacks on military barracks and police stations, Boko Haram killed soldiers and police officers, sometimes in gruesome fashion, stole arms and ammunition and destroyed the buildings. Many towns and villages in Borno state fell under the control of Boko Haram and become dangerous for civilians and the military to travel in. Boko Haram's targeting of law enforcement agencies and civil servants has forced many civil service personnel and police officers to relocate to Maiduguri or to flee Borno state entirely. [...]

As Boko Haram opposes secular authority, all those working for the government are covered by this term, including politicians, local government officials, traditional leaders and civil servants. Ordinary citizens who collaborate with Nigerian security forces, the Civilian JTF or who work with the government are also called unbelievers. Boko Haram members searched civilians for government-issued ID cards, considering this to be evidence of loyalty to the government. Boko Haram refers to all those living in Maiduguri, the capital of Borno state, as unbelievers and has warned civilians against fleeing to Maiduguri." (AI, 13 April 2015, pp. 11-13, 19)

The International Crisis Group (ICG) also describes the evolution of Boko Haram's military tactics during the initial years of the insurgency:

"Tactics became more sophisticated, both in response to increased security and in an effort to stir sectarian conflict. The first attacks in 2010 were predominantly shootings, but improvised explosive devices (IEDs) began to be used in December, especially in the run-up to the 2011 elections. After those elections, the movement turned to vehicle-borne IEDs (VBIEDs), cars typically packed with several propane cylinders or explosives-filled drums. In August 2011, it attacked the UN headquarters in Abuja with a suicide VBIED (ICG, 3 April 2014, pp. 16-17)

From 2013 the intensity of the conflict has remained high. Different organizations have reported how the control of large areas of the territory has changed hands in subsequent offensives and counter-offensives. The International Crisis Group (ICG) notes:

Boko Haram was arguably at its apex in early 2013, when it took control of large swathes of northern Borno state. The subsequent military build-up of the Joint Task Force (see below), the

military offensive and use of vigilante groups (the CJTF) have hurt the movement. Tactics, however, continue to evolve rapidly, and partially in response to losses and a turn in public opinion, it increasingly relies on attacks on secular schools (first at night, later when students were in classes), villages and CJTF groups.” (ICG, 3 April 2014, pp. 16-17)

A United States Commission on International Religious Freedom (USCIRF) report equally stated that:

From May 2013 through November 2014, the Nigerian government operated a state of emergency in Borno, Yobe, and Adamawa states, and deployed a Joint Task Force (JTF) composed of army, air force, police, state security, and intelligence officers to the three states to defeat Boko Haram. In this time period, Boko Haram expanded the territory it controlled to an area roughly the size of Belgium and ran incursions into neighboring Cameroon, Chad, and Niger. As a result of inadequate government protection, civilians in Borno state formed vigilante groups to defend their villages from Boko Haram; at times these vigilante groups (known as the Civilian Joint Task Force) cooperated with the JTF.” (USCIRF, 31 January 2015, p. 102)

Amnesty International (AI) captured those dynamics in its June 2015 report:

In mid-2013, state security forces pushed Boko Haram out of the cities and towns of northeast Nigeria where they had lived among the population. They moved to remote communities and camps, such as their headquarters in Sambisa forest, Borno state. From these bases, Boko Haram launched almost daily attacks against civilian targets. From July 2014 Boko Haram began to capture major towns. By February 2015, it controlled the majority of Borno state, as well as northern Adamawa state and eastern Yobe state. In February 2015 a counter-offensive by the Nigerian military, with support from Cameroon, Chad and Niger, forced Boko Haram to leave the major towns and released many civilians from Boko Haram’s rule. By April 2015, all territory apart from Sambisa forest and Mandara mountains was recovered. Boko Haram however continued to attack civilians, although less frequently. (AI, 13 April 2015, p. 3)

Later in 2015, an article by Agence France-Presse (AFP) noted that “Boko Haram has taken advantage of the transitional period between Buhari’s installation and the deployment of a regional force of 8,700 troops, scheduled for late July, to launch deadly attacks on an almost daily basis.” (AFP, 17 July 2015)

Jamestown Foundation’s June 2015 article explains the offensive launched by Boko Haram following the 2015 elections:

“Following the elections, Boko Haram launched an offensive using terrorist tactics almost immediately after Buhari took power. Since then, the group has also responded to increasing military pressure by shifting away from trying to occupy a “caliphate” in the Borno/Yobe/Adamawa States region of northeast Nigeria to the renewed use of terrorist methods, such as slaying inhabitants of defenseless villages in raids and hitting urban centers with suicide bombers targeting concentrations of people at markets, checkpoints and weddings. As well as mass raids on Maiduguri, Boko Haram has expanded its suicide bombings to the previously untouched city of Yola, the capital of Adamawa State (*Vanguard* [Lagos], June 5; *Daily Trust* [Lagos], June 6). [...]

Boko Haram is now targeting Chadian and Nigérien communities in response to the participation of these nations in the anti-Boko Haram military coalition. On June 18, militants

crossed the border from Borno into the Diffa region of Niger, where they slaughtered at least 38 people, mostly women and children (AFP, June 19). Only days earlier, motorcycle-riding suicide bombers struck a police training college and the central police station in the Chadian capital of N'Djamena on June 15, killing 27 people. Boko Haram's message was clear: despite Chad's military offensive against the group, the group remained capable of striking the city, which serves as headquarters for the revamped MNJTF and France's counter-terrorism Operation Barkhane (Reuters, June 15)." (Jamestown Foundation, 26 June 2015)

The UK Home Office indicated that Boko Haram deployed in early June 2014 its first known female suicide bomber in the northeast state of Gombe. This was later followed by yet another attack in southern Nigeria also using a female suicide bomber. In November 2014, an attack hit the central mosque in Kano, northern Nigeria's largest city, killing more than 120 and wounding almost 400 persons (UK Home Office, June 2015, p. 13).

The 2014 Lagos attacks have also revealed the extent of Boko Haram's geographical reach, as noted by Jamestown Foundation:

"As a result of the attack in Lagos, there are now three active zones of operation for Boko Haram: The border region between Borno State and northern Cameroon, where Boko Haram maintains a safe haven to train militants, hold hostages-for-ransom and launch attacks; The Middle Belt, where Boko Haram is carrying out nearly weekly bombings of churches, malls and government facilities; and Southern Nigeria, where a network of militants is emerging that likely includes Muslims from southern Nigerian ethnic groups." (Jamestown Foundation, 25 July 2014)

A June 2015 report from the Integrated Regional Information Networks (IRIN) equally noted that:

"Boko Haram changed its tactics in July last year from hit-and-run attacks to holding territory. In the areas the jihadist group controlled, the damage to infrastructure has been immense – from health posts to bridges and wells. "In some areas, the destruction is 80 percent," said NEMA spokesman, Sani Datti." (IRIN, 5 June 2015)

Describing the victims of Boko Haram's insurgency, a 2015 Amnesty International (AI) report stated that over the past few years "the armed group has killed thousands of people, abducted at least 2,000 and forced more than a million to flee their homes." The report added:

"Boko Haram used improvised explosive devices (IEDs), including car bombs, and suicide bombers to kill civilians at markets, transport hubs, schools and other public institutions. They repeatedly attacked cities in the north-east, but also struck targets in cities across Nigeria. In 46 bomb attacks between January 2014 and March 2015, the group killed at least 817 people. [...]

In January 2015, Boko Haram took control of Baga, Kukawa LGA, Borno state. Soldiers stationed just outside Baga received warnings that Boko Haram intended to attack Baga and repeatedly requested reinforcements from their superiors. No reinforcements were sent and at 6am on 3 January Boko Haram attacked the base and forced the soldiers to flee. Boko Haram fighters went on to attack Baga and neighbouring Doron Baga. Comparing satellite images taken days before and after the attack shows that more than 3,700 buildings were damaged or destroyed. (AI, 13 April 2015, pp. 4-5)

Regarding Boko Haram's activities during the period, Amnesty International's (AI) June 2015 report also notes that:

"Boko Haram has targeted and killed members of the Nigerian security forces, local and state government officials, teachers, health workers, religious figures, lawyers, journalists and traders, civil servants and traditional leaders as well as unarmed members of civil defence groups. The vast majority of Boko Haram's victims are civilians. Boko Haram has used bombs to launch attacks against government or "western" targets, to intimidate opponents and to kill civilians. Its fighters have killed civilians in attacks on towns and villages; attacked and abducted teachers and students; abducted at least 2,000 young women and girls and subjected them to forced marriage; forcibly recruited men and boys; carried out forced conversions; and burnt and destroyed houses and schools. Between 2014 and March 2015, Boko Haram killed more than 5,500 people, although the true figure is almost certainly higher. (AI, June 2015, p. 20)

A January 2015 report from the same organization explained that "as of January 2015, the group had taken complete control of and occupied around 15 local government areas in north-eastern Nigeria. In addition, they had partial control in more than 15 local government areas." (AI, 29 January 2015). Another report from the same source further adds:

"Some specific individuals or categories of civilians were deliberately targeted. Boko Haram fighters killed politicians, civil servants, teachers, health workers and traditional leaders because of their relationship with secular authority. Boko Haram called them "unbelievers". Christians living in the north-east were included in this category, but so were Islamic religious figures, from the leaders of sects to local Imams, if they publicly opposed Boko Haram or failed to follow the group's teachings. At times, Boko Haram gave such individuals the option of converting, whether Christian or Muslim, instead of being killed. [...]

Thousands of civilians were forced to live in Boko Haram's camps and in towns under its control and prevented from leaving. They were often placed under armed guard in large houses, at times in overcrowded and unsanitary conditions. In some cases they could remain in their own homes, but women were not allowed to travel outside without permission. Boko Haram provided food, although it was often inadequate, and other necessities. Boko Haram required men to obtain permission before travelling between towns, to let their hair grow and to wear trousers that do not touch the ground. Men and women were forced to observe Boko Haram's prayers and receive religious education. Boko Haram enforced its rules with harsh punishments including public floggings and executions." (AI, 13 April 2015, pp. 4-5)

In the same line of thought, the UK Home Office 2015 Country of Information and Guidance on Nigeria further explained:

"Boko Haram has called for an uprising against secular authority and a war against Christianity. Despite this public rhetoric it has not exclusively, or even primarily, targeted Christians but focused its attacks against those it perceives to be in opposition to its ideology: "unbelievers" or those perceived to support the authorities. It has particularly targeted state and federal targets, such as police stations but also schools, bus stations, banks, detention facilities, churches, mosques, markets, bars and villages. The group has also assassinated local political leaders, civil servants, Civilian Joint Task Force members, traditional leaders, health workers and moderate Muslim clerics as well as teachers and children in targeted attacks on schools. During hit and run assaults it has been reported to either shoot all men of fighting age, or target those it believes have links with the government or the military. It has also launched more strategic attacks on key infrastructure (e.g. bridges, fuel depots), seizing and holding territory

as well as frequently taking retribution against communities who it sees as cooperating with Nigerian forces. It also made frequent use of suicide bombers, particularly women and children, often targeting areas where people gather, such as markets and places of worship, and thousands of people were killed during 2014. Forced recruitment, including of children, abduction and kidnapping are common ploys, both as methods of obtaining money through ransom, but also to obtain young women and girls to sell or use as servants and sex slaves. These women will often be abandoned or killed when the militants have to leave an area in a hurry. [...]

Christians, state officials, including members of the security forces, political and traditional leaders, Civilian Joint Task Force members, health workers and moderate Muslim clerics, those perceived to oppose Boko Haram (particularly if suspected of assisting the security forces), and women and children, living in areas controlled by Boko Haram – parts of Borno, Adamawa and Yobe states – are likely to be at risk of serious harm because of actual or perceived views and/or their gender. [...]

The Nigerian army and security forces have largely proved to be inadequate in dealing with the threat posed by Boko Haram, although during March and April 2015 the army claimed that most areas controlled by Boko Haram were recaptured. However Boko Haram has not been defeated and the security forces continue to fight the group, aiming to reclaim territories it previously held or had influence in. It is reported that Boko Haram can be expected to retreat into its hideouts and switch back to fighting a guerrilla campaign. Recent suicide attacks reflect the group's capacity to engage in irregular warfare and use terrorism as its primary weapon." (UK Home Office, June 2015, pp. 5-6)

With regards to the increase in violence in the country, a United Nations Secretary General Report to the Security Council (UNSC) from June 2015 stated:

"North-east Nigeria witnessed a significant increase in violence during the reporting period, in particular the first few months of 2015, instilling fear in the civilian population and triggering extensive displacement. An estimated 5,000 civilians have been killed since January 2014. In addition, at least 2,000 women and girls have been abducted by Boko Haram during that period, and many have been forced into sexual slavery or combat. Boko Haram has recruited and used children, including as suicide bombers and human shields. In January 2015, in the run-up to the national elections, Boko Haram attacks on communities in the three most affected states (Borno, Yobe and Adamawa) occurred almost daily, including through the use of explosive weapons in populated areas, causing civilian deaths, injuries and displacement." (UNSC, 18 June 2015)

The National Consortium for the Study of Terrorism and Responses to Terrorism's (START) also refers to the attacks in a May 2014 report:

"Boko Haram most commonly targets private citizens and property (25% of attacks), police (22% of attacks), government targets (11%), religious figures and institutions (10% of attacks), and the military (9% of attacks). Boko Haram's major attacks on churches and religious figures have at times been followed by rioting and retaliatory attacks against Muslim targets, exacerbating religious polarization of the Nigerian population." (START, May 2014, p. 3)

Reporting on the government's territorial gains, the Nigeria Security Network (NSN) expressed in March 2015 that:

“Despite the recapturing of territory, Boko Haram has not been defeated. The insurgency does not need to operate like a conventional army, which can be expelled from territory in a series of pitched battles. Instead, it has the capacity to quickly melt away into the countryside and avoid large-scale confrontation. Its decision to engage in large-scale, open combat last year reflected its military advantage over the Nigerian army. Now with foreign advisors, multinational forces, and better Nigerian military assets to contend with, Boko Haram can be expected to retreat into its hideouts and switch back to fighting the guerrilla campaign it was engaged in up until the middle of 2014. The use of suicide bomb attacks in recent weeks, including in Maiduguri, reflects the group’s capacity to engage in irregular warfare and use terrorism as its primary weapon.” (NSN, March 2015, p. 2)

Regarding the attacks against Christians, the United States Congressional Research Service (CRS)’s June 2014 report notes:

“Boko Haram’s leaders have called in their public rhetoric for an uprising against secular authority and a war against Christianity. Attacks attributed to the group have not exclusively, or even primarily, targeted Christians, who are a minority in the north, and the group has yet to conduct attacks against the majority-Christian southern part of the country. Religious figures and institutions comprised an estimated 10% of the group’s targets from 2009 to 2013, but its assaults on churches have nevertheless fuelled existing religious tensions in Nigeria. These attacks, which often occur on Sundays or religious holidays, presumably to achieve maximum effect, have in some cases sparked deadly reprisal attacks by Christians against Muslim civilians. The church bombings, along with the recent spate of kidnappings and other high-profile civilian attacks, appear to be part of a deliberate effort to foment instability, possibly seeking to discredit and delegitimize the national government by exposing the weakness of its security apparatus and justice mechanisms and, potentially, to ignite a religious war.” (CRS, 10 June 2014, p. 3)

Another report from the same source also explained, with regards to Boko Haram’s allegedly deadliest attack “Some of its attacks, including the January 2015 raid on Baga and surrounding settlements in far northeast Borno, which may be its deadliest attack yet, appear to be retribution against communities seen to cooperate with Nigerian forces, including through vigilante groups.” (CRS, 8 March 2015)

Remarks from the current High Commissioner for Human Rights Mr. Zeid Ra’ad Al Hussein describe the difficult situation many civilians are encountering in the region:

“Civilians in northeast Nigeria have been living through horrifying acts of cruelty and violence by Boko Haram. These include wanton killings, summary executions, forced participation in military operations – including the use of children to detonate bombs, forced labour, forced marriage and sexual violence, including rape, [...]

We have reports of children who were suspected of theft and had their hands amputated, of a man stoned to death on accusations of fornication, mass executions of captives whose hands and legs were bound and who were dumped into rivers and wells. In one incident reported to have taken place in late 2014, Boko Haram allegedly assembled and brutally killed at least 1,000, possibly many more, male inhabitants of Mararaba Madagali in Adamawa State. These were men and boys who refused to join Boko Haram’s depraved cause.” (OHCHR, 05 June 2015)

### 3.1.3 Structure

The United States Department of State (USDS) describes Boko Haram's membership to be of several thousand fighters (USDS, 19 June 2015a). Likewise, Amnesty International (AI) reports a more specific number: "the exact number of Boko Haram troops is unknown but it is estimated to be at least 15,000 – although it is likely to be much higher." (AI, 29 January 2015). The BBC News noted on 4 May 2015 that Boko Haram "has a fighting force of thousands of men - CIA officials had estimated around 9,000." (BBC, 4 May 2015)

The International Crisis Group (ICG) discusses the group's internal organization as follows:

"The movement, never very hierarchical, is more dispersed than ever, with many leaders in the Adamawa mountains, Cameroon, and Niger. Its isolated leader, the violent Abubakar Shekau, probably has little daily control over cells, and it is fragmenting into factions, including the relatively sophisticated Ansaru, which focuses more on foreign targets. Able to move fairly freely, these groups are unlikely ever to be completely suppressed, unless the government wins local hearts and minds by implementing fundamental political reforms to address bad governance, corruption and underdevelopment." (ICG, 3 April 2014, p. ii)

Regarding the group's leadership and internal structure, including its factions, the same source adds:

"Yusuf's main lieutenants were Muhammad Lawan (Potiskum, Yobe state), Mamman Nur and Shekau. Lawan parted ways with him in December 2007, after disagreeing over the ideology and Quran interpretation. He issued an audio recording accusing Yusuf of insincerity and rejoined Izala. Boko Haram attacked his home in a failed attempt on his life during its 2009 uprising.

Mamman Nur is a Shuwa Arab born and raised in Maiduguri by Chadian parents. He befriended Shekau while both were doing higher Islamic studies at the Borno State College of Legal and Islamic Studies (BOCOLIS). He apparently introduced Shekau to Yusuf. Shekau is a Kanuri from Shekau village on the border with Niger in Tarmuwa local government, Yobe state. In 1990 he moved to the Mafoni area in Maiduguri and studied under a traditional cleric before entering BOCOLIS. Nur, said to be more knowledgeable, mature and level-headed, was seen as Yusuf's deputy and eventual successor, but Shekau was chosen after Yusuf's death because he was more radical and aggressive. Nur did lead in an acting capacity while Shekau recovered from a 2009 gunshot wound.

With Shekau (whose nom de guerre is Imam Abu Mohammed Abubakar bin Muhammed Shekau) at the helm of its most significant faction (see below), Boko Haram has grown more ruthless, violent and destructive and less open to dialogue. Perhaps most audacious were its suicide bombings in Abuja of the police headquarters and the UN building in June and August 2011. [...]

The killing and capture of top commanders significantly impacted the sect's eleven-member Shura, leading to its expansion to 37. This made it difficult to reach unanimous decisions, with consequent adverse consequences for operations. Furthermore, in the past four years it has split into many factions with varying aims, to the point that some believe it is too fragmented to present a common front for dialogue. The group also formed links with foreign Islamist groups,

such as al-Qaeda in the Islamic Maghreb (AQIM) and Al-Shabaab in Somalia, that have radicalised its leadership. [...]

Of the six current Boko Haram factions, the largest, concentrated in the North East, is led by Shekau and has been responsible for most attacks in recent months. Shekau also nominally controls fighters commanded by Mamman Nur. However, at least one source claims most commanders and foot soldiers are more loyal to Nur, because of his guerrilla expertise and Al-Shabaab and AQIM contacts, but that he chooses to maintain the status quo because of Shekau's ruthlessness.

Another faction is headed by Aminu Tashen-Ilimi, who led the December 2003 Kanamma uprising alongside Shekau. A University of Maiduguri drop-out, from Bama in northern Borno, he was also among the commanders who led the 2009 Maiduguri uprising. On the third day of that uprising, Yusuf allegedly gave him 40 million naira (then approximately \$275,000) to buy arms from the Niger Delta. After Yusuf's murder, he stayed in Port Harcourt, then relocated to Kaduna, where he reportedly used the money to establish himself as a car dealer. While he is believed to still control a faction, he keeps a low profile.

The most sophisticated faction, Ansaru (see below), was commanded by Khalid Barnawi. Although seen as independent, it is actually a Boko Haram splinter group comprising mostly its Western-educated members. A fifth faction is led by Abdullahi Damasak, also known as Mohammed Marwan.

The sixth and least known faction is based in Bauchi and led by Engineer Abubakar Shehu, alias "Abu Sumayya". Both Shekau and Ansaru leaders suspected he was a mole, and in early 2012 they agreed to eliminate him. Ansaru men stormed his Bauchi hideout, injuring him and leaving him for dead. However, he survived after treatment in the 44 Army Reference Hospital in Kaduna and a German hospital. He then disclosed Khalid Barnawi's Kano hideout to the security agencies, which killed him in their August 2012 raid." (ICG, 3 April 2014, p. 19, pp. 21-22)

In reference to Ansaru, considered one of the most sophisticated factions within the group, the same source adds:

"Ansaru, formally Jama'atu Ansarul Muslimina Fi Biladis Sudan (loosely translated as 'Vanguards for the Protection of Muslims in Black Africa'), announced its existence on 1 January 2012, though it has been around much longer. It distanced itself from the rest of Boko Haram because it disapproved of its indiscriminate killings and Shekau's lack of tact. At its core are sect members who, after the 2009 crackdown, fled to Somalia and Mali, where they joined and trained with Al-Shabaab and AQIM respectively." (ICG, 3 April 2014, p. 26)

The United States Department of State (USDS) further explains that the Ansaru are also known as "Ansarul Muslimina Fi Biladis Sudan; Vanguards for the Protection of Muslims in Black Africa; JAMBS; Jama'atu Ansarul Muslimina Fi Biladis Sudan (USDS, 19 June 2015c) and notes:

"Designated as a Foreign Terrorist Organization on November 14, 2013, Jama'atu Ansarul Muslimina fi Biladis-Sudan (Ansaru) publicly splintered from Boko Haram in January 2012. Ansaru's leadership structure remains unclear; however, Khalid al-Barnawi held one of the top leadership positions within the organization. Since its inception, Ansaru has targeted western and international civilians and Nigerian government and security officials and is responsible for

the deaths of civilians and a number of Nigerian security personnel. Ansaru's stated goals are to defend Muslims throughout all of Africa by fighting against the Nigerian government and international interests, but to avoid killing innocent Muslim civilians. While Ansaru claims to identify with Boko Haram's objectives and struggle, it has criticized the group for killing fellow Muslims.

In November 2012, Ansaru raided a police station in Abuja, killing Nigerian police officers and freeing detained terrorists from prison. In January 2013, Ansaru attacked a convoy of Nigerian peacekeepers on their way to Mali. Ansaru has also engaged in multiple kidnapping attacks targeting civilians. In late 2012, Ansaru kidnapped a French engineer and claimed the action was justified due to French involvement in Mali. Similarly in early 2013, Ansaru kidnapped and subsequently executed seven international construction workers. Ansaru committed no known attacks in 2014.

Ansaru maintained a working relationship with Boko Haram and during 2014 may have rejoined with the larger group." (USDS, 19 June 2015c)

### 3.1.4 Local, regional and international connections

With regards to Boko Haram's relationship with other organizations, the United States Department of State's (USDS) country report on terrorism states that the "group espouses a violent Sunni extremist ideology and at times has received assistance, including funds and training, from Al-Qaeda in the Islamic Maghreb (AQIM)." (USDS, 19 June 2015a)

Reporting on the relationship with other transnational groups in the region, the Congressional Research Service's (CRS) document on frequently asked questions on Boko Haram also adds:

"Some Boko Haram militants may have fled to insurgent training camps in the Sahel in 2009-2010. The group has built ties with transnational extremist groups in the region, which have reportedly provided training and increasingly sophisticated weaponry." (CRS, 10 June 2014, p. 2)

Regarding its ties with AQIM, al-Qaeda in the Islamic Maghreb, the International Crisis Group (ICG) April 2014 report notes:

"Ansaru became Nigeria's al-Qaeda franchise. The Sahara Men chose as their leader Kamar, alias "Abu Yasir", who on his return settled in Kano but was killed in a shoot-out during a raid on his Kano hideout in August 2012. Barnawi, assuming the nom de guerre 'Abu Usamatal Ansari', took control and has been its leader ever since. [...]

Due to his close links to AQIM, Barnawi allegedly became its channel for the supply of funds and weapons to both Ansaru and Boko Haram. The French and African Union (now UN) military push against Islamists in northern Mali disrupted the money and arms supply and forced Ansaru and Boko Haram to work more closely together. [...]

With AQIM funding reduced and the sustained security crackdown making it increasingly difficult to rob banks, Boko Haram has resorted to extortion. Members telephone or text wealthy individuals asking for specific sums of money to enable them to carry out God's work ("*aikin Allah*" in Hausa) or risk the sect's wrath, according to victims and the military." (ICG, 3 April 2014, pp. 27-29)

Amnesty International (AI) reported that “some claim the group has links with Nigerian politicians and international jihadi groups that have provided it with money and weapons. Most of their funds, however, are believed to come from looting towns, bank robberies and money collected in ransom.” (AI, 29 January 2015). The same opinion is shared by the United States Department of State (USDS) in its 2014 country reports on terrorism which claims that Boko Haram “receives the bulk of its funding from criminal activities such as kidnapping for ransom, bank robberies, and extortion.” (USDS, 19 June 2015a)

Regarding Boko Haram’s allegiance to the Islamic State, Jamestown Foundation notes:

“Boko Haram leader Abubakr Shekau meanwhile, in March, pledged his movement’s allegiance to the Islamic State at the same time that Boko Haram was suffering serious reverses on the battlefield due to an infusion of new weapons and foreign military trainers in the lead-up to Nigerian elections. The movement now uses the official name Islamic State West Africa Province (ISWAP).” (Jamestown Foundation, 26 June 2015)

The Congressional Research Service (CRS), in its 2015 report on Nigeria, builds on this discussion and adds:

“Its leadership has appeared at times to be inspired by the Islamic State; it has modified its logo to incorporate the Islamic State flag, used its anthem in a video, and voiced support for both the Islamic State and Al Qaeda (AQ) in public messages. As of January 2015, U.S. officials did not consider the group to be an AQ affiliate. On March 7, 2015, Boko Haram released an audio message on Twitter from its leader, Abubakar Shekau, in which he pledges allegiance to the leader of the Islamic State, Abu Bakr al-Baghdadi. The practical implications of that pledge, and the extent to which, if at all, the two groups have direct links, are unclear.” (CRS, 8 March 2015, p. 8)

The United States Commission on International Religious Freedom (USCIRF) also explains that “the group declared an Islamic ‘Caliphate’ in areas it controls in August 2014. [...] Boko Haram pledged its allegiance to the Islamic State of Iraq and the Levant (ISIL) on March 8, 2015.” (USCIRF, 31 January 2015, p.102)

The International Crisis Group’s (ICG) Africa Report from 25 June 2015 discusses the economic network shared by Boko Haram and other Islamist groups as follows:

“Reportedly, these Islamist groups typically have parallel economic networks, often unchecked by the authorities, with resources and capacity to give the needy jobs or charity, though precise data are hard to come by. Most spectacularly, Boko Haram until recently was in effective control of fourteen of 27 local government areas in northern Borno state. In early 2015, however, the government reclaimed most of this territory, with the help of troops from neighbouring countries, though Boko Haram continues to destabilise parts of northern Nigeria and Cameroon, as well as south-eastern Chad.” (ICG, 25 June 2015, p. 13)

The same source also describes links with third parties, including politicians, as follows:

“Despite the violence, controversy over alleged political links reportedly continued. On 3 November 2011, the SSS arrested Ali Sanda Umar Konduga, a purported Boko Haram spokesman who used the alias Usman al-Zawahiri. In a confession, Konduga claimed he was

employed by Ali Ndume, a then PDP senator from Borno state, who, he reportedly said, recruited him to send threatening messages to political adversaries. Konduga's statement also implicated Nigeria's former ambassador to São Tomé and Príncipe and former PDP chairman in Borno state, Sa'idu Pindar. On 4 November 2012, Ndume was summoned by the SSS and arraigned in court, along with Konduga, on terrorism charges. [...]

Such testimony and the lenient SSS treatment led many people to believe he was used to get at Ndume, who insisted that his sole contact with Boko Haram was as a member of the Presidential Committee on Security Challenges in the North East Zone (the Usman Galtimari committee, see below) and a Borno senator with a stake in the state's security. [...]

The local population is convinced that politics played a role in the crisis. Even the "Civilian Joint Task Force" (CJTF), comprised of youths helping the security forces combat Boko Haram, vented its rage at the political establishment, storming the private residence of the Borno state ANPP chairman, Alhaji Mala Othman, on 1 July 2013 and setting it ablaze, because, it alleged, he is a sponsor of Boko Haram. Subsequently, hundreds of youths tried unsuccessfully to burn Sheriff's private residence." (ICG, 3 April 2014, pp. 15-16)

## 3.2 Government Authorities

### 3.2.1 Armed forces

According to the World Bank, Nigeria's total armed forces personnel, described as the "active duty military personnel, including paramilitary forces if the training, organization, equipment, and control suggest they may be used to support or replace regular military forces.", including frontline and reserve personnel, in 2013 was of 162 000 (World Bank, 2014). The Central Intelligence Agency (CIA) World Fact book also notes that the military branches of the Nigerian Armed Forces include the Army, Navy and Air Force (CIA, 11 August 2015).

A December 2012 article from scholar A.J. Omede, from the University of Illorin, on the Nigerian military describes the Armed Forces as follows:

"[...] [T]he Nigerian Armed Forces has over the years, been engaged in series of military exercises aimed at boosting the combat readiness and war preparedness of its officers and men. The primary purpose of the Nigerian military is to defend their nation from external attack and deter or attack would-be enemies. The realization of this function primarily entails the preservation of the territory, people, culture and the national security of the nation Federal Government of Nigeria." (Omede, 2012, p. 294)

Regarding the structure of the Armed Forces, Amnesty International's (AI) 2015 report explains:

"The Armed Forces Council is responsible for the command and discipline of the armed forces. The Chief of Defence Staff is vested with the day-to-day command of the armed forces. The army does not have a civilian oversight body; the National Assembly provides a general oversight role. The President, as Commander in Chief, is ultimately responsible for all military operations<sup>28</sup> and was and has been regularly briefed by the Chief of Defence Staff" (AI, June 2015, p. 23)

According to the BBC, in 2015, Nigeria's newly sworn President Muhammadu Buhari expressed his resolve to tackle the militant Islamist group Boko Haram, by relocating "the military command and control centre from the capital Abuja, 800km (500 miles) to Maiduguri, the main city at the heart of the insurgency, until the conflict is resolved." (BBC, 9 June 2015)

Current developments in the armed forces are also described by the Federal Office for Migration and Refugees (FOMR) July 2015 briefing as follows:

"On 13 July 15 President Buhari dismissed the supreme military command, the national security advisor, and the head of the military intelligence agency. Abayomi Gabriel Olonishakin became the new chief of staff. The supreme commanders of the three individual military services are T. Y. Buratai (army), Ibok-Ete Ekwe Ibas (navy), and Sadique Abubakar (air force). The new head of the army and the newly appointed national security advisor Monguno both come from Borno, the state most affected by the Boko Haram conflict. The replacements are Buhari's response to the wave of suicide and other bombings and several Boko Haram at-tacks on villages that claimed over 600 lives so far and that started after he took office." (FOMR, 20 July 2015)

In reference to the existing issues facing the armed forces, multiple sources describe corruption as a serious factor affecting the operations in their campaign against Boko Haram:

"Corruption also hampered the military campaign against Boko Haram. Despite a Nigerian military budget of \$5.8 billion, the U.S. State Department and Department of Defense report that the funding is "skimmed off the top" and there is low troop morale in the JTF. Soldiers are poorly trained and equipped, and at times are reported to run away or not engage a better armed and trained Boko Haram. Several military officers were prosecuted in this reporting period for failing to engage Boko Haram." (USCIRF, 31 January 2015)

"More generally, the military is hampered by pervasive corruption and mismanagement as well as a lack of resources and reinforcements, leading to waning morale among its troops. Several West African countries have agreed to cooperate in the fight against Boko Haram, while the United States and Britain have offered assistance with intelligence and surveillance." (Freedom House, 28 January 2015)

"Nigeria's once vaunted military has been hollowed out by corruption, bad leadership, and insufficient training, leaving it vulnerable to Boko Haram's advance." (Time, 10 February 2015)

Besides corruption, a 2015 article by Jamestown Foundation also points out poor morale and lack of leadership as important challenges facing the Nigerian military:

"Poor morale has inhibited a strong Nigerian military response to Boko Haram. In late May, some 200 Nigerian soldiers were dismissed from service for cowardice, with many likely relating to the fall of the town of Mubi (Adamawa State) to Boko Haram in late October 2014. Troops in Mubi bolted for the state capital of Yola when Boko Haram attacked, and Nigerian authorities claimed to have "video evidence of their cowardice" (*This Day* [Lagos], May 28; *Premium Times* [Abuja], October 29, 2014). One of the dismissed soldiers claimed that they had only followed orders from their officers to withdraw from Mubi due to inadequate weapons (*This Day* [Lagos], May 28). Another sacked soldier claimed troops were given only five bullets each as well as expired bombs made in 1964. The troops' heaviest weapons only had a range of 400 meters while they were facing militants using anti-aircraft weapons with a range of over 1,000 meters (*Vanguard* [Lagos], May 28; *This Day* [Lagos], May 28).

As of May 21, Nigerian military authorities were able to confirm that no less than 579 officers and soldiers were facing courts martial in Abuja and Lagos for offenses including indiscipline, refusal to obey orders, insubordination and cowardice (*This Day* [Lagos], May 21). Sixty-six other soldiers have already been condemned to death for mutiny and their failure to confront Boko Haram, though these sentences might be revisited by the new president.” (Jamestown Foundation, 26 June 2015)

Another challenge facing the military includes the lack of proper equipment, as suggested by Chidi Odinkalu, the then chairman of Nigeria’s National Human Rights Commission, in a June 2015 report from the Integrated Regional Information Networks (IRIN):

“There has been a build-up of trauma in the military, with men serving on the frontlines not properly equipped or relieved. No human being is constructed to take that amount of trauma without dealing some back. We need programmes that provide treatment for Post-Traumatic Stress Disorder.” (IRIN, 03 June 2015)

On the same note, CNN has also described the Nigerian military as unsystematic and under-equipped in a January 2015 report as follows:

“Boko Haram has anti-aircraft guns, which [the soldier] says are accurate up to three-quarters of a mile. All the Nigerian military has, [the soldier] says, are AK47 small machine guns, accurate up to a few hundred meters. Often the Nigerian soldiers are given only 60 bullets each, so they quickly run out. Boko Haram, he says, has large supplies of ammunition and more fighters. Although the Nigerian soldiers do win some fights, he says they are regularly forced to turn tail and run for their lives by the sheer volume of gunfire from Boko Haram fighters. It took him three days -- on foot, alone -- to get back to his base, 70 kilometers away. When he arrived, his wife told him to quit the army, but his troubles were only just beginning. Army medics refused to pay the \$200 for medicine to treat his injuries. Morale in the army is sinking, he says.” (CNN, 15 January 2015)

### 3.2.2 Law enforcement forces

According to Interpol, the Nigeria Police Force (NPF) is “the principal law enforcement agency in Nigeria with a strength of more than 350,000 men and women. NPF is a federal Police force covering all 36 Nigerian states and the federal capital territory, Abuja.” (Interpol, n.d.)

Regarding the main challenges facing law enforcement in Nigeria, the International Crisis Group (ICG) in its 2014 report discusses the issue of underfunding and misuse of resources as follows:

“Security agencies suffer from underfunding, as well as misuse and misapplication of financial resources, without accountability for diversion or illicit award of contracts.<sup>25</sup> Many security operatives resort to self-help. By admission of the police service commission head, nearly a third of the 330,000 police are employed by senior politicians and businessmen as private escorts.” (ICG, 3 April 2014, p .5)

The same source goes on to add:

“The police force is ill-equipped to address the Boko Haram threat and enjoys little public confidence. It has been grossly underfunded – less than 5 per cent of the budget – since military rule ended in 1999 and needs reform. The 2012 budget allotted 1.6 million naira (\$10,000) per soldier but only 870,000 naira (\$5,400) per police officer. At current levels, police colleges “can only turn out demoralised, frustrated and dehumanised policemen”. Many residents accused police of selling informants’ identities to Boko Haram. Given the urgency of the situation, the police are in no fit state to answer the Boko Haram challenge, but to truly achieve stability in the long term, Nigeria will need to address the shambolic state of law enforcement and carry out systematic police reform. (ICG, 3 April 2014, p.32)

The UK Home Office Country Information and Guidance report on Nigeria, equally discusses the matter, and highlights other issues of concern:

“Among the problems that deterred or hindered more effective law enforcement and border security by the Nigerian government were: a lack of coordination and cooperation between Nigerian security agencies; a lack of biometrics collection systems and the requisite data bases; corruption; misallocation of resources; the slow pace of the judicial system, including a lack of a timely arraignment of suspected terrorist detainees; and lack of sufficient training for prosecutors and judges to understand and carry out the Terrorism (Prevention) Act of 2011 (as amended).” (UK Home Office, June 2015)

### 3.2.3 *Government responses*

#### 3.2.3.1 *Political measures*

In reference to the political involvement of the government in this conflict, the International Crisis Group (ICG) explained in its April 2014 report:

“From the insurgency’s onset, the government has said it is open to dialogue with Boko Haram, but it has often wavered in seeing this through. At times, officials speak of ongoing indirect negotiations; on other occasions they deny this. On 2 August 2011, the government set up an eight-member committee led by Usman Galtimari, its former envoy to Chad, to study the Boko Haram security challenge and advise on ending the violence. Its report, submitted on 26 September 2011, recommended talks and amnesty for sect members who renounce violence.

On 16 September 2011, former President Olusegun Obasanjo held talks in Maiduguri with Boko Haram members, who laid out conditions for a temporary ceasefire. These were and remain an end to arrests and killings of sect members; compensation for families of members killed by security personnel; and prosecution of police responsible for Yusuf’s extrajudicial execution.

In a televised interview on 18 November 2012, President Jonathan contradicted repeated claims by officials of behind-the-scene negotiations. On 17 April 2013 and under mounting pressure from northern elites, including the Sultan of Sokoto, Muhammad Sa’ad Abubakar, Jonathan set up a 26-member amnesty committee headed by Special Duties Minister Kabiru Tanimu Turaki. It was given a three-month mandate (later extended) to engage in a dialogue and convince Boko Haram to lay down arms. The report of the committee, renamed the Dialogue and Reconciliation Committee, submitted to the president on 5 November, said many insurgents “positively responded to contacts and have accepted the dialogue options [as being] capable of full resolution of the conflict”; but Boko Haram and others dismissed the report as a farce.” (ICG, 3 April 2014, p. 33)

“Boko Haram has accused the government of insincerity, saying it cannot be trusted, and dialogue is used as bait to arrest sect members. On 26 January 2012, the SSS announced it had arrested Boko Haram spokesman Abul Qaqa in Kaduna. The sect said the name of the individual was Abu Dardaa, who was in Kaduna for a preparatory meeting on peace talks with the government, and accused the SSS of betrayal. [...]

On 22 August 2012, Boko Haram announced: “Since the Federal Government lured and arrested one of our leaders, Abu Dardaa, who was sent to dialogue on our behalf and also frustrated one facilitated by ... Dr Ibrahim Datti, we have foreclosed any possibility of talks with the government”. [...]

In late May 2013, following a sweeping military offensive, ten Boko Haram commanders held a peace meeting with the Dialogue and Reconciliation Committee in Côte d'Ivoire with Shekau's blessing. It ended with an apparent peace agreement that was to begin with a ceasefire. Shekau seemed particularly impressed by the treatment accorded his representatives and reportedly asked a lieutenant to go to Abuja to announce the ceasefire to a select group of reporters. However, on 3 June, the U.S. placed a \$7 million reward on Shekau and a \$5 million reward on AQIM's Mokhtar Bel Mokhtar, upsetting the prospective deal. The next day the Nigerian government outlawed Boko Haram and Ansaru. 'The declarations by the two governments foreclosed any room for talks, truce or amnesty. On 13 July, Shekau released a tenminute video in which he ruled out any further dialogue with the government and declared support for the recent attacks on schools.' (ICG, 3 April 2014, pp. 37-38)

Freedom House, a US-based non-governmental human rights organization, in its 2015 Freedom in the World Nigeria report discussed the negotiations which have taken place between the government and Boko Haram:

“Negotiations between the government and Boko Haram have failed to produce any meaningful results, and several conflicting and unproven claims of progress from key officials have either failed to materialize or have been denied by Boko Haram. In October 2014 the government announced a cease-fire with Boko Haram and the negotiated return of the kidnapped girls from Chibok. However, the purported leader of the group, Abubakar Shekau, later released a video claiming that no agreement had been reached, and the conflict continued unabated.” (Freedom House, 28 January 2015)

The May 2014 National Consortium for the Study of Terrorism and Responses to Terrorism (START) report also discussed the issue of ceasefire negotiations as follows:

“There have been minimal communications between government officials and Boko Haram regarding ceasefires, but they are unlikely to succeed as neither side will accept the others' terms and Boko Haram is ideologically opposed to any rule of other than its interpretation of Sharia.” (START, May 2014, p. 3)

Regarding the newly elected president, Mr. Muhammadu Buhari, a briefing note from the Federal Office for Migration and Refugees (FOMR) dated 1 June 2015 stated:

“On 29 May 2015, the inauguration of Muslim president Muhammadu Buhari, who was elected on 28 March 2015, took place in Abuja, the country's capital. Former military ruler Buhari (1983 - 1985) was the first opposition candidate who won the presidential elections since Nigeria's independence in 1960. Buhari said his main aims were to fight the terrorist organisation Boko Haram and eradicate corruption.” (FOMR, 1 June 2015, p. 3)

The Agence France-Presse (AFP) also noted on 2 July 2015 that Boko Haram “has intensified its campaign of violence since Buhari came to power on May 29 vowing to crush the jihadists' bloody uprising that has claimed at least 15,000 lives.” (AFP, 2 July 2015). However, Jamestown Foundation exposed in its June 2015 article on Nigeria:

“Buhari, who once served as the military governor of Borno State, the region most affected by the Boko Haram insurgency, is determined to open the troubled Lake Chad region, the focus of the militants' recent activities, up to oil exploration, but this requires a stable environment in the region first (*Vanguard* [Lagos], April 20).

In the meantime, the newly elected president used his first trips abroad as president to visit his counterparts in Niger and Chad, a clear sign that Buhari intends to make a break from the relatively uncooperative approach of ex-President Goodluck Jonathan that helped breed distrust and even personal animosity among the region's leaders. Talks were focused on security issues and the necessity of improving cooperation in this area. [...]

In an effort to maintain the momentum, Buhari used his May 29 inauguration speech to announce he was shifting the command center for military operations against Boko Haram from Abuja (the Nigerian capital) to Maiduguri, the capital of Borno State and a frequent target for Boko Haram attacks since the election (*Vanguard* [Lagos], June 5). [...]

Buhari's election has also allowed the United States to reappraise its relations with Nigeria, deeply strained by the corruption and human rights abuses of the Jonathan regime (Reuters, June 5). (Jamestown Foundation, 26 June 2015)

The High Commissioner for Human Rights Zeid Ra'ad Al Hussein expressed his opinion on the matter and stated:

“I am encouraged by President Buhari's promise that this new administration will leave no stone unturned to promote the rule of law and ensure justice and the protection of human rights while countering terrorism,' High Commissioner Zeid said. 'I urge him to act without delay to establish proper independent inquiries into alleged violations of international human rights and international humanitarian law by the Nigerian armed forces and related militia, and in particular into the deeply disturbing allegations that thousands of people have died or been killed while held in detention by State institutions.’” (OHCHR, 05 June 2015)

### 3.2.3.2 Military intervention

The Nigerian government has been involved in different operations in order to tackle the Boko Haram insurgency. Amnesty International (AI) describes them and argues:

“Since 2011, there have been four major operations in the north-east to counter Boko Haram. Operation Restore Order I (ORO I), from June 2011 till May 2013, was the first. Some 4,000 troops served in Borno state and, together with the police and members of other security forces, formed the Joint Task Force (JTF). In Yobe state, ORO III was established in December 2011 and ran until August 2013. ORO III had some 2,000 troops.

ORO I was replaced by Operation BOYONA, which covered Borno, Yobe and Adamawa states (the acronym derives from the names of the three states). Operation BOYONA was launched

when the state of emergency was announced in May 2013 and had some 10,000 troops. Both ORO I and its successor Operation BOYONA reported to the Chief of Defence Staff.

On 19 August 2013, operational command of Operation BOYONA was taken over by the Chief of Army Staff (COAS) when the newly established Army Division 7 took over from the JTF and military forces took over fully from the police in actions against Boko Haram. Operation Zaman Lafiya, with 10,000 troops, was launched as the successor to Operation BOYONA.

Former President Goodluck Jonathan said in May 2014 that there were 20,000 troops deployed in the north-east, although the actual number of troops, according to military sources interviewed by Amnesty International (AI), appears to be lower.” (AI, June 2015, pp. 21-22)

Regarding the approaches adopted by the Nigerian government in order to respond to security threats by Boko Haram, the United States Commission on International Religious Freedom (USCIRF) discusses what it calls the “soft approach”:

“In May and September 2014, Nigerian National Security Advisor Colonel (ret.) Sambo Dasuki called for a “soft approach” to tackle Boko Haram that would include development and counter-radicalization programs for the northeast. In 2014, the Nigerian government announced northeast development, emergency relief, reconstruction, and rehabilitation programs, as well as a safe schools initiative. However, to date the Nigerian government has not shown a willingness to vigorously implement these types of initiatives as part of a broader campaign to defeat Boko Haram. There is no available evidence that development or reconstruction and rehabilitation programs are in effect. Only the safe schools initiative and emergency relief fund to support internally displaced persons have commenced.” (USCIRF, 31 January 2015, p. 103)

The International Crisis Group (ICG) also referred to the soft approach as follows: “On 18 March 2014, National Security Advisor Mohammed Sambo Dasuki announced a ‘soft’ approach to addressing the root causes of terrorism, but it remains to be seen whether and how it will be implemented.” (ICG, 3 April 2014, p. ii)

Shifting conflict dynamics have also prompted the launch of different techniques of response from Government authorities. The International Crisis Group (ICG) explains:

“On 11-12 May 2013, the government sent 2,000 additional troops, accompanied by heavy military equipment including fighter jets, to Maiduguri. On 14 May Jonathan declared a state of emergency in the North East (Adamawa, Borno and Yobe). In a national broadcast, he ordered the troops to “take all necessary action ... [to] end to the impunity of insurgents and terrorists”. The next day, fighter jets began bombarding Boko Haram camps in northern Borno, and a day later troops sealed parts of the borders with Chad, Niger and Cameroon. Phone networks were taken down on 16-17 May in Yobe and Borno and remain down. On 19 August, a new army division, the 7th, codenamed BOYONA and headed by a major general, took over counterterrorism operations in Borno, Yobe and Adamawa.” (ICG, 3 April 2014, pp. 34)

Another approach to respond to Boko Haram’s threats has been the practice of raids. According to a report from Aljazeera, published in August 2015, the Nigeria army has claimed that raids have destroyed several camps in the country’s northeast in recent months, leading to the rescue of 178 people held by Boko Haram. (Aljazeera, 3 August 2015). The article also explains that:

“Boko Haram commander had also been captured in the raids on camps around the town of Bama, about 70km southeast of the state capital Maiduguri. [...] Last week the army said it rescued 71 kidnapped people.” (Aljazeera, 3 August 2015)

Regarding the challenges faced by government authorities in their operations against Boko Haram, the International Crisis Group (ICG)’s 2014 report explains:

“Since 2012, it has tried to address the challenge on multiple tracks but especially by increasing the defence budget from 100 billion naira (\$625 million) in 2010 to 927 billion naira (\$6 billion) in 2011 and 1 trillion (\$6.25 billion) naira in 2012, 2013 and 2014. [...]

On 4 June 2013, the government proscribed Boko Haram and Ansaru, describing their activities as terrorism, and warned that any persons associated with the two groups was liable to prosecution. It is prosecuting hundreds of suspected Boko Haram and Ansaru members and collaborators. Mohammed Bello Adoke, the attorney-general and justice minister, reported that eleven convictions of Boko Haram members were obtained in 2013. [...]

Senior security officials are first to admit, however, that their agencies are ill-prepared for today’s challenges, especially terrorism. Factors blamed include under-funding, lack of training and equipment, poor intelligence, corruption, complicity, inter-agency rivalries and lack of effective political leadership.” (ICG, 3 April 2014, pp. 30-31)

The Jamestown Foundation notes other challenges as follows:

“At the moment, Nigerian Special Forces personnel and Air Force assets appear to be leading the effort to clear Boko Haram from their bases in the Sambisa Forest. Losses are reportedly heavy (precise figures are hard to come by), and there are still problems in the supply chain, with troops in the field going for days with little water or food (*Daily Trust* [Lagos], June 6). However, new weapons and tactics will inevitably prove to be only part of a more comprehensive military and economic solution to Nigeria’s expanding Boko Haram insurgency.” (Jamestown Foundation, 26 June 2015)

Various sources have been critical about the role of the Nigerian government in confronting Boko Haram. In this regard, the October 2014 Amnesty International (AI) report noted:

“Residents of villages and towns ravaged by Boko Haram attacks told Human Rights Watch that the government failed both to prevent attacks where women and girls were abducted, and to protect the victims in imminent danger. In addition, they reported that adequate medical and psychological support for injured and traumatized women and girls has been gravely lacking for the victims and their families.” (AI, 27 October 2014)

Allegations of Human Rights abuses by government officials have equally added to the discussion, as explained by the UK Foreign and Commonwealth Office (FCO):

“The heavy-handed security response, especially in the north, has resulted in allegations of serious human rights violations by the security forces. These include the razing of homes in communities suspected of harbouring Boko Haram, and extra-judicial killings and torture, for which there is widespread impunity. The mistreatment by the Nigerian Army of detainees in military detention centres was highlighted in reports by Amnesty International (AI) and Human Rights Watch.” (FCO, 10 April 2014)

The United States Commission on International Religious Freedom (USCIRF) further described the negative effect of government involvement in the conflict in its 2015 Annual report as follows:

“The U.S. State Department, Human Rights Watch, Amnesty International (AI), and Nigeria experts all report that security forces’ actions often increased the death toll. Security forces are accused of excessive use of force, committing extra-judicial killings, mistreating detainees in custody, arbitrary arrests, and using collective punishments. The Nigerian Security Tracker reports that state security officers are solely responsible for an additional 5,000 deaths from May 2011 through December 2014. Nigerian officials deny these abuses and the federal government has not arrested or prosecuted one soldier for such abuses.” (USCIRF, 31 January 2015, p. 103)

On the same note, Amnesty International’s (AI) 2015 report on Boko Haram’s reign of terror in the region also notes that despite its efforts, Nigeria’s security forces have repeatedly failed to protect the civilian population from Boko Haram attacks and claims:

“Ahead of many attacks, the group sent warning messages to the residents – either by letters to the local chiefs or by verbally warning individuals – hours or days in advance. Yet requests for troops to be sent, or for the existing military presence to be reinforced, received no response. Amnesty International (AI) has documented incidents in numerous communities where troops failed to turn up despite repeated requests for assistance or only arrived after Boko Haram had left.” (AI, 13 April 2015, p. 6)

Government forces have also been highly criticized for their role in extrajudicial killings, especially of military personnel accused of mutiny, as described by the UK Foreign and Commonwealth Office (FCO):

“In August, Amnesty International (AI) and the Channel 4 “Dispatches” programme claimed that Nigerian military personnel and the Civilian Joint Task Force (CJTF) in northern Nigeria had perpetrated extrajudicial killings. Many of these cases were linked to the Boko Haram attack on Giwa barracks in March, and the response by the Nigerian Security Forces.

Nigerian military courts have found 66 Nigerian military personnel guilty of mutiny and sentenced them to death. The legal process, including appeals, continues.” (FCO, 12 March 2015)

A June report from the German Federal Office for Migration and Refugees (FOMR) presents some figures on this regard:

“In a report published on 3 June 2015, the human rights organisation Amnesty International (AI) accuses the Nigerian army leaders of having committed war crimes and possibly crimes against humanity in the fight against the Islamist terrorist organization. Boko Haram. AI claims that more than 7,000 young men and children have died in military prisons since March 2011. More than 1,200 people have been killed in extrajudicial executions since February 2012. At least 20,000 persons, most of them young men and children, have been arbitrarily arrested. Responsibility for these crimes along the chain of command goes right up to the top military ranks.” (FOMR, 8 June 2015, p. 4)

Amnesty International's (AI) February 2015 report discusses the issue of mutiny convictions and notes: "Courts martial in September and December convicted a total of 70 soldiers of mutiny and sentenced them all to death." (AI, 25 February 2015)

UNHCR reported on the issue of military responsibility in two regional updates, Nos. 10 and 12, as follows:

"On 4 June AI accused Nigerian military of responsibility for death of 7000 men and boys held in custody over the last four years. This among over 20,000 people arrested during operations against insurgents." (UNHCR, 30 May - 5 June 2015, p. 2)

"In reaction to claims of abuses by AI, Nigerian Army has said it has the constitutional and moral responsibility to protect all Nigerian citizens and cannot engage in mass murder. Federal Government has stated that it has begun investigations into these abuses." (UNHCR, 13 June - 3 July 2015, p. 2)

Additionally, the Nigerian Police Force was further accused of failing to cover financial benefits to families of fallen officers, as reported by the Integrated Regional Information Networks (IRIN):

"The Nigerian Police Force is not only failing to pay all the financial benefits owed to the families of their officers killed in action against Boko Haram militants, but in some cases sexual favours and kickbacks have been demanded of the widows in return for the dues they did receive, according to new research in the northern city of Kano's police command," (IRIN, 12 March 2015)

For more information on disproportionate punishment, arbitrary arrests and prison conditions, please refer to Section 5.15 of this compilation.

### **3.3 Paramilitary Militias**

The Civilian Joint Task Force, or Civilian JTF is a civilian militia created in 2013 to provide support to security forces in the arrest of Boko Haram members. It is described by Amnesty International (AI) in its June 2015 report as follows:

"In June 2013, the Borno state authorities set up a civilian militia, the Civilian Joint Task Force (Civilian JTF), to work with the security forces in Borno state by identifying and helping to arrest Boko Haram members. The militia consists of boys and men aged between 14 and 30, paid for their services by the Borno state government and trained at the National Youth Service Corps camp by the military and the mobile police. The precise number of Civilian JTF members is difficult to verify; between 1,400 and 1,700 are registered and receiving salary. [...] Initially, the Civilian JTF were not given arms, but armed themselves with sticks and machetes. Since August 2014, Amnesty International (AI) has received reports that the Civilian JTF in Maiduguri are carrying locally made guns, and that they man checkpoints armed with these guns.

Most Civilian JTF members have joined voluntarily to protect their communities or to earn a livelihood, although some were forcibly recruited. Civilian JTF members play a key role in "screening" operations and mass arbitrary arrests, and have been involved, as Amnesty International (AI) has documented, in beatings and killings of detainees after arrest.

In response to a letter to Amnesty International (AI), the Chief of Defence staff denied that the Civilian JTF are “recruited or mobilized” by the military and stated that “they are not structured within the military”. In practice however, Civilian JTF members fall under military command. A document sent in July 2013 to Defence Headquarters from a commander of the JTF in Maiduguri asserts that the Civilian JTF operates “under close supervision of JTF troops” and “move from ward to ward within their locality to assist in the arrest of BHTs”. Further, “checks have been put in place by the JTF to align their operations through constant monitoring and review of their activities”. By July 2014, they had been organized in units, working in close coordination with the military units in their area. Each unit is headed by a chairman, who reports to the chairman of the local government area in which the unit is based.” (AI, June 2015, pp. 24-25)

Regarding the role of the Civilian JTF, Amnesty International (AI) explains in its June 2015 report:

“Civilian JTF members play a key role in “screening” operations and mass arbitrary arrests, and have been involved, as Amnesty International (AI) has documented, in beatings and killings of detainees after arrest.

As members of the Civilian JTF took on a more prominent role in arresting Boko Haram suspects, they increasingly became targets for Boko Haram. Boko Haram fighters have attacked communities where a Civilian JTF militia has been formed, killing anyone they suspected to be members of the Civilian JTF, and in some cases all young men and boys in these communities. [...]

The military frequently took Civilian JTF members on military operations. One Civilian JTF member told Amnesty International (AI) how he and five others joined 20 soldiers to take over a Boko Haram camp near Konduga in June 2014. The Civilian JTF were unarmed. The Boko Haram members fled, according to the Civilian JTF member, because they did not have enough ammunition.

According to various military documents, the military relied heavily on the Civilian JTF for its operations in the north-east. For instance, in its August 2013 report, the army’s Joint Investigation Team (JIT) mentioned the contribution of the Civilian JTF to the success of military operations. ‘The involvement of these Youth Volunteers crowned the OP [operation] with success not envisaged in the past.... Their efforts complemented that of the JTF which brought about substantial sanity, restoration of social and economic activities to Maiduguri metropolis.’” (AI, June 2015, pp. 25-26)

Regarding the initial activities of the Civilian JTF, Amnesty International’s (AI) 2015 report explains:

“Further, Nigerian authorities created a state-sponsored militia, known as the Civilian Joint Task Force (Civilian JTF). Civilian JTF groups were established in many towns in the north-east, recruiting unemployed young men with a monthly stipend paid for by the state government. These were authorized to stop and search people and hand over suspects to the military for arrest. The Civilian JTF also manned checkpoints and regularly joined the military in operations to arrest suspected Boko Haram members and also in military operations to attack the group.” (AI, 13 April 2015, p. 12)

On the same note, the International Crisis Group's (ICG) 2014 report provides an insight into the dynamics of the task force as follows:

"Since June 2013, operations in Maiduguri have been supported by civilian vigilantes, youths from city neighbourhoods who initially organised themselves into groups to patrol streets in search of Boko Haram. They stormed homes of known, and suspected, members, hacking them to death or manhandling and then handing them over to the military. Armed with machetes, axes, bows and arrows, clubs, swords and daggers, this "Civilian JTF" (CJTF) became instrumental in the anti-insurgent campaign. The vigilantes are organised into neighbourhood "sectors" under the supervision of JTF sector commands. Their success in helping to drive many insurgents out of Maiduguri and largely stopping Boko Haram killings and bombings in the city, residents said, was accompanied by human rights abuses.

In July 2013, the JTF spokesman said the military was "guiding and monitoring the activities of these youth groups". As part of this, it gave them ID cards and organized them into units in designated areas. Although the vigilantes are volunteers, they now receive a state stipend, and the JTF pays for treatment of injuries sustained in encounters with Boko Haram and gives financial assistance to the families of those killed in action. With their assistance, the security situation around Maiduguri has improved significantly. The CJTF has received praise from all quarters, including the military." (ICG, 3 April 2014, p. 34)

The CJTF involvement in the conflict is further described by the International Crisis Group (ICG), which describes an improvement in the security situation around Maiduguri:

"With their [the CJTF] assistance, the security situation around Maiduguri has improved significantly. The CJTF has received praise from all quarters, including the military. On 17 July 2013 President Jonathan called them "new national heroes". "We support, we commend, and we appreciate the efforts of the Youth Vigilante Groups called Civilian JTF in Borno state", said Lt. Colonel Sagir Musa, the JTF spokesman in Maiduguri at the time. The federal government needs to develop a coherent policy for dealing with the vigilantes, so that it can work with authentic community policing projects while stopping the continued expansion of unregulated armed groups; this also requires demonstrating that the state has sufficient capacity to restore law and order on its own. If the government fails to deal with this issue, militias could spread across the country, triggering more violence and further damaging the rule of law." (ICG, 3 April 2014, p. 35)

While the role of the CJTF has been expanded and acknowledged, concern has also been raised about increased reprisal attacks against the community, as described by the International Crisis Group (ICG):

"While the use of civilian vigilantes has won praise for helping to drive many Boko Haram members out of Maiduguri, residents complained the same CJTF harangued, insulted and manhandled motorists at checkpoints. The vigilantes' operations have also provoked increased insurgent reprisal attacks against them, as well as local communities suspected of collaborating with the security forces. Residents further fear that as the vigilantes include remnants of "ECOMOG" and "area boys" (many of them drugs users), they could eventually become another source of insecurity. The Borno state government has started giving them skills training so that they can become productively engaged. Unless these programs are continued, the government risks creating yet another group of unemployed youths with fighting skills." (ICG, 3 April 2014, p. 38)

### 3.4 *International Actors*

Human Rights Watch's (HRW) 2015 country report on Nigeria describes events leading to the involvement of international actors in the conflict as follows:

“Under both domestic and international pressure in the wake of the massive media attention that followed the April Boko Haram abduction of hundreds of teenage schoolgirls, the Nigerian government requested assistance to combat the insurgency. The plea led to increased involvement by international actors and created an opportunity to exert pressure on the Nigerian government over its dismal human rights record.

At the London ministerial meeting on security in Nigeria in June [2014], the United Kingdom outlined a substantial package of defense and development support to strengthen the capacity of the Nigerian military. The assistance includes provision of surveillance aircraft and the training of units to be deployed in counterinsurgency operations in the northeast. [...]

In September [2014], the US government also announced plans to launch a major border-security program for Nigeria, Cameroon, Chad, and Niger under the Global Security Contingency Fund launched by President Obama during the US-Africa Leaders' Summit. President Obama said that the US was committed to helping Nigeria address Boko Haram and urged Nigeria's government to adopt a comprehensive approach to protect its citizens. [...]

Navi Pillay, then-UN high commissioner for human rights, during a visit to Nigeria in March, emphasized the importance of transparent investigations into alleged violations by security forces in the northeast.

The prosecutor of the International Criminal Court (ICC) visited Nigeria in February, during which she reiterated her office's findings that Boko Haram is an armed group and the situation in northeast Nigeria is a non-international armed conflict. The situation in Nigeria has been under preliminary examination by the ICC since 2010.” (HRW, 29 January 2015, pp. 5-6)

With regards to the involvement of international actors in the conflict, the International Crisis Group (ICG) describes in its 2014 report:

“In July 2013, Chad's and Niger's foreign ministers agreed to reinforce security force and intelligence service cooperation. Boko Haram is also in Cameroon, as demonstrated by the kidnappings of French citizens in March and November 2013. [...]

The Cameroon government is beginning to suppress Boko Haram activities and increasing collaboration with Nigeria. During the May 2013 Nigerian offensive, Cameroon deployed around 1,500 troops of its Rapid Battalion Intervention (BIR), Infantry and Motorised Brigade (BIMA) and gendarmerie to the northern border. The BIR has an agreement with the Nigerian JTF that allows each to pursue bandits and criminals across the border for up to 8km.” (ICG, 3 April 2014, pp. 25-26)

Amnesty International's (AI) June 2015 report adds, “From mid-February 2015, the armed forces of Cameroon, Chad and Niger assisted the Nigerian military to push Boko Haram out of major towns in north-east Nigeria.” (AI, June 2015, p. 12)

The same source reported activities from the Cameroonian forces as follows:

“Boko Haram has repeatedly attacked locations in Cameroon, prompting a response from Cameroon. An agreement between Nigeria and Cameroon reportedly allows each country’s military to pursue Boko Haram fighters up to 8 km into the other’s territory. While attacks by Boko Haram remained relatively small scale, they increased in 2014. Schools in the north of Cameroon have closed. On 8 January 2015, the President of Cameroon called for greater international assistance in order to fight Boko Haram. In response, Chad sent troops to Cameroon.” (AI, June 2015, p. 112)

According to the International Crisis Group’s (ICG), “at the start of 2015, after Niger declared war on Boko Haram, the group launched conventional and suicide attacks on Diffa but was repulsed and also driven out of neighbouring Nigerian towns by Chadian troops.” (ICG, 25 June 2015, p. 6)

The Council on Foreign Relations also describes Chadian military participation in a March 2015 article, which describes:

“Additionally, the New York Times reports that Chadian troops retook the once-important town of Damasak from Boko Haram, but that no Nigerian troops were present. It also reports that Chadian officials are complaining about the lack of Nigerian military engagement and coordination. Furthermore, Chadian soldiers are worried that the territory will be re-occupied by Boko Haram when they withdraw, due to the absence of the Nigerian military.” (Council on Foreign Relations, 24 March 2015)

With regards to mercenary activity, an article from Al Jazeera published in March 2015 explains:

“A senior Nigerian non-commissioned officer, who is on active duty and was wounded by Boko Haram, tells Al Jazeera that foreign mercenaries are doing the bulk of the fighting in towns the Nigerian military says it has recaptured from the armed group. The NCO said that the Nigerian military still suffers from a lack of equipment and low morale, and that without the mercenaries’ help, these towns would still be held by Boko Haram fighters.

There have been numerous recent media reports that South African and other foreign mercenaries are assisting in the fight against Boko Haram. [...] The Nigerian government and military do not deny that foreign mercenaries are in the country, but officials insist that these foreigners are training, not fighting.” (Al Jazeera, 13 March 2015)

A May 2015 article from The Telegraph builds on this discussion and suggests:

“With their roots in South Africa apartheid-era security forces, they do not fit the standard image of an army of liberation. But after just three months on the ground, a squad of grizzled, ageing white mercenaries have helped to end Boko Haram’s six-long year reign of terror in northern Nigeria.

Run by Colonel Eeben Barlow, a former commander in the South African Defence Force, the group of bush warfare experts were recruited in top secrecy in January to train an elite strike group within Nigeria’s disorganised, demoralised army.” (Telegraph, 10 May 2015)

### *3.4.1 Multinational Joint Task Force*

The Multi-National Joint Task Force is a regional task force mandated by the African Union to combat the Boko Haram insurgency. It comprises military units from different countries in the

region. According to the United Nations Security Council's (UNSC) June 2015 Report of the Secretary-General, "The threat of Boko Haram to regional stability prompted neighbouring countries to react by conducting joint operations and coordinating efforts through a Multinational Joint Task Force composed of troops from Lake Chad Basin countries and Benin, and whose deployment was authorized by the African Union Peace and Security Council on 3 March 2015." (UNSC, 5 June 2015, p. 41)

The United States Commission on International Religious Freedom (USCIRF) also sheds light on the creation and development of the forces as follows:

"In February 2015, the African Union approved an 8,700-troop Multi-National Joint Task Force (MNJTF) composed of soldiers from Benin, Cameroon, Chad, Niger, and Nigeria, which successfully re-captured dozens of towns. Nevertheless, Boko Haram suicide bombings continue to occur almost daily throughout the north, and the group appears to be returning to the urban, guerilla campaign that categorized much of its activities in 2012 and 2013." (USCIRF, 31 January 2015, p. 103)

A June 2015 report from Jamestown Foundation added with regards to the force's activities:

"[following the elections] there were signs that Boko Haram's regional opponents were now ready to work out a common strategy through the revitalization of the Multi-National Joint Task Force (MNJTF), an anti-terrorist alliance of Nigeria, Chad, Niger and Cameroon, with a non-military representation from Benin.

Participating nations will begin deploying troops to the MNJTF on July 30, 2015. The force has a planned strength of 8,700 personnel while its operational zone will be split into three sectors. Each contributing nation will be responsible for equipping and maintaining their own units (*Vanguard* [Lagos], June 11). The post of MNJTF commander will be filled by a Nigerian until the end of the conflict with Boko Haram (a point Buhari insisted upon), while a Cameroonian will hold the post of deputy force commander and a Chadian will be the chief-of-staff. The latter two positions will rotate every 12 months. The task force's headquarters will be located in N'Djamena, the Chadian capital and headquarters for France's African security operations known as Operation Barkhane (*Punch* [Lagos], June 11; for Operation Barkhane, see *Terrorism Monitor*, July 24, 2014).

The first MNJTF commander is Major General Tukur Yusuf Buratai, whose most notable former posting was as the commander of Joint Task Force, Operation Pulo Shield, which targeted oil thieves and pirates in the Niger Delta region (*Daily Post* [Lagos], June 3). General Buratai may have a personal interest in destroying Boko Haram; while he was away commanding Joint Task Force operations in the southern Niger Delta in 2014, his large Borno State home was attacked and burned by Boko Haram militants, who also killed one guard (*Premium Times* [Abuja], February 20). Under President Jonathan, Nigeria pledged to cover the main cost of funding the MNJTF, a pledge President Buhari renewed in June with an offer of \$100 million (*Vanguard* [Lagos], June 11; *This Day* [Lagos], June 11)." (Jamestown Foundation, 26 June 2015)

A June 2015 report by Amnesty International (AI) describes the development of the task force's activities. It states:

"Since April 2012, the Multinational Joint Task Force, originally established in 1998 to deal with cross-border banditry and comprising troops from Chad, Niger and Nigeria, has also been

tasked with “the fight against Boko Haram Terrorism (BHT) in the Lake Chad Region.” The Multinational JTF has some 1,200 troops and reports to the Chief of Defence Staff.

Niger and Chad both withdrew from the Multinational JTF, but after the abduction of the schoolgirls from Chibok, the countries of the Lake Chad Basin Commission (LCBC) and Benin resolved to re-establish the Multinational JTF. The Multinational JTF will include battalions from each of the LCBC member states and Benin up to 10,000 personnel from the LCBC Member States and Benin. [...]

The Multinational Joint Task Force (Multinational JTF) was set up by Chad, Niger and Nigeria in 1998 to deal with cross-border banditry. In April 2012 its mandate was expanded to include “the fight against Boko Haram Terrorism (BHT) in the Lake Chad Region.” In 2013 and 2014 the armed forces of Chad and Niger respectively withdrew their troops from Multinational JTF bases.

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In this regard, Amnesty International’s (AI) January 2015 report equally explains how the force developed from a smaller military deployment to what it represents today:

“For several years, Chad, Niger and Nigeria have operated a Multi-National Joint Task Force (MNJTF) to provide border security between these nations and to combat Boko Haram. On 7 October 2014 the Lake Chad Basin Commission (LCBC) Member States and Benin decided to create a new MNJTF to combat Boko Haram. While the details of this new MNJTF remain unclear, the countries involved have requested authorization from the African Union and the United Nations. The MNJTF is being discussed at the African Union Peace and Security Council meeting on 29 January 2015.” (AI, 29 January 2015)

This expansion of the task force’s activities also reflects the support it has received from outside actors, including the United States, as an article from the International Business Times (IBT) suggests:

“The United States Monday pledged \$5 billion to support the fight against Nigerian terrorist organization Boko Haram and is looking for additional ways to support African governments to help eradicate the militant group. The additional funds will go to the Multinational Joint Task Force, a coalition of African countries whose focus is on fighting Boko Haram militants.” (IBT, 15 June 2015)

While the task force is composed of military units from different countries, Nigeria will command the international intervention, as pointed out by the Federal Office for Migration and Refugees (FOMR), in 15 June 2015:

“At a summit of the countries of the Lake Chad Basin Commission (Nigeria, Niger, Chad and Cameroon) and Benin, the delegates decided on 11 June 2015 in Abuja, the Nigerian capital,



(Cameroon: 81,100; Chad: 16,700; Niger: 40,700; Nigeria: 1,491,700), 152,900 Refugees (Cameroon: 74,000; Chad: 14,900; Niger: 64,000), 94,000 Returnees (Cameroon: 36,000; Chad: 16,400; Niger: 41,600) and 16,000 Nigerian returnees from Lake Chad islands.” (OCHA, 18 June 2015)

Other sources have also reported on the magnitude of the crisis, including the United States Commission on International Religious Freedom (USCIRF), which stated, “the United Nations reported that by the end of 2014 more than 700,000 Nigerians were internally displaced and 142,000 sought refuge in Cameroon, Chad, and Niger.” (USCIRF, 31 January 2015, p. 102). The UK Foreign and Commonwealth Office (FCO) further noted, “The UN estimates that over 1.5 million people have been displaced, and at least three million have been affected by the insurgency in north-east Nigeria.” (FCO, 12 March 2015). While exact figures may change according to the source, it is clear that the situation has had a deep impact in the lives of the people, especially those living in the northern regions of the country.

The Integrated Regional Information Networks’ (IRIN) “Beyond Boko Haram: Nigeria’s hidden crisis” presents a thorough overview of the current displacement situation in northern Nigeria as follows:

“The violence has driven at least 1.5 million people from their homes in the three conflict-affected northeastern states of Adamawa, Borno and Yobe. The vast majority have been taken in by friends and relatives in the main cities, but the hospitality has imposed a significant burden on their hosts. [...]

The insecurity has disrupted farming and markets across the northeast, with an inevitable impact on food availability. Between July and September, areas of southern Yobe, central and northern Borno, northern Adamawa and greater Maiduguri will face “emergency” levels of food shortages, one step below famine, according to the USAID-funded Famine Early Warning Network.

The UN’s Office for the Coordination of Humanitarian Affairs has reported projections of more than three million people in need. Nigeria is also the breadbasket for neighbouring countries, and a poor harvest will have a knock-on effect for the traditionally food insecure Sahelian region. [...]

Despite the military’s recent successes against Boko Haram, people are still on the move as a result of continuing, guerrilla-style attacks. Most are heading to the relative safety of Maiduguri, which is hosting 592,000 internally displaced persons (IDPs) – one-third of all IDPs in the north. [...]

Roughly 90 percent of all IDPs are staying within the community rather than the 42 sites run by the National Emergency Management Authority (NEMA). The agency is struggling to provide even minimum support to those in its care. While the majority of IDPs receive food rations, the sites – often public buildings, like schools – are overcrowded and lack proper sanitation and health services. [...]

In areas where the conflict has eased, such as Adamawa State, some people are preferring to take the chance of returning to their communities rather than endure the frustrations of squatting in an IDP camp or the compound of a relative, with little opportunity in either case to earn an income.” (IRIN, 5 June 2015)

On that account, a report from Amnesty International (AI) dating from February 2015 also noted:

“The humanitarian situation in the northeast deteriorated as a result of the violence. Since May 2013, at least 1.5 million people, mainly women, children and elderly people, were forced to flee to other parts of Nigeria or seek refuge in neighbouring countries. Families were separated, children were unable to attend school and many people were denied their source of livelihood. Host communities, government authorities and international organizations struggled to meet the humanitarian needs of displaced people. Two towns, Maiduguri and Biu, experienced cholera outbreaks in camps for the internally displaced, resulting in more than 100 deaths.” (AI, 25 February 2015)

The living conditions of the displaced population were documented in the June 2014 Secretary-General report to the United Nations Security Council (UNSC), which states:

“In north-eastern Nigeria, the humanitarian situation continued to deteriorate, with a spike in internal displacements. Nearly 4.2 million people are food insecure and 510,000 children under age 5 suffer from severe acute malnutrition.” (UNSC, 26 June 2014, p. 4)

The Internal Displacement Monitoring Centre (NRC/IDMC) describes some of the threats displaced populations face in a briefing paper dating from April 2015:

“Behind the statistics and incomplete assessments exist real and pressing needs. Displaced people, the majority of whom are women and children, face a range of threats to their lives, with reports of girls raped and forced into early marriage and thousands of boys forcibly recruited to fight. Many IDPs are traumatised by the violence that prompted them to flee and are afraid to return home. One of Boko Haram’s characteristic tactics of burning villages to the ground, as was the case in the deadly attacks on Baga and Doron Baga in January 2015, means many people do not have a home to go back to.” (NRC/IDMC, 16 April 2015, p. 2)

With regards to the main causes of displacement, the same source states:

“Today, the north-east is considered the epicentre of the crisis. There are 24.5 million people living in states under recurrent attacks by Boko Haram, where the militant group is reported to have killed more than a thousand civilians in the first three months of 2015 alone. The group’s brutal ambushes and heavy-handed government counter-insurgency operations have created an unprecedented humanitarian crisis in Nigeria’s north-east. Their actions have triggered massive population movements towards the Middle Belt region, where violence between communities has likely displaced hundreds of thousands over the past 15 years, and religious and ethnic tensions still run high.” (NRC/IDMC, 16 April 2015, p. 1)

## **4.1 Persons of concern to UNHCR**

### **4.1.1 Refugees and Asylum Seekers**

According to UNHCR’s January 2015 Nigeria Factsheet, 1,243 refugees and 877 asylum seekers currently reside in Nigeria. This number includes 891 persons of concern from the Democratic Republic of Congo, 356 Malians, 172 Cameroonians, 160 Ivorians, 110 Chadians, and 429 persons from other nationalities (UNHCR, January 2015).

Regarding refugees and asylum seekers originating from Nigeria, UNHCR's Nigeria overview notes that there are 178,314 Nigerian refugees spread around Chad, Niger, and Cameroon (UNHCR, September 2015). (See section 4.2 Displacement of Nigerians in neighboring countries).

In terms of access to asylum, the United States Department of State (USDS) explains that Nigeria is a party to both the 1951 Refugee Convention and the 1967 Protocol (USDS, 25 June 2015). The source further notes that "domestic law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees." (USDS, 25 June 2015).

Regarding the living conditions of refugees living in camps, a Reuters article published in March 2015 reported:

"Daniel Bolanos, Africa disaster management coordinator at the International Federation of Red Cross and Red Crescent Societies (IFRC), said thousands of people had been killed, injured and affected by violence this year. 'This is a humanitarian crisis which is not just affecting Nigeria but surrounding countries as well,' Bolanos said. [...]"

Those living in refugee camps in Cameroon and Niger were trading possessions for food due to a lack of aid, he added. More than 74,000 Nigerian refugees have crossed the border into Cameroon, according to U.N. estimates, including around 25,000 in February alone who escaped clashes between the regional military forces and Boko Haram insurgents." (Reuters, 27 March 2015).

Similarly, a January 2015 factsheet on Nigeria published by the European Commission (ECHO) added to the discussion and explained:

"Aid for the refugees and for the internally displaced (IDPs) remains insufficient. Most IDPs live in precarious conditions with little or no assistance. Urgent action is needed to significantly strengthen the humanitarian response to cover the basic needs of the most vulnerable among the displaced, particularly those in informal settlements." (ECHO, June 2015)

#### *4.1.2 Internally Displaced Persons*

With regards to internally displaced persons, or IDPs, the Central Intelligence Agency (CIA) World Factbook describes the main reasons for displacement as "Boko Haram attacks and counterinsurgency efforts in northern Nigeria; communal violence between Christians and Muslims in the middle belt region, political violence; flooding; forced evictions; cattle rustling; competition for resources." (CIA, 11 August 2015).

UNHCR's most recent figures, dating from September 2015, set the number of IDPs in Nigeria at 2,150,451 (UNHCR, September). The International Organization for Migration's (IOM) August 2015 Displacement Tracking Matrix report supported the same figures and added that the "majority of the IDPs are identified in Borno (1,650,799; 77%) followed by Yobe (195,918; 9%) and Adamawa (117,729; 5%)." (IOM, August 2015, p. 1).

The same source further noted that “the IDP population is composed of 53% of female and 47% of male. 58% of the IDP population are children and 28% less than 5 years old, 95.32% were displaced by insurgency. The majority of the current IDP population was displaced in 2014 (66.95%).” (IOM, August 2015, p. 1)

The increase in the number of IDPs was noted by the Internal Displacement Monitoring Centre (IDMC), in its figure analysis, which states:

“The increase in the first half of 2015 of the number of internally displaced people (IDPs) in Nigeria was due to ongoing violence in the north-east as well as the return of refugees who have not been able to settle back in their places of origin and are therefore considered as IDPs. The biggest rise in the number of IDPs was registered in Borno state, one of the three north-eastern states most affected by Boko Haram violence, followed by Adamawa and Yobe.” (IDMC, n.d.)

Reporting on the general living situation of IDPs, the Internal Displacement Monitoring Centre (NRC/IDMC) notes in their April 2015 briefing paper:

“Roughly 13 per cent of IDPs do not have the option of staying in host communities, and find themselves living in “displacement sites”, either government-run camps in cities, official or informal camps or transit centres. Over 40 such sites in Adamawa, Borno and Taraba states host more than 150,000 IDPs.

Women and children interviewed in over half of these sites say they do not feel safe. This fear has been corroborated by reports that unregistered girls are subject to rape and trafficking in displacement sites. In April 2015, an undercover journalist was offered to buy two young girls in a displacement site in Yola, Adamawa for \$500. IDPs are also often unable to meet their most basic needs, with sometimes erratic food distributions and only minimal access to safe drinking water and adequate sanitation.

Despite miserable conditions in displacement sites, IDPs still live in fear of having to evacuate them. Some have already been asked by host communities to leave; one group of IDPs living in Abuja for the past two years was recently given a three-week ultimatum to vacate the premises. In early April, the Nigerian government set up a committee tasked with creating a plan to relocate IDPs and close the camps.” (NRC/IDMC, 16 April 2015, pp. 3-4)

A June 2015 report of the United States Department of State (USDS) mentions Taraba, Gombe and Bauchi as the main receivers of IDPs and also explains:

“The National Emergency Management Agency announced that as of December it had registered more than 850,000 IDPs living at government-run relief camps throughout the country. The majority of IDPs, however, lived in host communities and were not included in the agency’s survey. Estimates by other agencies noted the number of IDPs in the country had surpassed 1.5 million. The majority of IDPs were victims of internal conflicts, including communal violence and Boko Haram attacks. Causes of displacement included boundary and border disputes, sectarian and communal violence, localized political violence, forced evictions, conflict in the Niger Delta and Plateau State, Boko Haram attacks in the North, the government’s use of force in its efforts to eliminate extremist sects, altered cattle grazing patterns due to weather change, and floods and other natural disasters. The government’s response to IDPs remained uneven, depending on the state affected. Federal NCRMIDP

budgets and state and federal emergency management resources were inadequate to meet victims' needs." (USDS, 25 June 2015)

The same source also noted that:

"These IDPs largely sought refuge with family members in other communities and were not supported by the government. In May the United Nations led an interagency multi-sector humanitarian needs assessment of Borno, Yobe, Adamawa, Gombe, Bauchi, and Taraba states. While figures varied wildly, the preliminary results of the assessment showed that as of June, an estimated 646,693 persons were displaced from the three state-of-emergency states [Borno, Yobe, and Adamawa]." (USDS, 25 June 2015)

Regarding the security situation around IDPs, a June 2015 report by Médecins Sans Frontières (MSF) explained:

"The security situation in Borno State remains extremely volatile and tense. There are more than one million internally displaced people (IDPs) in Borno, and around 400,000 of them currently live in Maiduguri, the main town of the region. Many are being helped by local communities, while 77,758 are gathered in 13 IDP camps in the city." (MSF, 22 June 2015)

The terrorism threat has also been reported around IDP camp sites, as described by UNHCR's 2015 May Regional Update:

"The Governor of Adamawa State Mr. Bala Ngilari recently stated that efforts undertaken to stifle the terrorist threat are far from over. IDP camps are now facing a significant threat, and the Governor has sounded the alarm. Most sites, he says, have been infiltrated by members of the sect disguised as IDPs, making it difficult to differentiate them from persons of concern. These occurrences also have been reported in other locations such as Maiduguri in Borno State." (UNHCR, 29 May 2015, p.1)

In order to respond to these challenges, a "taskforce on the establishment of an IDP Policy and legal framework in Nigeria, which was initiated by UNHCR, held its maiden meeting on 2 June at the UNHCR office in Abuja" (UNHCR, 5 June 2015, p. 2). The report goes on to add:

"The taskforce was briefed on the passage of the draft policy and domestication of the Kampala Convention. It also designated focal points for advocacy, capacity building and legislative reforms-related activities, in view of drafting a work plan. The Ministry of Justice has also agreed to share information on the steps being taken to domesticate the Kampala Convention." (UNHCR, 5 June 2015, p. 2).

The Humanitarian Response's Nigeria factsheet dating from May 2015 confirms this information further, adding that a Return Task Force had also been put in place, along with a survey of return trends to understand the possibility of IDPs returning home. (Humanitarian Response, May 2015, p. 1)

Regarding IDPs' ambitions following their displacement, a July 2015 report from UNHCR explains:

"Out of those IDPs who were surveyed, 42 per cent have reported that they wish to return to their areas of habitual residence, 35 per cent have expressed their wish to relocate and 22 per

cent to locally integrate. In Adamawa alone, as of 9 June, over 40,000 IDPs had been surveyed as to their intentions towards durable solutions and 89% per cent indicated their desire to return to their areas of habitual residence, while 6 per cent indicated a desire to relocate and 5 per cent to locally integrate. The number of IDPs in Adamawa intending to return to their areas of habitual residence has risen since 28 May, when data from protection monitoring indicated that 74% of IDPs intended to return.” (UNHCR, 3 July 2015, p. 2)

While terrorism has received much public attention for its impact and reach, child trafficking in IDP camps has also been identified as a major security threat. According to the United States Department of State’s (USDS) 2015 Trafficking in Persons Report:

“Nigeria is a transit point for West African children subjected to forced labor in Cameroon and Gabon. During the reporting period, an NGO alleged Nigerian officials subjected children in internally displaced person (IDP) camps in northeast Nigeria to labor and sex trafficking. A Nigerian soldier also allegedly engaged in the forced labor of a child. [...]

In response to an NGO’s report that Nigerian officials subjected children in IDP camps in northeast Nigeria to labor and sex trafficking, the government convened a multi-agency taskforce—including NAPTIP, security forces, and an international organization—to investigate the allegations; ultimately, the government concluded there was no evidence of child trafficking. The government did not report any other investigations, prosecutions, or convictions of government officials complicit in trafficking offenses; however, corruption at all levels of the government remained a pervasive problem.” (USDS, 27 July 2015)

An article by the International Centre for Investigative Reporting (ICIR), dating from January 2015, further confirms the situation and adds:

“Kingsley Ogar, staff of an international donor agency, who does not want his organisation named, confirmed that child trafficking is rife in the IDP camps. [...] “We went to deliver relief items in this particular IDP Camp and took a census so that we could come back the following day, which we did, only to realize that over a dozen of them were missing. They were mostly young children between the ages of 5 and 15. “Upon investigation we discovered that some “lords” in the camp were in partnership with the Lagos people to sell the kids. [...]

Many aid workers in the IDP camps allege that there is a conspiracy of silence, which encourages government officials in many of the IDP camps to continue to exploit the displaced persons. One aid worker pointedly accused officials of the National Emergency Management Agency, NEMA, the police and state government officials of being behind the child trafficking racket in the IDP camps. Since the same officials that these cases should be reported to are the perpetrators, many victims just keep quiet for fear of being sent out of the camp.” (ICIR, 29 January 2015)

For more information on human trafficking, please refer to section 5.11 of this compilation.

### 4.1.3 Returnees

According to Humanitarian Response’s Nigeria factsheet dated May 2015, refugees and IDPs have begun to return to their areas of habitual residence, especially in Adamawa State, Nigeria (Humanitarian Response, May 2015, p. 1). The factsheet further reports that:

“Though some assessments and surveys have been carried out, the magnitude of such return of IDPs is yet to be established, considering that most of the IDPs are living in locations without proper and systematic registration.” (Humanitarian Response, May 2015, p. 1)

The International Organization for Migration’s (IOM) Displacement Tracking Matrix in August 2015 referred to the figures of returnees among the IDP population in Nigeria as follows:

“According to results of the return assessments, a total of 262,324 IDPs returned to northern Adamawa (Mubi North, Mubi South, Michika, Maiha, Hong and Gombi). Most returnees were originally displaced in Adamawa (29%), Kano (17%), Nasarawa (12%), Gombe (9%) and Taraba (6%).” (IOM, August 2015, p. 5)

The security situation of Nigerian returnees has been exhaustively reported by various sources, including UNHCR, as follows:

“In Baga, Borno State, several IDP returnees have been injured and several are feared dead after sporadic insurgent attacks took place during the week.” (UNHCR, 5 June 2015, p. 2)

“Since Nigeria’s army began clearing large areas of the country’s northeast from Boko Haram, some of the 1.5 million internally displaced people have started returning home. But thousands could now face severe food shortages as reconstruction lags behind.” (Reuters, 10 May 2015)

“Nigerians returning from Cameroon after fleeing to the country to seek a safe haven from the deadly activities of Boko Haram insurgents in the North-East, have recounted their experience in the hands of Cameroonian police, who they accuse of theft. [...] Some of the returnees said they were manhandled by police officers in Cameroon and that their belongings and cash were forcefully taken by the armed men.” (Daily Post, 12 August 2015)

The Internal Displacement Monitoring Centre (NRC/IDMC) further notes, with regards to IDPs’ fear of return:

“Many IDPs are traumatised by the violence that prompted them to flee and are afraid to return home. One of Boko Haram’s characteristic tactics of burning villages to the ground, as was the case in the deadly attacks on Baga and Doron Baga in January 2015, means many people do not have a home to go back to.” (NRC/IDMC, 16 April 2015, p. 2)

Regarding the return of refugees from neighboring countries, an article by the Nigerian Government available through Relief Web dating from August 2015 explains:

“About 12,000 Nigerians, mostly from Borno State, who fled insurgency attacks in their communities to the Republic of Cameroun, have started arriving home through the border post in Sahuda, Mubi South, Adamawa State. The returnees are currently being screened by the Nigerian Immigration Service and the security agencies.” (Reliefweb, 5 August 2015)

All Africa has reported that returnees from Cameroon have faced additional problems returning to Nigeria:

“Thousands of Nigerian refugees who fled the Boko Haram insurgency in the North East were subjected to persecution by Cameroonian authorities.

Some of the returnees interviewed by Daily Trust on Sunday in Yola said they witnessed the death of women and children due to starvation and congestion at the transit camps and during their 24-hour journey in overcrowded trucks used for transporting cows before they were finally dumped at the Nigerian border.

It appears the refugees who were entitled to protection under the United Nations (UN) regulations suffered perpetual harassment and extortion from security forces in the host country” (All Africa, 16 August 2015)

Furthermore, information gathered by UNHCR and other sources also draw upon the issue of forced return of refugees to Nigeria as follows:

“UNHCR was ‘alarmed’ at reports of the attempted refoulement (forced return) of 111 people from northern Cameroon to Nigeria on October 5. During the incident, 15 people were reportedly killed and seven injured. The remaining 89 fled back to Cameroon and were detained.” (UNHCR, 30 October 2013)

“Niger troops have deported more than 3,000 Nigerian fishermen and refugees escaping Boko Haram, forcing them to undertake a brutal three-day trek in which at least a dozen people died, an official and witnesses said Wednesday. The refugees said they were compelled to return to Nigeria after Boko Haram last week attacked an island in Lake Chad.” (World Post, 6 May 2015)

“[...] amid the fluid military situation in border areas since Nigerian militants widened their campaign earlier this year, thousands of people have been deported or returned to Nigeria from Cameroon and Chad in July and August. These include 925 Nigerians sent home from Cameroon and Chad from July 9-11 and 50 Nigerians being screened by UNHCR at the Gourounguel transit camp on August 3.”(UNHCR, 14 August 2015)

#### *4.1.4 Stateless people*

The territorial dispute between Nigeria and Cameroon over the Bakassi peninsula has led to the loss of nationality of a number of people, as the Open Society Foundation’s (OSF) 2012 article explains:

“The peninsula of Bakassi has long been the subject of a territorial dispute between Cameroon and Nigeria. Now it shows what can happen to people when control over the territory where they live shifts from one country to another. Tens of Thousands of people, possibly more, who inhabited (and some of whom still inhabit) the peninsula have lost access to nationality or citizenship rights, and now live in a legal limbo.

In October 2002, the International Court of Justice (ICJ) in The Hague decided that Bakassi was part of Cameroon, not Nigeria. Until then, Bakassi had been part of Nigeria and was one of the 774 units of local government in the country. The United Nations subsequently mediated negotiations between Nigeria and Cameroon to ensure effective implementation of the ICJ decision.

Under the Greentree Agreement, Nigeria agrees to recognize Cameroon’s sovereignty over Bakassi and to withdraw its troops from the territory. In return, Cameroon guaranteed those living there “the exercise of the fundamental rights and freedoms enshrined in international human rights law and in other relevant provisions of international law.” In particular, Cameroon undertook not to compel Nigerian nationals to leave or to change their nationality. Cameroon

also agreed to respect their culture, language, beliefs; protect their property and customary land rights, and “take every necessary measure to protect Nigerian nationals living in the zone from harassment or harm.”

oday, most of its people have been “re-located” into the neighboring territory of Nigeria’s Cross-River State, a mere 20 minute’s boat ride away. In elections for the office of Governor of Cross-River State in March 2012, the former inhabitants of Bakassi (now displaced into the Nigerian State to which they always belonged) were unable to vote: they were no longer on the voters’ register, their settlements no longer existed in Nigeria, and they had no means of proving their entitlement to vote. On voting day on 25 February, they took to the streets to protest over their apparent statelessness.” (OSF, 2 April 2012)

According to an article published in February 2015 by the News Agency in Nigeria (NAN), UNHCR’s Country Representative Ms Angele Dikongue-Atanga has claimed that:

“Bakassi people were at the risk of being stateless as a result of the International Court of Justice ruling that ceded the territory to Cameroon. Many of the displaced persons from the Peninsula are settled in Cross Rivers, Bayelsa, Rivers, and Akwa Ibom with the predicament of not having a nationality. From my interaction with them, they want to return to their fatherland, which is the Bakassi Peninsula, that has already been ceded to Cameroon but they are Nigerians and want to remain Nigerians.” (NAN, 27 February 2015)

For more information on the Bakassi conflict, please refer to section 2.3 of this compilation.

#### **4.2 Displacement of Nigerians in the neighboring countries**

Attacks by Boko Haram in border regions have been the cause of displacement in neighboring countries, as reported by UNHCR’s October 2014 update:

“As the security situation in the northeastern part of Nigeria remains uncertain and volatile, internal and external displacement continues to escalate. Following attacks by the insurgents in Borno, Yobe and Adamawa in late August 2014, more than 10,000 Nigerians fled to Cameroon, Chad and Niger. In May 2014 the National Assembly renewed the state of emergency in Adamawa, Borno and Yobe states for a further six-month period.” (UNHCR, October 2014, p. 1)

According to UNHCR’s September Regional Overview, there are 178,314 Nigerian refugees in the neighboring countries. It is important to note that this number also includes displaced persons from Nigeria claiming to be Niger nationals with lack of document. (UNHCR, September)

A briefing paper by the Norwegian Refugee Council/Internal Displacement Monitoring Centre (NRC/IDMC) discusses the relationship between Nigerians and the communities living in the neighboring countries as follows:

“Ethnic groups living in north-east Nigeria share roots with the residents of the Far North region of Cameroon, Chad’s Lake region and the Diffa region in Niger, where most refugees have settled. However, as the conflict endures and people flee further afield, their chances diminish of having prior connections with host communities, which could decrease the willingness of the residents to accommodate them.” (NRC/IDMC, 16 April 2015, p. 3)

A report from the Secretary-General on the activities of the United Nations in West Africa dated June 2015 further explains the situation and added:

“Violence and conflict have triggered a new surge in large-scale displacements in the Lake Chad Basin area. In the north-east of Nigeria, nearly 1.5 million people have been displaced by the Boko Haram insurgency, an increase of 28 per cent since the start of the year. Nearly 60 per cent of those displaced are persons under 18 years old. The majority of those displaced persons live in host communities, and the remainder live in camps or camp-like sites. Meanwhile, food insecurity has worsened, and in the coming months some 3 million Nigerians in the north-east are expected to require assistance. An estimated 157,000 refugees and 53,000 returnees have fled to Cameroon, Chad and the Niger, putting an additional strain on highly vulnerable host communities. Insecurity and logistical constraints continue to hamper humanitarian access in Nigeria, particularly in areas liberated from Boko Haram by the Multinational Joint Task Force.” (UNSC, 24 June 2015, p. 6)

#### 4.2.1 Cameroon

According to UNHCR’s September 2015 Regional Update, there are currently 58,569 refugees displaced in Cameroon as a result of the security situation in Nigeria (UNHCR, September). According to UNHCR’s August Overview of the Nigeria situation, most of the displaced population (around 45,000 persons) reside in Minawao Refugee Camp (UNHCR, 4 August 2015).

A thorough overview of the situation in the country is presented by UN News’ July article, which states:

“On average, some 100 people daily are registering at UNHCR’s Minawao camp in Cameroon - opened in July 2013 - causing a population surge from about 30,000 late last year to approximately 44,000 today. [...]

The arrivals at the camp are mainly Nigerian nationals who have previously fled to Cameroon to escape violence in north-east Nigeria, but stayed near the border - hoping for a quick return home. In recent weeks, there have been attacks and clashes on Cameroon territory, including a suicide bombing on 12 July, the first such attack in the country, on the far-northern town of Fotokol.

As part of its response to this unrest, the Government of Cameroon has begun registering Nigerian refugees in the immediate border area. UNHCR field staff reported that the registration process provoked fear among some refugees that they might be returned to Nigeria against their will. [...]

Many of the newcomers were being temporarily sheltered in a tarpaulin-construction school area currently closed for summer break. Although the school is due to reopen in September, a wood shortage will prevent the construction of community or family shelters for them.” (UN News Service, 21 July 2015)

UNHCR’s regional update from June 2015 also describes the security situation in the region:

“Cameroonian authorities in the Far North continue to reinforce border areas with security and defense personnel.

In the Minawao camp, three presumed insurgent members were arrested and detained in Mokolo jail on 10 June by police officers ensuring camp security. This intervention followed a denunciation by refugees who reported having seen the suspects arrive spontaneously in the Minawao camp from Banki, Nigeria (95km from Maroua). UNHCR Maroua is monitoring the case alongside Mokolo police department to find out more information on the suspects’ identities and intentions, to better adjust risk mitigation techniques already in place for the Far North region.” (UNHCR, 12 June 2015, p. 4)

On the same note, Médecins Sans Frontières (MSF) added:

“Some miles east, in Cameroon, the security situation along the border with Nigeria remains volatile, with regular incursions from Boko Haram. Refugees continue to arrive on a daily basis in the camps established by national authorities in the Extreme North region. 40,000 refugees settled in the two camps of Minawao and Gawar [...]

“The increase in the population caused by this frequent displacement poses a real risk to the food insecurity in the area,” says Hassan Maiyaki, MSF head of mission in Cameroon.” (MSF, 22 June 2015)

The security of persons of concern living in camps was also documented in UNHCR’s June regional update as follows:

“In the Minawao camp, three presumed insurgent members were arrested and detained in Mokolo jail on 10 June by police officers ensuring camp security. This intervention followed a denunciation by refugees who reported having seen the suspects arrive spontaneously in the Minawao camp from Banki, Nigeria (95km from Maroua). UNHCR Maroua is monitoring the case alongside Mokolo police department to find out more information on the suspects’ identities and intentions, to better adjust risk mitigation techniques already in place for the Far North region.” (UNHCR, 12 June 2015, p. 4)

Besides the frequent incursions of Boko Haram soldiers into the country, in July 2015, two suicide attacks were reported in Maroua, northern Cameroon, as described by the Guardian:

“Twin suicide attacks in Maroua, northern Cameroon, killed at least 11, while 42 lost their lives in a series of blasts at two bus stations in Gombe, north-east Nigeria. [...] The attack in Cameroon saw two girls aged under 15 bomb the central market in Maroua and its adjoining Hausa neighbourhood, said regional governor Midjiyawa Bakari.” (Guardian, 23 July 2015)

As of August 2015, the situation in the region is presented in UNHCR’s regional update below:

“In Cameroon, the security situation in the Far North has sharply deteriorated during the reporting period. Insurgents persistently launch assaults on Cameroonian soil especially in the Mayo Sava and Logone et Chari Departments, in search of sustenance and logistical resources, such as vehicles, to facilitate their mobility.” (UNHCR, 17 August 2015, p. 1)

Regarding the issue of forced return, UNHCR notes:

“Authorities in Nigeria have been receiving several Nigerian nationals expelled particularly from Cameroon via the border area. UNHCR continues to work with authorities to advocate for and support full compliance of return movements with international standards aimed at ensuring the voluntariness of return and the dignity and security of returnees.” (UNHCR, 4 August 2015)

#### 4.2.2 Chad

According to UNHCR’s July update on Nigeria, the Lake Region is where most refugees are currently concentrated. The report goes on to add that:

“Chadian authorities estimate 13,384 refugees in the Lake Region, 8,731 of whom have been registered by UNHCR and the Commission Nationale d’Accueil et Reinsertion des Refugies et des Repatries (CNARR) and are currently living at the Dar Es Salam site. Remainder chose not to move to the site. Humanitarian assessment missions in the Lake Region estimate 12,015 IDPs. An Inter-Agency mission estimates some 8,707 Chadian returnees present in the Lake Region.” (UNHCR, 3 July 2015, p. 4)

More specifically concerning the Boko Haram insurgency, Chad currently hosts 14,162 refugees fleeing the Nigeria emergency situation, half of which (7,139 refugees) are hosted in the Dar Salam Refugee Camp (UNHCR, 4 August 2015).

UNHCR refers to additional figures as follows:

“The humanitarian community estimates that there are about 15,000 refugees in the Lake Region, of which 9,115 have been registered by UNHCR. Out of these, 7,139 refugees composed of 6,715 Nigerians and 424 Niger refugees are currently living in the Dar Es Salam site. The remainder chose to undertake economic activities in the surrounding villages and not move to the site. IOM have registered 13,488 IDPs, and 8,939 Chadian returnees in accessible areas in the Lake region.” (UNHCR, 17 August 2015, p. 4)

Regarding the displacement situation in Chad, the same source also explains:

“There have been multiple insurgent attacks and communal tensions on Lake Chad in the past month. Thousands of people have been forced to flee from villages on Lake Chad’s islands towards the mainland. Those affected have been regrouping in various locations on the coast and further inland.” (UNHCR, 17 August 2015, p. 1)

This information is further supported by Médecins Sans Frontières (MSF):

“According to the UNHCR, 18,000 refugees from Nigeria fled insecurity in their country. They arrived in Lake Chad, one of the poorest regions in the country, which has low vaccination coverage and a high risk of epidemics.

Boko Haram represents a threat to Chad, and is active around Lake Chad, resulting in a deteriorating security situation. In February, the group carried out an attack in Ngouboua, causing thousands of residents and refugees to flee for safety. Most recently, on June 15, two bombings allegedly linked to Boko Haram took place in the capital, N’djamena, killing 27 people and wounding 101.” (MSF, 22 June 2015)

In a briefing paper dating from April 2015, the Norwegian Refugee Council/Internal Displacement Monitoring Centre (NRC/IDMC) argued that:

“In Chad, Boko Haram attacks in the Lake region in February 2015 forced at least 14,500 people to flee their homes. These movements, combined with the thousands of Nigerians and returning Chadians who have fled Nigeria since 2012, have drained the already meagre resources of host communities.” (NRC/IDMC, 16 April 2015)

### 4.2.3 Niger

UNHCR describes the situation in Niger its June 2015 report as follows :

“The security situation has been calmer in the Diffa region as insurgents are reported to have changed their modus operandi. Indeed, rather than carrying out mass attacks, the group is now using explosive devices to attack sporadically and in isolation. The apparent calm is a lull in a cyclical pattern of violence, and humanitarian workers have been encouraged to remain vigilant and follow strict security rules. [...] The Government of Niger has estimated that the insurgency-related population of Nigerian refugees and returnees from Niger has reached 100,000. It also estimates the IDP population to be some 50,000.” (UNHCR, 12 June 2015, p. 3)

With regard to the number of refugees residing in Niger as a result of the Nigeria situation, UNHCR estimates the figures to be around 30,000; while the overall displaced population amounts to 100,000 - including IDPs and returnees (UNHCR, 4 August 2015). The source further notes that over 3,500 persons currently reside in two camps: Kablewa Refugee camp and Sayam Forage camp.

The displacement situation in Niger is further described by the Integrated Regional Information Networks' (IRIN) June 2015 report which states:

“Nigerian families first began seeking refuge in Niger in 2013, but Boko Haram-related violence in the region has spiked in recent months, causing the number of refugees to balloon and leading to a fast-growing humanitarian crisis that garners little international media attention.

An estimated 150,000 displaced people in Diffa are in urgent need of greater humanitarian assistance, including food, aid agencies say. Boko Haram attacks have now reached Diffa town itself, meaning those who had been hosting refugees are now becoming displaced themselves. [...]

Most refugees have little to no access to health care or education and are still short of basic necessities, including water and shelter. Food security assessments are still being completed, but at least 65 percent of the displaced people, including refugees, returnees and internally displaced people (IDPs), say they don't have adequate access to food, according to Save the Children. [...]

The UN's refugee agency, UNHCR, has helped to relocate a few hundred people to the camps, but an estimated 60 percent of the displaced remain “homeless,” living in makeshift shelters built around trees, according to the latest assessment by the International Red Cross. [...]

People in Diffa, where nearly half the population live on less than \$1.25 a day and malnutrition rates are among the highest in Africa, were already struggling to survive. Now, local families are sharing their limited food stocks with the refugees.” (IRIN, 29 June 2015)

Médecins Sans Frontières (MSF) also discussed the situation and added:

“According to Office for the Coordination of Humanitarian Affairs (OCHA), there are 175,000 displaced people in southeast Niger’s Diffa region. Many arrived recently, after authorities urged the population settled on the Lake Chad islands in Niger to leave the area following a deadly attack carried out by Boko Haram. Around 25,000 people are now settled in two camps, one in Bosso and another one in Nguigmi, two towns located near the lake. /50/

The potential for a cholera outbreak is a concern as the rainy season starts and sanitation conditions in the camps deteriorate. Additionally, a peak of malnutrition and malaria cases is expected during the approaching hunger gap period. ‘The main needs are shelter, water, sanitation, health, and protection,’ says Aissami Abdou, MSF field coordinator in Diffa. ‘However, there are still a few organizations working in the area.’ (MSF, 22 June 2015)

Regarding the specific situation in Diffa region, a report from the Secretary-General on the activities of the United Nations Office for West Africa, dating from June 2015 noted:

“Since the beginning of the year, the authorities of the Niger have witnessed a dramatic increase in refugees and returnees to the south-western region of Diffa. The overpopulation of Diffa, the unstable security environment and limited humanitarian access and resources have led to increased tension within local communities. This has been compounded by concerns over the possible infiltration of Boko Haram militants in the area and the group’s recruitment of fighters from among the returnees and refugees. [...]

In the Diffa region, insecurity and an influx of people fleeing the Boko Haram insurgency have exacerbated a situation that is already fragile due to the poor agricultural season. The vast majority of the 66,000 internally displaced persons and 105,600 refugees from Nigeria live with host families and have very limited access to humanitarian assistance. To compound the situation, the meningitis outbreak in Niamey and in the Dosso region has reached an epidemic level, with over 6,000 suspected cases since the beginning of 2015, compared with 154 cases in 2014.” (UNSC, 24 June 2015, pp. 5-6)

Reporting on the possibility of refugees to obtain legal status in Niger, an article by the Integrated Regional Information Networks’ (IRIN) dating from June 2015 further explains:

“In order to attain legal status as a refugee and receive the full benefits in Niger, such as food aid and access to the camps, Nigerians are supposed to have the correct documentation. [...]

According to Niger’s interior ministry, more than 60 percent of displaced people no longer have identification documents to prove their nationality. “No birth certificate or no identity document means the basic rights of the target population will be violated and they cannot fully enjoy their rights [as refugees], and also risk becoming stateless,” Alassane Seyboune, secretary general at the interior ministry, told IRIN. [...]

Niger’s national refugee commission, with support from UNHCR, says it has registered more than 10,000 refugees since mid-March and aims to reach 200,000 by the end of the year. This is an ambitious goal as it is difficult to access certain communities in the Diffa region due to the ongoing Boko Haram threat.

“Diffa is a special situation, as it’s not a traditional humanitarian response where you have camps where refugees stay,” Sawadogo said. “With camps, it’s easier to count them, easier to monitor the situation, easier to provide aid. The humanitarian community is working hard on

that, but the challenge is still there to figure out how many people there are and how can we best help.” (IRIN, 29 June 2015)

## 5 Situation of Human Rights

According to the United States Department of State (USDS), Boko Haram committed the most serious human rights abuses in 2014: “[it] conducted numerous attacks on government and civilian targets throughout the country, resulting in thousands of deaths and injuries, widespread destruction, forced internal displacement, and the flight of more than 100,000 refugees to neighboring countries.” (USDS, 25 June 2015). The report also adds:

“In its response to Boko Haram, and at times to crime in general, security services perpetrated extrajudicial killings and engaged in torture, rape, arbitrary detention, mistreatment of detainees, and destruction of property. The country also suffered from widespread societal violence, including ethnic, regional, and religious violence.” (USDS, 25 June 2015)

Zeid Ra’ad Al Hussein, the United Nations High Commissioner for Human Rights, described the human rights situation in Nigeria during a special meeting of the Human Rights Council on 1 April 2015 as follows:

“The appalling atrocities committed by the Boko Haram insurgency had created a critical human rights situation in northern Nigeria and the Lake Chad region. Since 2009 when the Boko Haram group began massive violence, at least 15,000 individuals had been killed. Women and girls had been particularly targeted and subjected to horrific abuse, including sexual enslavement. Villages and towns had been looted and destroyed. Boko Haram had a specific animus against schools and had destroyed at least 300 schools, killed numerous students and abducted hundreds of schoolgirls. More than a million people were displaced in Nigeria, and at least 168,000 had fled to neighbouring countries. It was thus essential that the authorities and the international community step up their efforts to respond adequately to the needs of victims. Since the farms of northern Nigeria provided produce across the Sahel, the actions of Boko Haram had given rise to a sharp increase in prices of basic foods across the region.

What was initially a localized crisis was fast growing to very disturbing regional dimensions. In Nigeria, Boko Haram had been operating across broad swathes of territory in Borno, Adamawa and Yobe states. The current dry season had also intensified its incursions into neighbouring Cameroon, Chad and Niger, spreading bloodshed and desolation even more widely. In recent weeks, military offensives by Nigeria, Cameroon, Chad and Niger had led to the recapture of several towns in northeast Nigeria. This had brought to light gruesome scenes of mass graves and further evident signs of slaughter by Boko Haram. The High Commissioner’s Office had also received multiple reports that Boko Haram fighters who were retreating from the advance of the joint forces murdered their so-called “wives” – in fact, women and girls held in slavery – and other captives as Government troops advanced.” (UNOG, 1 April 2015)

On that account, the same report also stated:

“The growing ethnic and sectarian dimensions of the conflict were also worrying. Christian communities were targeted, but the majority of the victims of Boko Haram were Muslims. As Boko Haram’s original leader was from the Kanuri ethnic group, the Office of the High Commissioner for Human Rights had received reports that Kanuris were now considered suspect by some military personnel, resulting in arbitrary arrests and abuse. Accordingly, there

was a high risk of escalating ethnic and religious violence, which could only be stopped by principled leadership and clear instructions to military personnel, with appropriate accountability” (UNOG, 1 April 2015)

A June statement from the High Commissioner for Human Rights further acknowledged the human rights abuses taking place in Nigeria and added:

“My predecessor, Navi Pillay, during her visit to Nigeria last year said that many of the people she met openly acknowledged that human rights violations had been committed by the security forces, and that these have served to alienate local communities and created fertile ground for Boko Haram to cultivate new recruits,” [...] Since then we have continued to receive reports of arbitrary arrests and detention, torture and summary executions, as well as of a failure to take adequate measures to ensure the protection of civilians during counter-insurgency operations. Reports issued by international NGOs, as well as the National Human Rights Commission of Nigeria indicate that the scale of the violations may be massive.” (OHCHR, 5 June 2015)

## **5.1 Arbitrary or unlawful deprivation of life**

### **5.1.1 Government and related forces**

The Nigerian security forces have been accused of committing serious human rights abuses in the context of their operations against Boko Haram. Reporting on arbitrary or unlawful deprivation of life, the United States Department of State (USDS) described in its 2015 Country Report on Human Rights Practices:

“The government and its agents committed numerous arbitrary or unlawful killings. The national police, army, and other security services committed extrajudicial killings and used lethal and excessive force to apprehend criminals and suspects as well as to disperse protesters. Authorities generally did not hold police, military, or other security force personnel accountable for the use of excessive or deadly force or for the deaths of persons in custody. The reports of state or federal panels of inquiry investigating suspicious deaths were not published.

Security force use of excessive force, including use of live ammunition, to disperse demonstrators resulted in numerous killings during the year. On July 25, soldiers in Zaria, Kaduna State, allegedly opened fire on a procession of followers of Sheikh Ibrahim El-Zakzaky, the leader of the Shia group Islamic Movement of Nigeria, who were celebrating Quds day. The soldiers reportedly killed 35 persons, including three of El-Zakzaky’s sons. The army stated it would open an investigation into the killings. As of December there was no indication that authorities had charged anyone with the killings.

In September 2013 Department of State Service (DSS) operatives and a unit of the army killed eight civilians and injured an additional 11 persons who were squatting in an unfinished house in the Apo district of the FCT. The DSS claimed the victims were members of Boko Haram and that the incident resulted from an investigation by the DSS and the army into a weapons cache allegedly buried on the property. State security leadership further defended the action as self-defense in response to being shot at upon arrival at the house. The government had not charged any individuals in connection with the killings. On April 8, in its first decision made pursuant to the powers conferred on it by the National Human Rights Commission Act, 2010, the National Human Rights Commission (NHRC) found in favor of the victims. The NHRC’s decision stated there was no proof the victims were involved with Boko Haram. Further, the NHRC ordered the government to pay each of the deceased victims’ families 10 million naira

(\$54,000) and each of the injured survivors five million naira (\$27,000). In addition the NHRC ordered the government to bring the Rules of Engagement governing its security services into compliance with international humanitarian law governing domestic armed conflicts. The government appealed the NHRC's decision, and the proceedings were open as of December." (USDS, 25 June 2015)

The military arrested Mohammed Yusuf on 30 July 2009 in Maiduguri, handed him over to the police and by the end of the day, he had been killed in police custody. The police announced he had been killed while trying to escape. Photographs of his body suggested that he had been handcuffed at the time of his death. The government admitted at the Human Rights Council in Geneva on 13 August 2009 that Mohammed Yusuf had been "killed in police custody." A committee set up in August 2009 to 'investigate the circumstances leading to the crisis including the alleged killing of the leader of Boko Haram ...' has not made its findings public. To date, no one has been held accountable for his murder. After the July 2009 crackdown, Boko Haram members went underground or into exile." (AI, 13 April 2015, p. 10)

The United States Department of State (USDS) reported on the issue in its 2014 'Country Report on Human Rights Practices' as follows:

"The national police, army, and other security services committed extrajudicial killings and used lethal and excessive force to apprehend criminals and suspects as well as to disperse protesters. Authorities generally did not hold police, military, or other security force personnel accountable for the use of excessive or deadly force or for the deaths of persons in custody.

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During the year security services under the command of the army's 7th Division, the national police, the DSS, and other commands committed numerous killings. According to eyewitnesses and press and NGO reports, the 7th Division personnel allegedly committed numerous killings in Borno and Yobe states, often after attacks by Boko Haram.

According to press and NGO reports, the army's 7th Division illegally detained and killed suspected members of Boko Haram in the Giwa Barracks military facility in Maiduguri, Borno State, and Sector Alpha and the Presidential Lodge facilities in Damaturu, Yobe. Former detainees alleged that torture, starvation, and other forms of mistreatment by security services

led to the death of detainees in some cases. Authorities publicly denied the claims, describing them as inaccurate or unbalanced.

On August 5, AI released a report and claimed it had video footage showing members of the military, including members of the 81st Battalion, and the C-JTF carrying out extrajudicial executions of detainees and disposing of the bodies in mass graves around Maiduguri on or about March 14. (USDS, 25 June 2015)

Nigerian security forces were also accused of burning villages in an attempt to find Boko Haram militants, as reported by Human Rights Watch (HRW):

“Nigerian security forces failed to take all feasible precautions to protect the civilian population in their military operations against Boko Haram.

In December, Nigerian security forces attacked and burned down the village of Mundu near a Boko Haram base in Bauchi State, witnesses told Human Rights Watch, leaving 5 civilians dead and 70 families homeless. Villagers told Human Rights Watch that Boko Haram was not present in the village when it was attacked.

“The soldiers were shouting in what sounded like English, which most of us did not understand,” the village leader told Human Rights Watch. “We all began running when the soldiers started shooting and setting fire to our homes and other buildings. We returned two days later to find five bodies.” The dead included an 80-year-old blind man burned in his home, a homeless woman with mental disabilities, two visitors attending a wedding in the village, and a 20-year-old man, all of whom were shot.

Army authorities in Abuja said they were unaware of the incident when presented with Human Rights Watch’s findings on March 11, but said they had ordered military police to investigate the claims.” (HRW, 26 March 2015)

Amongst the most notorious cases of arbitrary executions by government authorities is the 14 March incident, as exposed by Amnesty International’s (AI) report “The State of the World’s Human Rights – Nigeria”:

“On 14 March, Boko Haram gunmen attacked the Giwa military barracks in the town of Maiduguri, freeing several hundred detainees. Witnesses said that as the military regained control of the barracks, more than 640 people, mostly unarmed recaptured detainees, were extrajudicially executed in various locations in and around Maiduguri. One of those executions, captured in footage, shows people who appear to be members of the Nigerian military and the Civilian Joint Task Force (“Civilian” JTF) using a blade to slit the throats of five detainees, before dumping them in an open mass grave. Nine people were killed this way and, according to witnesses, other detainees seen in the video were shot.

The government announced investigations into the 14 March events. However, the mandate, composition or timeline of the panels of inquiry had not been made public by the end of the year.

Nigerian security forces repeatedly carried out extrajudicial executions, often following the “screening” of suspects. For example, on 23 July 2013 the Nigerian armed forces and the “Civilian” JTF entered Bama central market and told all adult men in the vicinity to gather in one area and take off their clothes. The men were put into two groups – one group of around 35

men were designated, seemingly at random, as Boko Haram members and another group of up to 300 deemed to be innocent. A video showed the alleged Boko Haram members lying down side by side on the ground, being beaten with sticks and machetes by members of the military and “Civilian” JTF. Eyewitnesses confirmed that the 35 captives were loaded onto a single military vehicle and taken away to the local military barracks in Bama. On the afternoon of 29 July, military personnel took the men out of the barracks and brought them to their communities, where they shot them dead, several at a time, before dumping their bodies. All 35 captives were killed.” (AI, 25 February 2015)

UNHCR’s October 2014 report on displacement in the northeastern region of Nigeria discusses the organization’s concern with these practices:

“Of particular concern are extrajudicial executions reported to have been carried out by members of the security forces, as well as the reported burning of homes of civilians who are suspected of collaborating with the insurgents. Moreover, popular militias that have emerged to fight the insurgents have also been accused of widespread abuses. According to the Government, these militias are not part of the Government forces. Concerns have been expressed about the activities of these groups, since they operate outside of the rule of law, chain of command and accountability of the security forces.” (UNHCR, October 2014, p. 3)

For detailed information on the involvement of government forces in the conflict, please refer to section 3.2 of this compilation.

### *5.1.2 Boko Haram*

Regarding the human rights abuses committed by Boko Haram, the United States Department of State (USDS) noted in its 2014 report:

“Boko Haram committed drive-by shootings and bombings; killed security personnel and civilians, including local officials, religious leaders, political figures, and the general public; abducted men, women, and children and forced them to fight for the group or serve as domestic and sex slaves; bombed churches and mosques; coordinated attacks on police stations, military facilities, prisons, banks, and schools; and conducted suicide bombings, which resulted in the deaths of thousands of persons, including civilian deaths. The rate of violent deaths at the hands of Boko Haram increased during the year to its highest levels since the insurgency began in 2009. Estimates of the number of Boko Haram victims varied, but based on available data, as of December nearly 4,000 persons had been killed as a result of Boko Haram attacks and the security response to the insurgency. According to news reports, as of December Boko Haram controlled several villages and towns in Borno (Gamboru Ngala, Dikwa, Gwoza, Marte, and Bama), Adamawa (Madagali), and Yobe (Buni Yadi).

The terrorist group continued almost daily attacks on villages and cities in the three state-of-emergency states of Borno, Yobe, and Adamawa. It also carried out attacks resulting in mass casualties among civilians in Abuja, Kaduna, Kano, and Plateau states. Between April and June, Boko Haram carried out three separate bombings in the FCT. On April 14, it detonated a car bomb at the Nyanya Motor Park, a bus station located approximately seven miles from central Abuja, killing at least 70 persons; on May 2, it detonated another car bomb in Nyanya, killing at least 19 persons; and on June 25, it bombed the popular shopping center Banex Plaza in the Wuse district of Abuja, killing at least 21 persons.” (USDS, 25 June 2015)

According to the United States Commission on International Religious Freedom (USCIRF) January 2015 report “from May 2011 through December 2014, Boko Haram killed more than 8,400 persons; another 7,900 were killed in fighting between Boko Haram and Nigerian security forces.” (USCIRF, 31 January 2015, p. 102).

Amnesty International’s (AI) report “Nigeria: Horror in numbers” dated June 2015, provides a different figure, and notes that “more than 5,500 people [were] killed by Boko Haram between 2014 and March 2015.” (AI, 3 June 2015).

For detailed information on the involvement of Boko Haram in the conflict, please refer to section 3.1 of this compilation.

## **5.2 Disappearance / Abduction / Imprisonment**

According to Amnesty International’s (AI) June 2015 report, Boko Haram has abducted at least 2,000 girls and young women since 2014 (AI, 3 June 2015). Abductions were also reported by the United States Department of State’s country report on Nigeria in the Niger Delta and Southeast regions (USDS, 25 June 2015). The report further explains:

“Other parts of the country also experienced a significant increase in abductions. Prominent figures were often targets of abduction, largely due to their wealth. Kidnappers rarely announced political motives for abductions.

Citizens and media reports accused security services of forced disappearances of young men, who allegedly were held in detention centers in Borno and Yobe states or killed.” (USDS, 25 June 2015)

With regards to abductions linked to terrorism, the same report notes:

“The number of kidnappings linked with terrorism increased during the year. Boko Haram abducted men, women, and children, often in conjunction with large-scale attacks on communities. The group forced men and boys to fight on its behalf and forced girls and women into domestic and sex slavery. The group also forced some women to join the fighting. A report published by HRW on October 27 stated a female victim of Boko Haram who escaped from one of their camps claimed she was forced to carry ammunition for the group during an attack. She also stated she was ordered to lure C-JTF members into ambushes where they were killed.

On the night of April 14, Boko Haram attacked the Chibok Government Girls Secondary School in southeast Borno State and kidnapped 273 female students. According to reports, 58 of the girls managed to escape their captors within the first few days of the attack. Despite assistance from foreign donors in the form of military advice and information sharing, the country’s military was unable to secure the release of the rest of the girls as of December. Other large-scale kidnappings occurred during the year. On February 17, Boko Haram reportedly kidnapped between 30 and 40 girls from a secondary school in Konduga village in Borno State. On August 11, Boko Haram also kidnapped at least 97 men and boys from the town of Doron Baga in Borno State. Chadian forces reportedly recovered 85 of the men days later.” (USDS, 25 June 2015 )

Amnesty International’s (AI) report entitled ‘Our Job is to Shoot, Slaughter and Kill’ offers a thorough overview of the cases of abduction in Nigeria as follows:

“The abduction of 276 girls from the Government Girls Secondary School in Chibok, Borno state, brought Boko Haram international notoriety. Abductions are a consistent part of Boko Haram’s attacks and Amnesty International (AI) has documented 38 cases of abduction by Boko Haram. [...]

It is difficult to estimate how many people have been abducted by Boko Haram. The number of women and girls is likely to be higher than 2,000. According to a human rights defender who has verified and documented many cases of abductions, between November 2014 and February 2015 alone, more than 500 women and 1,000 children were abducted from Gwoza LGA. The majority of people abducted by Boko Haram were unmarried women and girls, many of whom were forced into marriage with Boko Haram fighters. Men and boys abducted by Boko Haram were forced to provide services for Boko Haram or to join them as fighters. [...]

In a video released on 13 May 2013, the Boko Haram leader Abubakar Shekau announced that Boko Haram had abducted women and children in response to the arrest of the wives and children of its members.<sup>192</sup> Boko Haram has singled out unmarried women for abduction, claiming that they are religiously obliged to be married, and forcing them into marriage with its members.” (AI, 13 April 2015, pp. 59, 63)

With regards to more specific cases, the same report describes the abduction of 218 women and children in Katarko, Yobe state in January 2015:

“Boko Haram gunmen then abducted 218 people – from 40 households – 134 women and girls and 84 boys, according to a list compiled by the community working with a human rights defender. They were marched to the nearest town controlled by Boko Haram – Buni Yadi, Gubja LGA, Yobe state [...]

More than two weeks later, on 22 and 24 January 2015, Boko Haram fighters released 182 women and children. Boko Haram fighters gave them a choice of joining the group or leaving. Some chose to stay, fearing that Boko Haram would kill them if they left. Those who were released were left in the bush and found their way back to Damaturu. No one has heard from the remaining 36 women and children, who are presumed to remain held captive by Boko Haram.” (AI, 13 April 2015. p. 71)

With regards to the Gullak Camp, Amnesty International (AI) describes:

“[A 19-year-old woman who was abducted in September 2014, spent four months in a Boko Haram camp in Gullak, Madagali LGA in Adamawa state]. She estimated that there were 500 fighters in the camp and frequently new members arrived from Sambisa and Gwoza. “They used to train girls how to shoot guns. I was among the girls trained to shoot. I was also trained how to use bombs and how to attack a village. They’ll dress us and demonstrate to us how to explode a bomb. This training went on for 3 weeks after we arrived. Then they started sending some of us to operations. I went on one operation to my own village.” [...]

There were approximately 100 other abducted girls and women in Gullak, all abducted from surrounding villages, including Michika, Kankere, Baza, Ndutse, Kuzum, Gullak and Madagali.

In October, the commander of the camp brought approximately 200 female fighters, according to Aisha abducted women and girls like herself, to train them. “The commander said we should

learn from them. Learn about killing and slaughtering. They told me how they attacked towns and villages, how they kill other people, how they slaughter infidels. They described how they attacked Gwoza and Michika.” (AI, 13 April 2015. pp. 71-72)

Women were also allegedly kidnapped in June, according to the same source:

“Twenty-five young women aged between 18 and 28 and one 16-year-old girl were forced into Boko Haram's vehicles and taken away from their village near Beta (30km from Gwoza), Gwoza LGA, Borno state on 7 June 2014. Ibrahim Gana (not real name) said that he was preparing for prayers when he saw hilux trucks and motorcycles driving toward the village. Boko Haram members arrived and went from house to house. They ordered the villagers out of their homes and separated men from women, then took the young women away.” (AI, 13 April 2015, p. 73)

Regarding the abduction of men and boys, Amnesty International (AI) also describes:

“Politicians, businessmen, health professionals and mechanics have been abducted by Boko Haram. In the cases documented by Amnesty International (AI), these people were all male. Some were held for ransom, others for their specialist skills and for recruitment. Some have been released after payment of a ransom and some after the group had used their services. Boko Haram fighters have abducted boys and young men, telling residents that the men must join their struggle or they will be killed. People who remained in areas under Boko Haram control reported that Boko Haram trained groups of boys and young men to shoot guns. Some boys and men were abducted on their own, others in larger groups. This pattern of abductions of young men and boys, as well as evidence of military training, suggests a strategy of forced recruitment. [...]

On 31 December 2014, in the evening, at least 25 Boko Haram fighters arrived in Malari, Damboa LGA. They went from house to house and told all the men to gather near the mosque in the centre of the village. According to a human rights defender who investigated the case, more than a week later 28 boys and men were released. The whereabouts of the remaining 12 are unknown.” (AI, 13 April 2015. p. 75)

Reporting on the case of the 276 schoolgirls abducted in Chibok school, Amnesty International (AI) describes:

“The school had been closed since March due to the risk of attacks by Boko Haram, but had re-opened for West Africa Examination Council exams. Around 11.45pm, Boko Haram gunmen started a battle with soldiers and police stationed in the town. A group of Boko Haram fighters dressed in military uniforms split off from the main force and went to the school on foot. They pretended to be soldiers who would rescue the girls but instead took 276 of them to Sambisa forest. More than 50 girls managed to escape during the journey, but 219 remain captive.” (AI, 13 April 2015. p. 66)

Still on the situation of the abducted school girls, a report from the Secretary-General dating June 2015 stated:

“Since 2009, Boko Haram has reportedly been responsible for the abduction of at least 500 young women and girls from their homes or schools and while travelling on roads in the affected States. The abduction of 276 girls from their school in Chibok, Borno, in April 2014, represented the largest single incident of abduction attributed to the group. Of the 276 abductees, 57

managed to escape. Incidents continued to be reported and, in September, over 100 young women and girls were abducted from villages during attacks in Adamawa State. The whereabouts of the Chibok girls and the other abductees remain unknown. According to accounts from escapees, they were subjected to forcible religious conversion, physical and psychological abuse, forced labour and forced marriage to Boko Haram fighters. The group's stated motives for abductions include retaliation against the Government for detention of relatives and punishment of schoolchildren for attending Western-style schools." (UNSC, 5 June 2015, p. 40)

Regarding the situation of abducted persons in Sambisa Forest, UNHCR's regional update dated May 2015 noted:

"The National Emergency Management Agency (NEMA) has said that just under 60 per cent of persons rescued from Sambisa Forest are sick. In disclosing this, NEMA Director-General, Mallam Sani Sidi told reporters in Abuja on 22 May that the victims were suffering from gunshot and bomb blast wound infections, as well as from malaria. All are suffering from dehydration and malnutrition but those with the most serious ailments have been transferred to the Federal Medical Centre in Yola for treatment." (UNHCR, 29 May 2015, p. 2)

### ***5.3 Torture and other cruel, inhuman, or degrading treatment or punishment***

According to Amnesty International (AI), "The military has tortured suspects in custody and kept them in overcrowded cells, without access to adequate sanitary facilities, food, water or medical care. These conditions amount to cruel, inhuman or degrading treatment." (UNHRC, 4 June 2015, p. 3)

With regards to torture and other types of inhuman treatment, the United States Department of State (USDS) describes the situation in Nigeria as follows:

"Although the constitution and law prohibit torture and provide for punishment for abuses, torture is not addressed in criminal law. There were reports that security service personnel, including members of JTFs, regularly tortured, beat, and abused demonstrators, criminal suspects, militants, detainees, and convicted prisoners. [Law prohibits introduction of evidence/confessions obtained through torture, but this is not followed] [...]

AI reported [September 18<sup>th</sup> report] that police sections in various states, including the Special Antirobbery Squad (SARS) and the Criminal Investigation Division, had "torture chambers," special rooms where suspects were tortured while being interrogated. Military and police reportedly used a wide range of torture methods, including beatings, shootings, nail and teeth extractions, and rape and other sexual violence.

In August 2013 the army's 7th Division replaced the Joint Task Force Restore Order as the umbrella command for the northeastern security operations. The 7th Division, JTFs, police, and other security services used excessive force during raids on militant groups and criminal suspects in many states in the North, during arrests, and in other operations, resulting in injuries, displacement of civilians, and unlawful and prolonged detentions without trial.

Police commonly used a technique called “parading” of arrestees. Parading involved literally walking arrestees through public spaces and subjecting them to public ridicule and abuse. [Police defended the practice as an effective deterrent].

According to credible reports, during the year security services committed rape and other forms of violence against women and girls largely with impunity. For example, on March 26, police corporal Damudu Bzibu allegedly raped a four-year-old girl in Plateau State. Bzibu was arrested, but there were no updates on his prosecution as of December.” (USDS, 25 June 2015)

Regarding torture techniques, the same report also noted:

“On May 13, AI released a briefing on torture in the country in which it alleged that security services used various torture techniques and mistreatment to obtain information and force confessions from detainees. Techniques included beatings, nail and teeth extractions, water torture, rape and sexual violence, shootings, starvation, and suspension of detainees by the feet or on a pipe. In addition, on September 18, AI reported police sections in various states, including the Special Anti-Robbery Squad and the Criminal Investigation Division, had “torture chambers,” special rooms where suspects were tortured while being interrogated.

In 2013 HRW reported cases of Boko Haram abducting and raping women from villages and committing sexual violence during their attacks.” (USDS, 25 June 2015)

Reporting on the use of torture to extract confessions, Amnesty International’s (AI) ‘The State of the World’s Human Rights’ report explained:

“Suspects in police and military custody across the country were subjected to torture as punishment or to extract “confessions”, particularly in cases involving armed robbery and murder, or related to Boko Haram.

Many police divisions in different states, including the Special Anti-Robbery Squad (SARS) and Criminal Investigation Division (CID), kept “torture chambers” for use during the interrogation of suspects. Arbitrary arrest and arbitrary and incommunicado detention were routine. Women detained for criminal offences, women relatives of criminal suspects, sex workers and women believed to be sex workers were often targeted for rape and other sexual violence by police officers. Children under the age of 18 were also detained and tortured or otherwise ill-treated in police stations.”

#### **5.4 Ethno-religious discrimination and violence**

Regarding ethno-religious discrimination and violence, the United States Department of State (USDS) reported:

“Members of all ethnic groups practiced ethnic discrimination, particularly in private sector hiring patterns and the segregation of urban neighborhoods. A long history of tension existed between some ethnic groups. The government’s efforts to address tensions between minorities and ethnic groups typically involved heavily concentrated security actions, incorporating police, military, and other security services, often in the form of a joint task force. The National Orientation Agency occasionally organized conferences and issued public messages in support of tolerance and national unity.

The law prohibits ethnic discrimination by the government, but most ethnic groups claimed to be marginalized in terms of government revenue allocation, political representation, or both.

The constitution requires the government to have a “national character,” meaning that cabinet and other high-level positions must be distributed to persons representing each of the 36 states or each of the six geopolitical regions. Traditional relationships were used to pressure government officials to favor particular ethnic groups in the distribution of important positions and other patronage.

All citizens have the right to live in any part of the country, but state and local governments frequently discriminated against ethnic groups not indigenous to their areas, occasionally compelling individuals to return to a region where their ethnic group originated but where they no longer had ties. State and local governments sometimes compelled nonindigenous persons to move by threats, discrimination in hiring and employment, or destruction of their homes. Those who chose to stay sometimes experienced further discrimination, including denial of scholarships and exclusion from employment in the civil service, police, and military. For example, in Plateau State the predominantly Muslim and nonindigenous Hausa and Fulani faced significant discrimination from the local government in land ownership, jobs, access to education, scholarships, and government representation. [...]

Ethnoreligious violence, often triggered by disputes between farmers and herders, resulted in numerous deaths and significant displacement during the year. The largest number of examples of such conflict occurred in Benue State. On March 6, suspected Fulani herdsmen ransacked six villages, resulting in the deaths of approximately 25 persons in the Kwande, Katsina-Ala, and Logo local government areas of Benue State. On March 23, suspected Fulani herdsmen killed 55 persons in Benue’s Gbajimba, the headquarters of Guma local government area. On March 30, Fulani herdsmen killed an additional 19 persons and abducted 15 others from various villages of Benue’s Agatu local government area.

Land disputes, ethnic differences, settler-indigene tensions, and religious affiliation contributed to these attacks. Determining the motives behind any single attack remained difficult. “Silent killings,” in which individuals disappeared and later were found dead, occurred throughout the year. Reprisal attacks at night in which assailants targeted and attacked individual homes or communities occurred frequently.

Conflicts over land rights continued between members of the Tiv, Kwalla, Jukun, Fulani, and Azara ethnic groups living near the convergence of Nassarawa, Benue, and Taraba states.” (USDS, 25 June 2015)

Minority Rights Group (MRG) also discusses the origins of the clashes and adds:

“Nigeria's practice, at the state level, of giving groups 'indigenous' or 'native' to each region preferential treatment over 'settler' or 'immigrant' groups – many of whom may have been based for two generations in the areas – has at times contributed to inequality, competition and conflict between ethnicities. [...]

Communal violence also continued elsewhere. Around Jos, Plateau State, in the Middle Belt, violence continued between 'indigene' farmers of the Christian Berom group and Fulani Muslim pastoralists considered 'settlers', with more than 1,000 people killed in the first few months of 2014. Elsewhere, suspected Fulani attackers killed more than 100 people in three largely Christian villages in central Kaduna State in March.” (MRG, 2 July 2015)

Building on this discussion, the United States Commission on International Religious Freedom (USCIRF) added that “between January 2010 and December 2013, 2,000 to 3,000 Muslims and Christians in the Middle Belt were killed in revenge attacks on each other’s communities.” (USCIRF, 31 January 2015, p. 104). The report further indicated that:

“Recurrent rural violence between predominately Christian farmers and predominately Muslim herders continued in 2014 with attacks in Bauchi, Benue, Kaduna, Plateau, and Taraba states that killed hundreds, displaced thousands, and destroyed a number of churches. While land disputes factor into this violence, religion is a significant catalyst in the attacks in the religiously-balkanized Kaduna and Plateau states. Southern Kaduna state has been especially prone to sectarian violence since the April 2011 elections. In the country’s most deadly episode of Muslim-Christian violence in this reporting period, 147 people were killed and 285 houses and three churches were razed when suspected Muslim Fulanis launched attacks on Christian villages in Kaura Local Government Area, Kaduna State in March. No arrests or prosecutions of perpetrators were reported. [...]

Starting on March 31, 2014, the Nigerian military executed a major internal security operation in Benue, Nasarawa, and Plateau states to stem the rural violence.” (USCIRF, 31 January 2015, p. 104)

Reports of religious attacks have also been documented by the United States Commission on International Religious Freedom (USCIRF) as follows:

“In addition to the Boko Haram attacks, hundreds more have been killed since Buhari’s election this past April in violence by predominately Muslim herders against predominately Christian farmers throughout the Middle Belt.” (USCIRF, 17 July 2015)

Regarding the government’s role in preventing communal clashes, the United States Department of State’s (USDS) “2013 Religious Freedom Report” notes:

“The federal government did not act swiftly or effectively to prevent or quell communal or religious-based violence and only occasionally investigated and prosecuted perpetrators of that violence. The government also failed to protect victims of violent attacks targeted because of their religious beliefs or for other reasons. The government did not adequately equip and train security forces to contain violent extremist groups in the north who attacked religious freedom. [...]

Some Christian groups reported discrimination and a systematic lack of protection by state governments, especially in central Nigeria, where communal violence rooted in decades-long competition for land pitted majority-Christian farmers against majority-Muslim cattle herders.” (USDS, 28 July 2014)

Reporting on the impact of Boko Haram insurgency in the areas marred by communal violence, a July 2015 article by the Christian Solidarity Network explains:

“Alongside the increase in Boko Haram-related terrorism there has been a spike in attacks by armed Fulani herders on non-Muslim communities in several states in central Nigeria. For example, 13 members of the Berom tribe are reported to have died on 7 July in an attack on Sho village in Plateau State by armed Fulani herders. On 5 July Fulani herders stormed Dalo Memorial High School, a Christian establishment in Barkin Ladi LGA in Plateau State, killing two students. They also reportedly shot and killed a local farmer. On 29 June, Nigerian media

sources reported that fighting between Fulanis and Agatu tribesmen in Kogi State had resulted in the loss of over eighty lives. On 26 June, a state police spokesman reported that at least 96 people had been killed in Benue State after several villages were attacked by armed Fulani herdsmen. Meanwhile, on 17 June, nine people died and ten were injured in an attack by Fulani gunmen on Katsak village in the Takad Chiefdom of Jama'a LGA in Kaduna State.

The improved tactics and armoury of the herders has prompted speculation of a link with Boko Haram. In June 2014, a training camp for Boko Haram insurgents and Fulani herdsmen was discovered by local vigilantes in Rim, Riyom LGA, Plateau State.” (Christian Solidarity Network, 9 July 2015)

For further information on this subject please refer to sections 1.3.1 and 2.2.

## **5.5 Freedom of religion**

Freedom of religion is described by the United States Commission on International Religious Freedom (USCIRF) in their annual report on religious freedom dating from January 2015 as follows:

“Since 1999, violence between Christian and Muslim communities in Nigeria, particularly in the Middle Belt states, has resulted in more than 18,000 people killed, hundreds of thousands displaced, and thousands of churches, mosques, businesses, homes, and other structures damaged or destroyed. Years of inaction by Nigeria’s federal and state governments have created a climate of impunity.

Although the 1999 constitution provides for freedom of religion or belief, it also legally discriminates between persons whose ethnic group is deemed by state-level officials to be native to a particular area (“indigenes”) and those considered to be from elsewhere (“settlers”). Indigene and settler identities can fall along religious lines, leading to ethno-religious violence over who controls local governments to determine indigene status and distribute corresponding education, employment, and property benefits. The constitution’s federalism provisions also create an overly centralized rule-of-law system that hinders effective and timely police responses to sectarian violence and impedes prosecutions.

[...] The criminal codes of 12 Muslim-majority northern Nigerian states include Shari’ah law penalties and have been applied against Muslims and Christians. In the south, there have been reports of increased discrimination against Muslims. States habitually fail to implement announced programs or recommendations by government commissions to end sectarian violence.” (USCIRF, 31 January 2015, pp. 101-102)

With reference to Nigerian law on this regard, the United States Department of State’s (USDS) religious freedom report dating from July 2014 noted:

“The constitution and other laws and policies generally protect religious freedom. The constitution mandates the government not adopt any religion as a state religion. The constitution prohibits state and local governments from adopting a state religion or giving preferential treatment to any religious or ethnic group. [...]

In some states, sharia-based practices, such as the separation of the sexes in public schools and in health care, voting, and transportation facilities, affected non-Muslim minorities. Some

Christian groups said religious affairs ministries in some states focused on Muslims exclusively, and this amounted to adoption of a state religion. [...]

State governments in Bauchi, Zamfara, Niger, Kaduna, Jigawa, Gombe, and Kano funded sharia law enforcement groups called the Hisbah, which enforced sharia law inconsistently and sporadically. The Kano State Hisbah increased its activity throughout the year, announcing the start of a campaign to “restore morality” in September. Members of the Kano State Hisbah occasionally detained women suspected of prostitution; one media outlet quoted a Hisbah official as stating 500 suspected prostitutes had been arrested between January and October. In October the Kano State Hisbah issued a statement to media outlets reminding men and women to remain separated when using public transportation and male taxi drivers not to wear short pants.

Kano State authorities levied steep fines and prison sentences for the public consumption and distribution of alcohol, in compliance with Sharia statutes. [...] Authorities in some states reportedly denied building permits for construction of new places of worship for non-dominant religious communities, or for expansion and renovation of existing facilities. Christians reported local government officials in the predominantly Muslim northern states used zoning regulations and title registrations to stop or slow the establishment of new churches. [...]

Muslim organizations continued to criticize the Katsina State law requiring licensing of Islamic schools, preachers, and mosques, although there were no reports of prosecutions. Opponents described the law as discriminatory because it did not impose licensing requirements on Christian groups and stated it inhibited the freedom of Muslim imams to preach openly against the government. The state government maintained that a more rigid definition of Islamic education and preaching helped address security concerns.” (USDS, 28 July 2014)

Although legislation is in place to guarantee the rights to religious freedom, allegations of discrimination practices from government authorities against both Muslims and Christians have also been reported, according to the United States Commission on International Religious Freedom (USCIRF):

“Christian leaders in the northern states report that those states’ governments discriminate against Christians in denying applications to build or repair places of worship, access to education, representation in government bodies and employment.

Reports of discrimination against Muslims in southern states increased in 2014. Hundreds of northern Muslims were arrested throughout southern Nigeria in 2014 for being suspected Boko Haram members; most were later released. Further, northern Muslims in the southeast were required to register with the local governments. A Lagos High Court upheld a state ban on wearing the hijab in all Ogun state schools.” (USCIRF, 31 January 2015, p. 104)

On the same note, Amnesty International (AI) has also documented the persecution of Christians by Boko Haram:

“Some specific individuals or categories of civilians were deliberately targeted. Boko Haram fighters killed politicians, civil servants, teachers, health workers and traditional leaders because of their relationship with secular authority. Boko Haram called them “unbelievers”. Christians living in the north-east were included in this category, but so were Islamic religious figures, from the leaders of sects to local Imams, if they publicly opposed Boko Haram or failed

to follow the group's teachings. At times, Boko Haram gave such individuals the option of converting, whether Christian or Muslim, instead of being killed. [...]

Boko Haram has called Islamic religious authorities unbelievers if they disagree with the group's ideology. Islamic scholars and clerics are often among the first targets for assassination when Boko Haram raids a town or village. Boko Haram fighters have destroyed many mosques in north-east Nigeria. Christians are also considered unbelievers and the group has destroyed churches and killed and abducted Christians.”(AI, 13 April 2015, p. 5, 14)

The appearance of political parties based on religious affiliation have been reported by the International Crisis Group (ICG) in June 2015:

“In Nigeria itself, particularly in Muslim-majority northern states, for example, though the constitution prohibits political parties on religious lines, politicians frequently appeal to religious identities to mobilise supporters. Since independence, northern politicians have also called for implementation of Sharia in their provinces and in October 1999 succeeded in Zamfara state to extend the Sharia court's jurisdiction to criminal issues. Zamfara, Kano, Kebbi, Katsina, Sokoto, Yobe and Jigara states all enforce a moderate version of Sharia.” (ICG, 25 June 2015, p. 13)

The country's first death sentence on the basis of blasphemy was described by Germany's Federal Office for Migration and Refugees (FOMR) on 29 June 2015 as follows:

“On 25 June 2015, a Sharia court in the city of Kano sentenced nine people to death on charges of blasphemy. Three other defendants in the same case were acquitted. Muslim cleric Abdul Inyass, a member of the Sufi sect of Tijaniyya, and eleven other persons were arrested at the beginning of May 2015 for blasphemous statements about the prophet Muhammad. The defendants were charged with having said that Niasse, the founder of their sect, was “bigger than the prophet” at a gathering in Niasse's honour. This is the first death sentence for blasphemy handed out in northern Nigeria so far. The defendants may appeal the sentence.” (FOMR, 29 June 2015, p. 5)

For further information on this subject, please refer to section 1.3.2.

## **5.6 Freedom of association, assembly and expression**

### **5.6.1 Freedom of association and assembly**

Regarding the freedom of association, the United States Department of State (USDS) noted:

“The constitution and law provide for the right to associate freely with other persons in political parties, trade unions, or other special interest organizations, and the government mostly respected this right. The constitution and law allow the free formation of political parties. As of August, 26 parties were registered with the Independent National Electoral Commission (INEC).” (USDS, 25 June 2015)

Reporting on freedom of assembly, the same source also explained:

“Although the constitution and law provide for freedom of assembly, the government occasionally banned gatherings when it concluded their political, ethnic, or religious nature

might lead to unrest. In addition the Same Sex Marriage (Prohibition) Act effectively outlawed gatherings of lesbian, gay, bisexual, and transgender individuals and their supporters. [...]

Security services used excessive force to disperse demonstrators during the year, resulting in numerous deaths and injuries. Open-air religious services held away from places of worship remained prohibited in many states, due to fears they might heighten interreligious tensions. (USDS, 25 June 2015)

Freedom House discussed both issues in its “Freedom in the World” 2015 report as follows:

“The rights to peaceful assembly and association are constitutionally guaranteed and generally respected. However, federal and state governments frequently ban public events perceived as threatening national security, including those that could incite political, ethnic, or religious tension. In June 2014, police in the capital announced a ban on all demonstrations associated with the abduction of the Chibok girls, claiming that the protests could be hijacked by rogue elements and undermine security. Some of the demonstrations had included criticism of the government for failing to free the girls. Nigerian NGOs condemned the ban as a violation of freedom of assembly and threatened to challenge it in court. Days later, the police allowed the protests to continue.

Members of some organizations faced intimidation and physical harm for speaking out against Boko Haram, or encountered challenges when investigating alleged human rights abuses committed by the military against Boko Haram suspects.” (Freedom House, 28 January 2015)

### 5.6.2 Press freedom

The Embassy of Nigeria in Rome makes the following statement regarding media use in Nigeria:

“The government controls and regulates most of Nigeria’s broadcast media through the National Broadcasting Commission. Radio is the most important mass medium for reaching general audiences because it is inexpensive and does not require literacy. The federal government owns stations affiliated with the Federal Radio Corporation of Nigeria, individual states control other stations, and still others are privately owned. [...] Similar to the market for radio broadcasts, the federal government owns two stations affiliated with the National Television Authority, various states have their own stations, and private operators broadcast by satellite. [...] In contrast to the broadcast media, the print media are dominated by private publications, a situation that is more amenable to criticism of the government. Nigeria has 14 major daily newspapers, but only one—the New Nigerian—is government-owned. The country also has six newsweeklies and various tabloids. The government does not restrict access to the Internet, which is most widely available at cybercafés, and increasingly so in the Work places and at Private homes.” (Embassy of Nigeria – Rome, n.d.)

Regarding freedom of press, the United States Department of State (USDS) notes:

“On May 1, Freedom House released its annual survey of media independence, *Freedom of the Press 2014*, which described the press as “partly free.” A large and vibrant private domestic press frequently criticized the government. [...]

Security services detained and harassed journalists, sometimes for reporting on sensitive problems, such as political corruption and security. Security services and police occasionally

arrested and detained journalists who criticized the government. Reporting on matters such as political corruption and security problems proved to be particularly sensitive.

Between June 6 and June 9, several newspapers, including *The Punch*, *The Nation*, *Daily Trust*, *Leadership*, and *Vanguard*, reported soldiers detained, questioned, and searched several of their employees and vehicles and seized newspapers carried in the vehicles. The Defense Ministry spokesperson, Chris Olukolade, reportedly stated the searches were conducted as part of an operation to investigate intelligence reports that the newspapers' vehicles were carrying dangerous materials. The organization Media Rights Agenda rejected this explanation and stated that security forces "obstruct[ed] the operations of media workers all over the country and harass[ed] them for no legitimate reason." [...]

During the year Boko Haram threatened to kill journalists and attack media outlets that failed to report stories about the group that Boko Haram asserted to be authentic. (USDS, 25 June 2015).

Human Rights Watch (HRW) further discussed the issue of media independence in its 2015 World Report:

"The Nigerian media is independent, strong, and free. However, it is not immune to intimidation and harassment for publishing materials that authorities deem to be uncomplimentary.

In June, security forces reacted to critical media reports about the military carrying out a campaign against several media houses, destroying newspapers and arresting at least two journalists. In July, a member of the federal House of Representatives introduced a bill to parliament designed to regulate foreign funding of civil society organizations. The bill mandates that voluntary organizations register with the Independent Corrupt Practices and Other Related Offences Commission and seek its approval within 60 days of accepting funds from international organizations. If passed into law, the bill would violate the right to freedom of association and assembly, guaranteed by the Nigerian Constitution and the African Charter on Human and Peoples' Rights." (HRW, 29 January 2015)

Amnesty International (AI) reported on cases of police abuse in its "State of the World's Human Rights" as follows:

"Over three days in June [2014] the military and the Department of State Security seized and destroyed several newspapers and searched newspaper delivery vans. The Defence Headquarters stated that the action had been in the interests of national security." (AI, 25 February 2015)

Freedom House, a US-based non-governmental human rights organization, further noted in its January 2015 report:

"Sharia statutes in 12 northern states impose severe penalties for alleged press offenses. Government officials also restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption scandals, human rights violations, or separatist and communal violence." (Freedom House, 28 January 2015)

## 5.7 Women's rights

The rights of women in Nigeria are enshrined in the Nigerian Constitution and are consistent with the ideals of humanism, according to scholar Grace Adikema-Ajaegbo, in an article dating from September 2014. Yet, the article also points out that in practice, some of these rights are not always respected, and notes:

“The rights of women in Nigeria are clearly spelt out in the nation’s Constitution. [...] But unfortunately, the rights and ideals have remained paper tigers, mere theoretical postulations without any practical bearing on the lives and conditions of the Nigerian women. In practice, the Nigerian society is replete with anti-humanist ideals. Women are systematically relegated to inferior positions. Despite all the provisions in the law and ratification of protocols, charter and conventions, Nigerian women suffer violations of their human rights through:

- Violence in the home
- Sexual harassment at school and work
- Rape and defilement
- Harsh and punitive widowhood rites
- Female Genital Mutilation (FGM)
- Forced childhood marriages
- Sexual violence in conflict situations and during armed robbery attacks
- Enforcement of gender biased laws
- Discrimination against the girl-child
- Disinheritance of wives and daughters
- Harmful traditional practices.” (Lawyers Chronicle, 9 September 2014)

In the same line of thought, Freedom House’s ‘Freedom in the World’ 2015 report also notes that “Despite the existence of strict laws against rape, domestic violence, female genital mutilation, and child marriage, these offenses remain widespread, with low rates of reporting and prosecution.” (Freedom House, 28 January 2015).

Concerning rape and forced marriage of women, the United States Department of State (USDS) discussed the issue in its June 2015 report on human rights practices as follows:

“The law criminalizes rape and provides penalties of 10 years’ to life imprisonment and fines of 200,000 naira (\$1,090). Rape remained widespread. In 2013 Positive Action for Treatment Access, an NGO focused on HIV treatment, released a countrywide survey of 1,000 preadolescents and adolescents (ages 10 to 19), which noted that three in 10 girls reported their first sexual encounter was rape.

Societal pressure and the stigma associated with rape reduced the percentage of rapes reported and the penalties imposed for conviction. Sentences for persons convicted of rape and sexual assault were inconsistent and often minor. The law recognizes spousal rape as a separate offense, but spousal rape was difficult to prove in court, and no prosecutions were reported during the year.

In Oyo State in August, a college student accused a soldier of stopping her while she was walking home, taking her to a police station under false pretenses, and raping her repeatedly. In September the Oyo state government claimed that it investigated the accusations and found them “baseless,” but legal representation for the victim refuted these claims. As of December

there was no update available on the legal proceedings in the case, although the media reported the soldier was “disciplined” for leaving his post on the night of the incident.

There are no national laws criminalizing gender-based violence, and some federal laws allow such violence. For example, the law permits husbands to use physical means to chastise their wives as long as it does not result in “grievous harm,” which is defined as loss of sight, hearing, or speech; facial disfigurement; or life-threatening injuries. Penalties for the sexual assault of a man exceed the penalties for the same offense against a woman. Ebonyi, Jigawa, Cross River, and Lagos were the only states to have enacted domestic violence laws. The National Center for Women’s Development and the International Federation of Women Lawyers hosted domestic violence educational events and sponsored awareness campaigns

Domestic violence remained widespread and often was considered socially acceptable. CLEEN Foundation’s National Crime and Safety Survey for 2013 reported that 30 percent of respondents countrywide claimed to have been victims of domestic violence.

Police often refused to intervene in domestic disputes or blamed the victim for provoking the abuse. In rural areas courts and police were reluctant to intervene to protect women who formally accused their husbands of abuse if the level of alleged abuse did not exceed customary norms in the areas. NGOs highlighted the February 21 death sentence handed down to Akolade Arowolo, a man who stabbed his wife to death in Lagos in 2011 after years of abusing her, but noted the case was unusual because of the conviction and severity of the sentence.” (USDS, 25 June 2015)

The OECD SIGI Index for 2014 stated that “Societal pressure to keep silent, victim-blaming and stigma surrounding sexual violence mean that few women report sexual assaults. Although accurate figures as to prevalence are unavailable, rape and sexual violence is recognised as a widespread, serious problem in Nigeria” (SIGI, 2014, n.d.)

Regarding female genital mutilation and cutting, the same USDS report further explains:

“The law criminalizes FGM/C except for medical reasons when a doctor performs the procedure. By law an offender is any woman who offers herself for FGM/C; any person who coerces, entices, or induces any woman or girl to undergo FGM/C; or any person who, for other than medical reasons, performs an operation removing part of a woman’s or a girl’s sexual organs. The law provides for a fine of 50,000 naira (\$270), one year’s imprisonment, or both, for a first offense and doubles penalties for a second conviction. Women who underwent FGM/C experienced increased instances of infertility, obstructed labor, painful intercourse, painful menstruation, in addition to a greater likelihood of contracting HIV/AIDS and other blood-borne diseases.” (USDS, 25 June 2015)

Germany’s Federal Office for Migration and Refugees (FOMR) also notes in its briefing note dating from June 2015:

“On 25 May 2015, the president signed a law (the “Violence Against Persons (Prohibition) Act, 2015”) which bans, among other things, female genital mutilation and hurtful widowhood ceremonies. Moreover, it will be a crime in the future to leave one’s spouse, one’s children or other dependent relatives without ensuring their livelihood.” (FOMR, 1 June 2015, p. 4)

The United States Department of State (USDS) discusses the subject and adds:

“The federal government publicly opposed FGM/C but took no legal action to curb the practice. While 12 states banned FGM/C, once a state legislature criminalized FGM/C, NGOs found they had to convince local government authorities that state laws applied in their districts. The Ministry of Health, women's groups, and many NGOs sponsored public awareness projects to educate communities about the health hazards of FGM/C. Underfunding and logistical obstacles limited their contact with health-care workers.

The 2013 NDHS reported that 25 percent of women in the country had suffered FGM/C. While practiced in all parts of the country, FGM/C remained most prevalent in the southern region among the Yoruba and Igbo ethnic groups. Infibulation, the most severe form of FGM/C, was common in the south and infrequently occurred in northern states. The age at which women and girls were subjected to the practice varied from the first week of life until after a woman delivered her first child. Most victims suffered FGM/C before their first birthday.

FGM/C often resulted in obstetrical fistula (tearing of the vaginal area as a result of prolonged, obstructed labor without timely medical intervention). Most fistulas resulted in the death of the baby and chronic incontinence in the woman. The social consequences of fistula included physical and emotional isolation, abandonment or divorce, ridicule and shame, infertility, lack of economic support, and the risk of violence and abuse. The absence of treatment greatly reduced prospects for work and family life, and affected women had to rely on charity.” (USDS, 25 June 2015)

In reference to sexual harassment, reproductive rights and discrimination against women, the United States Department of State (USDS)'s June 2015 report also notes:

“Sexual harassment remained a common problem. The founder of the NGO Delta Women estimated that 80 percent of women experienced sexual harassment. There are no statutes prohibiting sexual harassment, but authorities may prosecute violent harassment under assault statutes. The practice of demanding sexual favors in exchange for employment or university grades remained common. Women suffered harassment for social and religious reasons in some regions. Women's rights groups reported the Abuja Environmental Protection Board forcibly detained women, including students and businesswomen, taking them into custody under the pretext of removing commercial sex workers from Abuja throughout the year. Activists reported the protection board forced women to buy their freedom or confess to prostitution and undergo rehabilitation, and that any woman outside her home after dark in Abuja was vulnerable. The Nigerian Women's Trust Fund filed a joint lawsuit against the Abuja Environmental Protection Board. Proceedings were in progress as of December.

Couples and individuals generally had the right to decide freely and responsibly the number, spacing, and timing of children, but information on reproductive health and access to quality reproductive health services and emergency obstetric care was not widely available. The 2013 NDHS reported the maternal mortality rate was 576 deaths per 100,000 live births. According to UN estimates, there were 40,000 maternal deaths in 2013 and a woman's lifetime risk of maternal death was one in 31. Just 34 percent of births were attended by skilled health-care personnel. According to the 2013 NDHS, 15 percent of married women used a contraceptive method (10 percent of these used modern methods, and five percent used traditional methods). Urban women were much more likely to use contraception than were rural women (27 percent and 9 percent, respectively).

Although the constitution provides for equality and freedom from discrimination, women experienced considerable economic discrimination. There are no laws barring women from

particular fields of employment, but women often experienced discrimination under traditional and religious practices.

Some women made considerable progress in both the academic and business worlds, but women overall remained marginalized. There are no laws prohibiting women from owning land, but some customary land tenure systems allowed only men to own land, with women gaining access to land only via marriage or family. Many customary practices also did not recognize a woman's right to inherit her husband's property, and many widows became destitute when their in-laws took virtually all the deceased husband's property.

In the 12 states where sharia was adopted, sharia and social norms affected women to varying degrees. In Zamfara State local governments enforced laws requiring the separation of Muslim men and women in transportation and health care. In 2013 the Kano state government issued a statement declaring that men and women must remain separate while using public transportation.

The testimony of women received less weight than that of men in many criminal courts. There are no laws barring women from arranging surety bonds for bail for persons detained by police, but women were not permitted to provide such bail arrangements at most police detention facilities." (USDS, 25 June 2015)

Regarding SGBV of displaced women, the Internal Displacement Monitoring Centre (IDMC) reported in December 2014:

"Data on the extent of gender-based violence (GBV) among displaced communities is highly unreliable. Many incidents go unreported, in part because victims fear stigmatisation. The number of IDPs, and particularly women and children, living in camps has increased during 2014 following the surge in displacement and exhaustion of host communities' resources. Women and girls face a greater risk of GBV as a result of their displacement, whether in camps or in host communities, and particularly at night. Female and child-headed households face increased risks from insecurity during displacement. [...]

Assessments in September 2014 indicated that vulnerable IDPs including children displaced in Yola town, Adamawa state, have been forced to engage in survival sex to meet their basic needs. There are also reports of camp "discipline committees" meting out corporal punishment to displaced women" (IDMC, 9 December 2014)

Concerning the so called 'baby factories', the same source notes:

"Small facilities disguised as private medical clinics housed pregnant women, mostly young unmarried girls, and offered their children for sale. In some cases young women were held against their will and raped; their newborns were sold on the black market for several thousand dollars, with boys fetching higher prices. The children were sold for various purposes, including adoption, child labor, prostitution, or sacrificial rituals. Mothers received approximately 31,850 naira (\$175). On July 13, police rescued 19 pregnant teenage girls and three small children from the Nma Charity and Motherless Babies' Home in Umunkpeyi, Abia State, a presumed baby factory. The following week police arrested seven of the rescued girls, who had returned to the suspected baby factory. Between March and April, suspected baby factories were raided in two separate areas of Ogun State, rescuing 11 pregnant women and five babies." (USDS, 25 June 2015)

The same report further describes the practice of Purdah and states:

“Purdah, the cultural practice of secluding women and pubescent girls from unrelated men, continued in various parts of the North. In some parts of the country, widows experienced unfavorable conditions as a result of discriminatory traditional customs. “Confinement,” which occurred predominantly in the Northeast, remained the most common rite of deprivation for widows. Confined widows stayed under social restrictions for as long as one year and usually shaved their heads and dressed in black as part of a culturally mandated mourning period. In other areas communities viewed a widow as a part of her husband’s property to be “inherited” by his family. In some traditional southern communities, widows fell under suspicion when their husbands died. To prove their innocence, they were forced to drink the water used to clean their deceased husband’s bodies.” (USDS, 25 June 2015)

## **5.8 Rights of the child**

The rights of children in Nigeria have been increasingly disregarded due to Boko Haram’s operations in the country. According to Amnesty International’s (AI) 2015 report, “Men and boys abducted by Boko Haram were forced to provide services for Boko Haram or to join them as fighters.” (AI, 13 April 2015, p. 5). The report also adds:

“These children, known as almajiri lack formal education and the essential qualifications necessary to compete for the comparatively scarce jobs available in the northeast. Once adults, they form a pool of marginalized young men receptive to radical social programmes.” (AI, 13 April 2015, p. 9)

The conditions faced by the almajiri children are also explained by the International Crisis Group (ICG)’s Africa Report N°216, which states:

“In the north, millions of Almajiri students are sent to Quranic schools far from their families and required to beg for alms (Almajiranchi) or work as domestic help to pay for their upkeep.<sup>17</sup> In a context of urbanisation and increasing poverty, this practice is open to abuse and may foster criminality.<sup>18</sup> In cities like Kano and Kaduna, many Almajiri have graduated into Yandaba, adolescent groups that once socialized teenagers into adulthood but have in many cases become gangs. In 2005, the National Council for the Welfare of the Destitute estimated there were seven million Almajiri children in northern Nigeria.” (ICG, 3 April 2014, p. 4)

A thorough overview of the human rights situation of children abducted by Boko Haram was also provided by the United Nations Security Council’s (UNSC) report on children and armed conflict dating from June 2015:

“Increased reports were received on the recruitment and use of boys and girls by Boko Haram in support roles and in combat. Children were also used as human shields to protect Boko Haram elements. Another alarming trend observed since July was the growing number of girls used as suicide bombers in populated urban centres. For example, in July, four teenage girls were reported to have carried out a series of suicide attacks attributed to Boko Haram in Kano. A 13-year-old girl from Adamawa State was reportedly rescued at a checkpoint in Katsina State while carrying a belt with explosives. The United Nations also received reports of children joining CJTF and other vigilante groups, voluntarily or forcibly, and being used to man checkpoints, gather intelligence and participate in armed patrols. It was reported that some of the civilians,

including children, who had voluntarily joined a particular side sometimes had done so in order to avoid the suspicion that they were associated with, or sympathetic to, the other side. [...]

Children were killed and maimed during Boko Haram raids on villages, in targeted attacks in public places, in clashes between Boko Haram and the Nigerian security forces and as a result of suicide bombings. Children were also killed by Boko Haram in their schools. Education authorities in the north-east recorded the killing of 314 school children between January 2012 and December 2014. In February, 59 secondary schoolboys were shot or burned to death in their dormitory during a night-time attack in Buni Yadi, Yobe. In November, a suicide bomber disguised in a school uniform killed at least 47 school children and injured 117 others in Potiskum, Yobe. In addition, 26 incidents of suicide attacks were reported, in the states of Borno (nine), Kano (eight), Yobe (five), Gombe (two), Bauchi (one), and in the Federal Capital Territory (one). The suicide attacks reportedly involved 45 suicide bombers and claimed the lives of at least 688 persons, including over 200 persons at the Grand Mosque in Kano.

Worrisome allegations were received of other violations against civilians, including children, by Government armed forces, CJTF and vigilante groups, including extra-judicial killings, arbitrary detention and torture. Boko Haram targeted schools and teachers perceived to provide a "Western" curriculum. School facilities were attacked, looted and destroyed, teachers and students were killed, threatened and abducted. According to education authorities, a total of 338 schools were destroyed and damaged, and at least 196 teachers killed between 2012 and 2014. A number of specific incidents where children were targeted and killed are outlined in paragraph 230 above. Continuing threats in all three north-eastern states led to reduced access to education, closure of schools, teachers leaving and the withdrawal of children from schools. The United Nations received reports of health centres also looted and destroyed. Access for polio health workers was increasingly reduced, due to growing insecurity. [...]

Given the high numbers of children recruited or abducted by Boko Haram, it is of great concern that abductees or children associated with the group will be heavily affected in the course of military operations. In December, Cameroonian security forces reported the dismantling of an almajiri school near the border with Nigeria, where 84 boys aged between 4 and 17 years were found in the presence of instructors allegedly affiliated with Boko Haram. In April 2015, the boys were reportedly placed in a facility run by the Ministry of Social Welfare in northern Cameroon." (UNSC, 5 June 2015, pp. 39-41)

Regarding the activities of child soldiers, the United States Department of State (USDS) explains in its June 2015 report:

"During the year youths under the age of 18 participated in Boko Haram attacks. Reports suggested that boys as young as 11 were paid or forcibly conscripted by Boko Haram to fight, plant bombs, and serve as spies and suicide bombers." (USDS, 25 June 2015)

A report on the activities of the United Nations Office for West Africa from the United Nations Security Council (UNSC) also adds that while children continue to be recruited and abducted by Boko Haram, young girls are increasingly being used as sex slaves and for suicide attacks. (UNSC, 24 June 2015, p. 7).

On this subject, UNHCR's Regional Update dating from May 2015 further adds:

"UNICEF has raised an alarm on the increasing use of children and women used for suicide bombings. The fund has warned that the trend is likely going to increase. John Gough,

UNICEF's representative in Nigeria said that as insurgents are fighting with little recourse, children have become an easy target because they are often ignorant of the threats facing them. The number of reported suicide attacks in the first five months of 2015 stands at 27 as opposed to 26 in 2014 overall." (UNHCR, 29 May 2015, p. 2)

On sexual exploitation of children, the United States Department of State (USDS) describes:

"There is no statutory rape law. Child prostitution is prohibited, with penalties of up to seven years' imprisonment for the adult involved. The minimum age of consensual sex is 18. Sexual exploitation of children remained a significant problem; children were subjected to forced prostitution, both within the country and when trafficked to other countries. In late 2013 Project Alert on Violence against Women released a study showing that children under the age of 10 faced a 39 percent risk of being victims of sexual violence." (USDS, 25 June 2015)

Although Boko Haram has been greatly responsible for the recruitment of children in violent activities, Human Rights Watch (HRW)'s 2015 World Report on Nigeria states that Nigerian security forces may also have played a role:

"Local vigilante groups assisting Nigerian security forces to apprehend the militants and repel attacks were allegedly implicated in the recruitment and use of child soldiers, and ill-treatment and unlawful killing of Boko Haram suspects." (HRW, 29 January 2015)

The recruitment of children by militias was also reported by the United Nations Security Council (UNSC) as follows:

"In Nigeria, the recruitment and use of children by the civilian joint task force in Borno State and other militia in the states of Adamawa and Yobe were also reported. The approximately 1,000 women and children liberated by Nigerian forces in areas previously under the control of Boko Haram are reportedly being provided with support for rehabilitation and reintegration into their communities. On 25 May, the long-awaited bill on the prohibition of violence against persons became law, providing a legal framework for the prevention of all forms of violence against vulnerable persons, especially women and girls. It prohibits female genital mutilation, the abandonment of spouses, children and other dependants without sustenance, battery and other harmful traditional practices against women and children." (UNSC, 24 June 2015, p. 7)

Similar allegations were reported by the United States Department of State (USDS) in its June 2015 report on human rights practices in Nigeria as follows:

"The international NGO Watchlist on Children and Armed Conflict reported direct participation in C-JTF activities of persons under 18. Witnesses described forcible recruitment of children into the C-JTF and seeing children under 18 working with the C-JTF at checkpoints within several towns in Borno State. C-JTF members admitted to having used numerous children in operations, including conducting patrols, collecting information, and manning checkpoints. The army maintained there was no collaboration between them and the C-JTF except, on occasion, getting information from the C-JTF. The C-JTF reportedly supplied the 7th Division with information about suspected Boko Haram militants, apprehended suspected Boko Haram militants, and manned checkpoints. According to government officials, the army collaborated only with former C-JTF members who participated in the Borno State Youth Empowerment Program (BOYES), a Borno state-sponsored training and employment program whose participants underwent vetting to establish they were over 18 years of age. BOYES graduates were not given weapons, officials explained, but rather were teamed up with soldiers to help

identify Boko Haram suspects and sometimes to search vehicles for explosives at checkpoints.” (USDS, 25 June 2015)

Regarding the government’s obligations to ensure children’s basic rights, the same report notes thoroughly:

“Birth Registration: Citizenship of a child is derived from the parents. The government did not require birth registration, and the majority of births remained unregistered. The 2013 NDHS found that only 30 percent of births of children under the age of five were registered. Lack of documents did not result in denial of education, health care, or other public services. [...]

Child Abuse: Child abuse remained common throughout the country. The government criticized the practice of child abuse and neglect but did not undertake significant measures to combat it. Human rights groups reported sexual assaults and rapes of young girls, especially in the North. [...]

Early and Forced Marriage: The law sets a minimum age of 18 years for marriage. Approximately 43 percent of women between the ages of 20 and 24 reported being married or in a union before they were 18, according to the 2013 NDHS. Fewer than half of the country’s state assemblies adopted the Child Rights Act, which sets the minimum marriage age. Most states, especially northern states, did not adopt the act and did not uphold the federal official minimum age for marriage. The government engaged religious leaders, emirs, and sultans on the problem, pointing out the health hazards and improving their awareness of it. Certain states worked with NGO programs to establish school subsidies or fee waivers for children to help protect against early marriage. The government did not take legal steps to end sales of young girls into marriage. According to credible reports, poor families sold their daughters into marriage to supplement their incomes. Families sometimes forced young girls into marriage as early as puberty, regardless of age, to prevent “indecent” associated with premarital sex or for other cultural and religious reasons.” (USDS, 25 June 2015)

Concerning harmful traditional practices, the same United States Department of State (USDS) report discusses the issue in different passages of the document as follows:

“In some states children accused of witchcraft were killed or suffered abuse, such as kidnapping and torture. According to Stepping Stones Nigeria and the Child Rights and Rehabilitation Network, two local NGOs that operated shelters, attackers drove nails into children’s heads, cut off fingers, tied children to trees, and abandoned them in the jungle. The press reported several cases during the year of family and community members torturing children under suspicion of witchcraft. In Akwa Ibom State in September, an eight-year-old boy and girl were reportedly beaten and chased from their homes after family members accused them of using witchcraft to kill local community members. Family members beat the two children with sugarcane rods and cut them with knives before abandoning them in the jungle.” [...]

“In 2010 the Ministerial Committee on Madrasah Education reported that 9.5 million children worked as almajiri. Instead of receiving an education, many almajiri were forced to work manual jobs or beg for alms that were turned over to their teacher. The religious leaders often did not provide almajiri with sufficient shelter or food, and many of these children effectively became homeless.” [...]

“Ritualists who believed certain body parts confer mystical powers kidnapped and killed persons to harvest body parts for rituals and ceremonies. The Bauchi State Police Command reported

in August that unidentified ritualists attacked and removed the eyes of a nine-year-old boy in Toro Local Government Area of the state.” (USDS, 25 June 2015)

In the subject of child labor, the same source explains:

“The law sets a general minimum age for employment of 12 years. Persons under the age of 14 may be employed only on a daily basis, must receive the day’s wages at the end of each workday, and must be able to return each night to their parents’ or guardian’s residence. By law these regulations do not apply to domestic service. The law also provides exceptions for light work in agriculture and horticulture if the employer is a family member. No person under 16 may work underground, in machine work, or on a public holiday. No “young person,” defined as a person under 18 by the Labor Act, may be employed in any job that is injurious to health, dangerous, or immoral. For industrial work and work on vessels where a family member is not employed, the minimum work age is 15, which is consistent with the age for completing educational requirements. The law states that children may not be employed in agricultural or domestic work for more than eight hours per day. Apprenticeship of youths above the age of 12 is allowed in skilled trades or as domestic servants.

In September 2013 the government approved a national action plan and a national strategy for the elimination of child labor. Despite the law and action plan, children remained inadequately protected due to weak or nonexistent enforcement. The Labor Ministry is responsible for enforcing labor laws. The federal government’s Child Rights Act requires state-level ratification for full implementation. Twenty-three states and the FCT passed the act. The remaining states were primarily in the North, where sharia is in effect. [...]

Child labor was widespread, and the Ministry of Labor and NAPTIP estimated more than 15 million children participated in child labor, including 2.3 million employed in hazardous work.

The worst forms of child labor identified in the country included commercial agriculture and hazardous farm work (cocoa, cassava); street hawking; exploitive cottage industries; hazardous mechanical workshops; exploitive and hazardous domestic work; commercial fishing; exploitive and hazardous pastoral and herding activities; construction; transportation; mining and quarrying; prostitution and pornography; forced and compulsory labor and debt bondage; forced participation in violence, criminal activity, and ethnic, religious, and political conflicts; and involvement in drug peddling.

Many children worked as beggars, street peddlers, bus conductors, and domestic servants in urban areas. Among child workers the government estimated as many as 9.5 million almajiri were engaged in street begging in the North (see section 6, Children). Children also worked in the agricultural sector and in mines. Boys worked as bonded laborers on farms, in restaurants, for small businesses, in granite mines, and as street peddlers and beggars. Girls worked involuntarily as domestic servants, street peddlers, and commercial sex workers. Near Lafia, in Nasawara State, local children could be seen hammering down large pieces of rocks, stacking them into piles, and carrying them on their heads. Children were also observed engaging in this work in Bauchi State and the FCT. In Zamfara State children were employed in industrial facilities used to process gold ore, exposing them to hazardous conditions. Remediation efforts were declared completed in one of the worst affected villages, Bagega, in July 2013.

An international agency worked with state government officials to eliminate the employment of children under the age of 14 and acted as an ombudsman to advocate for 14- to 16-year-old workers.” (USDS, 25 June 2015)

## 5.9 Sexual orientation and gender identity

The UK Home Office report on sexual orientation and gender identity in Nigeria, citing the Swedish Migration Board's fact finding mission from May 2014, explains:

"The consulted interlocutors agreed that Nigerians in general are against homosexuality. Cornerstones in society's perception of homosexuality, as noted by Lifos, include opinions that homosexuality is unnatural, sinful, and an abomination, as well as the importance of family and reproduction, and the view that sexual orientation is a matter of choice for the individual.

When addressing LGBT issues, the focus in Nigeria is on homosexuals, and men primarily. Other persons concerned within the LGBT designation, such as transgender and intersexual persons, are overwhelmingly unseen in society. Furthermore, many Nigerians do not consider the situation for homosexuals a significant problem. Other human rights issues are seen as more alarming.

Many Nigerians are attached to what is considered African values and are profoundly religious. Homosexuality, however, is largely considered non-African, and churches and mosques preach that it is the work of the devil. There is no religion in the country that is not opposed to homosexuality. Within this context, a politician who starts advocating for the rights of homosexuals risk losing his/her position. The issue is taboo in society." (UK Home Office, March 2015, p. 21)

Concerning sexual orientation and gender identity, Human Rights Watch (HRW) explains that in "Southern states, under the criminal code, consensual homosexual conduct can result in a 14-year prison term. In northern states, under Sharia law, punishments include caning, imprisonment, or death by stoning. (HRW, 29 January 2015).

The UK Home Office discusses the criminalization of homosexual conduct and explains:

"Same sex sexual acts are criminalised and since the enactment of the Same Sex Marriage (Prohibition) Act in January 2014 there have been a number of arrests of LGBT persons, although there are few reports of prosecutions and individuals being sentenced specifically under anti-LGBT legislation. There is also widespread societal discrimination, including intimidation, harassment and violence, against LGBT persons. The cumulative impact of anti-LGBT legislation and societal discrimination is likely to amount, in individual cases, to persecution. However, some LGBT persons enjoy a degree of openness to express their sexuality in the larger urban areas, principally in Abuja and Lagos. Each case must therefore be considered on its individual facts." (UK Home Office, March 2015, pp. 6-7)

Freedom House's Freedom in the World 2015 report confirms the information and adds:

"Among other provisions, the law imposes sentences up to 14 years for entering into a same-sex marriage or union, and up to 10 years for those who support or facilitate same-sex relationships, or who "make [a] public show of [a] same-sex amorous relationship." The measure complements existing bans at the state level. In many southern states, same-sex relationships are punishable by up to 14 years in prison, while in northern states, Sharia statutes allow for the death penalty. The new law received immediate condemnation from the international community. In October, the Federal High Court rejected a legal challenge filed earlier in the year claiming that the law violated the fundamental human rights of the Nigerian LGBT community; the court found that the man who brought the suit did not have standing to

challenge the law because he was not gay and therefore was not directly affected by it.” (Freedom House, 28 January 2015)

Regarding the recently ratified Same-Sex Marriage (Prohibition) Bill, the United States Department of State’s (USDS) report on human rights practices states:

“On January 7, President Jonathan enacted the Same-Sex Marriage (Prohibition) Act (SSMPA), which effectively renders illegal all forms of activity supporting or promoting lesbian, gay, bisexual, and transgender (LGBT) rights. Under the SSMPA anyone found to have entered into a same-sex marriage or civil union may be punished by up to 14 years’ imprisonment. In addition anyone found guilty of being an individual who “aids the solemnization of a same-sex marriage or civil union, or supports the registration, operation, and sustenance of gay clubs, societies, organizations, processions, or meetings” or “registers, operates, or participates in gay clubs, societies, organizations, or directly or indirectly makes public show of same-sex amorous relationship” commits an offense punishable by 10 years’ imprisonment.

Following the passage of the SSMPA, LGBT persons reported increased harassment and threats against them based on their perceived sexual orientation or gender identity. News reports and LGBT advocates reported numerous arrests, but detainees were in all cases released without formal charges after paying a bond. As of December there were no reports of the government enforcing the SSMPA.

Consensual same-sex sexual activity is also illegal under federal law and is punishable by prison sentences of up to 14 years. In the 12 northern states that adopted sharia, adults convicted of engaging in same-sex sexual activity may be subject to execution by stoning. Although no such sentences were imposed during the year, individuals convicted of same-sex activity were sentenced to lashing.

On February 12, a mob in the Gishiri community of Abuja attacked 13 gay men and drove them out of their homes with sticks and knives. The mob took four of the men to a local police station where police also beat them. The four men were released the following day. Despite requests from advocacy groups, police neither investigated the incident nor apprehended any of the attackers. The men were unable to return to their homes

Because of widespread societal taboos against same-sex activity, very few LGBT persons were open about their sexual orientation. Several NGOs provided LGBT groups with legal advice and training in advocacy, media responsibility, and HIV/AIDS awareness, as well as providing safe havens for LGBT individuals. The government and its agents did not impede the work of these groups during the year.” (USDS, 25 June 2015)

Human Rights Watch (HRW) builds on this discussion and notes:

“The Same-Sex Marriage (Prohibition) Bill, which President Jonathan ratified in January 2014, took things to what an observer described as “absurd levels” as the new law criminalizes public displays of affection between same-sex couples and penalizes organizations advocating for the rights of LGBT people. The law could inhibit the right to health by criminalizing outreach to LGBT groups. The vaguely worded law contradicts Nigeria’s Constitution, as well as its obligations under regional and international human rights treaties.” (HRW, 29 January 2015)

According to the UK Home Office, the Swedish Migration Board report of a fact finding mission conducted between 11 and 16 May 2014, released on 18 December 2014, stated:

“According to several consulted sources, the law has gained strong support among the population. However, very few Nigerians have read it and, according to one source, support would be weaker should the actual contents be wider known. The Same Sex Marriage Prohibition Bill has highlighted the LGBT issue among the population while media reporting has affected the acceptance of LGBT persons adversely. The increased awareness has generated hate crimes, which has made the police more conscious of the issue. It has also resulted in homosexual men reporting each other to the authorities.” (UK Home Office, March 2015, p. 9).

Discrimination and harassment of LGBTI community members was also identified by Amnesty International’s (AI) State of the World’s Human Rights report from February 2015, as follows:

“Days after the law came into force, lesbians, gay, bisexual, transgender and intersex (LGBTI) people and activists faced harassment, blackmail and threats to their lives. In Ibadan, Oyo State, police arrested five men on the basis of their perceived sexual orientation. They were later released on bail. In Awka, Anambra State, six people were reportedly arrested and detained by police under the new law. An Assistant Commissioner of Police in Bauchi said that police carried a list of suspected LGBTI people “under surveillance” as part of their ‘profiling of criminals.’” (AI, 25 February 2015)

An article from the International Business Times (IBT) dating from September 2013 also describes:

“Persecution of gay Nigerians still leads to violence fairly often, particularly in the country’s more rural states. In January, four men were arrested, stripped naked and paraded along a public street in Imo State on suspicion that they were homosexual, as noted by OnlineNigeria News. And in August, an Ogun State man was brutally beaten for allegedly being gay, as reported by the same site.” (IBT, 13 September 2013)

In the northern States, the situation for LGBTI is described by the International Lesbian Gay Bisexual Trans and Intersex Association’s (ILGA) May 2014 report, which states:

“...several Northern Nigerian states (12) have adopted Islamic Sharia laws, criminalising sexual activities between persons of the same sex. The maximum penalty for such acts between men is death penalty, while the maximum penalty for such acts between women is a whipping and/or imprisonment. These laws differ from the federal law, as most of these prohibit also sexual relations between women.

The states which have adopted such laws are: Bauchi (the year 2001), Borno (2000), Gombe (2001), Jigawa (2000), Kaduna (2001), Kano (2000), Katsina (2000), Kebbi (2000), Niger (2000), Sokoto (2000), Yobe (2001) and Zamfara (2000).” (ILGA, May 2014, p. 42)

The United States Commission on International Religious Freedom (USCIRF)’s January report also argued that:

“In January 2014, two Shari’ah courts in Bauchi State held a trial of 12 men accused of breaking national and Shari’ah laws on homosexuality. Their cases were heard in secret after an angry mob pelted the defendants with stones following a hearing, demanding their immediate execution. In March, four were convicted, given 15 lashes, and fined \$125, and seven were

secretly released on bail. A Christian suspect was tried in a secular court and later secretly released. Also in January, in a separate case, a man was publicly flogged and

### 5.9.1 *Media coverage*

A Guardian article dating from January 2014 reports on the enactment of the Same Sex Marriage (Prohibition) Act and notes:

“Dozens of gay men are reported to have been arrested across northern Nigeria as police begin to enforce punitive new laws that criminalise same-sex marriages and membership of gay rights organisations. [...]

Last week Nigeria's president, Goodluck Jonathan, signed the Same Sex Marriage Prohibition Act, which provides penalties of up to 14 years in jail for a gay marriage and up to 10 years' imprisonment for membership or encouragement of gay clubs, societies and organisations.

His spokesman, Reuben Abati, said: ‘This is a law that is in line with the people's cultural and religious inclination. So it is a law that is a reflection of the beliefs and orientation of Nigerian people ... Nigerians are pleased with it.’ (Guardian, 14 January 2014)

A Telegraph article dating from 14 January also describes the aftermath of the passing of the law:

“Some Nigerian gays already have fled the country because of intolerance of their sexual persuasion, and more are considering leaving, if the new law is enforced, human rights activist Olumide Mekanjuola said recently.

Nigeria's law is not as draconian as a Ugandan bill passed by parliament last month which would punish "aggravated" homosexual acts with life in prison. It awaits the president's signature.

But Nigeria's law reflects a highly religious and conservative society that considers homosexuality a deviation. Nigeria is one of 38 African countries - about 70 percent of the continent - that have laws persecuting gay people, according to Amnesty International (AI).” (Telegraph, 14 January 2014)

An article from Premium Times dating from 13 January 2014, noted with regards to the overall reception of the bill by the Nigerian population:

“For many Nigerians, accustomed to attacking Mr. [Goodluck] Jonathan over his failure to address many of the nation's ills and its stinking corruption, the bill's signing, largely a popular decision, came as one of the commendable steps taken by his administration.

Across the social media and blogosphere, majority of Nigerians heaped praises on a president they are more used to criticizing and pointed out how he has defied international pressure over the bill, and acted in a way deemed to be in Nigeria's interest.

‘Jonathan got this one alone right. The Oyinbo (whites) can go to hell,’ one Twitter post read. News of the bill's signing promptly spurred an outpouring of anti-gay sentiments across the social media, with many Nigerians discountenancing minority concerns about how beneficial

criminalizing peoples' way of life could be to a population struggling with insecurity, poverty and basic electricity.

'I applaud the president's passage of the Gay Bill. Now Boko Haram, epileptic power supply and broken infrastructure will be resolved,' another Twitter post read.

For many, the decision affirmed Nigeria's profoundly religious and cultural leaning, and symbolized a smack on the West widely seen here as notorious for expecting its values and beliefs adopted globally." (Premium Times, 13 January 2014)

A Huffington Post article from February 2014 equally reports on how the enactment of the bill has affected the LGBTI community:

"Human rights activists say a mob dragged men accused of being homosexuals from their homes in the Nigerian capital and beat them up with wooden clubs and iron bars. They say four of the 14 victims then were punched and kicked by police officers.

A police spokeswoman promised to respond to the allegations about the attack in the early hours of Thursday in a shantytown of Abuja. Human rights activist Ifeanyi Orazulike said four young men were seriously injured in the attack and all the victims are in hiding.

The U.S. Embassy says the attack strengthens its concerns that Nigeria's recently passed Same Sex Marriage (Prohibition) Act could be used to justify such violence. Dozens of alleged gays have been arrested since President Goodluck Jonathan signed the law in January." (Huffington Post, 15 February 2014)

A Guardian article dating from February 2014 describes how a few Nigerian intellectuals have also taken a stand against the bill, as follows:

"Leading authors including Chimamanda Ngozi Adichie and Jackie Kay have condemned Nigeria's harsh new anti-gay law in the strongest possible terms, with Kay comparing the situation to Nazi Germany and Adichie calling for the "unjust" law to be repealed.

Kay, the Scottish-Nigerian poet and winner of the Guardian fiction prize, told the Guardian that "it is dangerous for any country to legalise a witch-hunt of an already oppressed minority; it will lead to an unprecedented hysterical homophobia that will set the clock back in the fearful past. It is reminiscent of Nazi Germany. It will lead to people fleeing for safety, to informers, to pitting one African citizen against another." Adichie, writing in the Nigerian paper the Scoop, called the recently passed law which criminalises homosexuality "un-African", saying that it "goes against the values of tolerance and 'live and let live' that are part of many African cultures". The Nigerian government has not responded to a request for comment." (Guardian, 27 February 2014)

### *5.9.2 Incidents of arrest and detention*

According to Amnesty International's (AI) 15 January 2014 press release, over 10 people have already been arrested under the Same-Sex Marriage (Prohibition) Bill. (AI, 15 January 2014). The document further adds:

"Those targeted under the new law included five allegedly gay men who were arrested yesterday in Ibadan, Oyo state – they have since been released on bail. In the south-eastern

city of Awka, Anambra state, six persons were reportedly arrested and detained by the police. Human rights defenders told Amnesty International (AI) that the arrests and intimidation of LGBTI people in Nigeria is expanding across the country.” (AI, 15 January 2014)

A Vanguard article dating from 18 February 2014, reported that:

“A Chief Magistrate's court, sitting at Isabo in Abeokuta, Ogun State, yesterday, remanded three suspected homosexuals, including a 64-year-old Oluwasegun Adesina-Rasheed, Samad Ojo, 20 and Ope Abeeb, 18 in Ibara prison. The suspects were allegedly caught in the act on February 14, St. Valentine's day at about 11:30 p.m. at the secretariat of the Nigeria Union of Journalists, Ogun State Council, otherwise known as Ile-Iroyin in Oke-Ilewo, Abeokuta.” (Vanguard, 18 February 2014)

A report from Leadership from May 2014, also explained:

“Police detectives in Asaba, Delta State have uncovered a hideout of lesbians around Awai road Asaba and have arrested 26 suspects. The public relations officer of the state police command, DSP Celestina Kalu who confirmed the arrest of the suspects, said they were arrested while allegedly having sex with one another at their hideout.’ The police spokesperson said the suspects had confessed to the crime during interrogation and would be charged on completion of the investigation.” (Leadership, 29 May 2014)

The Amnesty International (AI) report covering events in 2014 noted that:

“Days after the [Same-sex Marriage Act] law came into force, lesbians, gay, bisexual, transgender and intersex (LGBTI) people and activists faced harassment, blackmail and threats to their lives. In Ibadan, Oyo State, police arrested five men on the basis of their perceived sexual orientation. They were later released on bail. In Awka, Anambra State, six people were reportedly arrested and detained by police under the new law. An Assistant Commissioner of Police in Bauchi said that police carried a list of suspected LGBTI people ‘under surveillance’ as part of their ‘profiling of criminals’.” (AI, February 2014)

## **5.10 Freedom of movement**

The United States Department of State's (USDS) country report on human rights practices establishes:

“The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, but security officials restricted freedom of movement at times by enforcing curfews in areas experiencing terrorist attacks and ethnoreligious violence.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers through the National Commission for Refugees, Migrants, and Internally Displaced Persons (NCRMIDP) and the National Emergency Management Agency. The Eligibility Committee, on which the UNHCR had observer status, governed the granting of refugee status, asylum, and resettlement and reviewed refugee resettlement. [...]

At various times throughout the year, the federal, state, or local governments imposed curfews or otherwise restricted movement in Bauchi, Borno, Kano, Kaduna, Kogi, Plateau, Adamawa, and Yobe states in the aftermath of Boko Haram attacks.

Police set up illegal roadblocks and checkpoints to extort money from travelers. Security officials used excessive force at checkpoints and roadblocks.” (USDS, 25 June 2015)

Furthermore, the UK Home Office’s report dating from 9 June 2015 stated:

“The Constitution provides for these rights, and the Government generally respected them; however, police occasionally restricted freedom of movement by enforcing curfews in areas with ethno-religious violence.

In the months leading up to and during the elections, police in the Federal Capital Territory limited the number of Muslims entering Abuja to attend Friday Juma’at prayers at the National mosque because of the Government feared the gathering would become a spontaneous rally or riot in favor of opposition presidential candidate Buhari.” (UK Home Office, 9 June 2015 p. 5)

Regarding the right to freedom of movement for women, the UK Home Office cited a report from the Organisation for Economic Co-operation and Development’s (OECD) Social Institutions and Gender Index (SIGI) which noted:

“Women’s freedom of movement is restricted in that in some cases they are obliged to obtain their husbands’ permission to obtain a passport or to travel outside the country. Women in purdah (in Muslim communities in northern areas) cannot leave their homes without permission from their husbands and must be accompanied by a man at all times when in public. Purdah also restricts women’s freedom of dress in that Muslim women must be veiled in public. Widows in these regions face the greatest degree of discrimination: they are confined to the home and must keep their heads shaven and wear mourning dress.” (UK Home Office, August 2015, p. 29)

For more information on women’s rights, please refer to section 5.7 of this compilation.

### **5.11 Trafficking**

The Migration Policy Institute (MPI) considers Nigeria a major center for human trafficking (MPI, 30 June 2010). A report from Freedom House dating from January 2015 discusses the issue of human trafficking as follows:

“Illegal human trafficking to, from, and within Nigeria for the purposes of forced labor and prostitution is reported to be on the rise, though a recent report indicated that the authorities have become more successful in protecting human trafficking victims, prosecuting suspected traffickers, and dismantling their networks. Forced labor is illegal but common, especially bonded labor and domestic servitude, and the government makes very little effort to combat the practice.” (Freedom House, 28 January 2015)

The United States Department of State (USDS)’s Trafficking in Persons 2014 report adds:

“Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Nigerian trafficking victims are recruited from rural and, to a lesser extent, urban areas within the country; women and girls for domestic servitude and sex trafficking, and boys for forced labor in street vending, domestic service, mining, stone quarrying, agriculture, and begging. Young boys who attend Koranic schools, commonly known as Almajiri children, are often moved between Kano, Kaduna, and Sokoto and subjected to forced begging. Nigerian traffickers rely on threats of voodoo curses to control Nigerian victims and force them into situations of prostitution or labor. Nigerian women and children are taken from Nigeria to other West and Central African countries, as well as to South Africa, where they are exploited for the same purposes. Children from West African countries—primarily Benin, Ghana, and Togo—are forced to work in Nigeria, and many are subjected to hazardous labor in Nigeria’s granite mines. Nigerian women and girls—primarily from Benin City in Edo State—are subjected to forced prostitution in Italy, while Nigerian women and girls from other states are subjected to forced prostitution in Spain, Scotland, the Netherlands, Germany, Turkey, Belgium, Denmark, Finland, France, Sweden, Switzerland, Norway, Ireland, Slovakia, the Czech Republic, Greece, and Russia. Nigerian women and children are also recruited and transported to destinations in North Africa, the Middle East, and Central Asia, where they are held captive in the sex trade or in forced labor. Nigerian gangs subject large numbers of Nigerian women to forced prostitution in the Czech Republic and Italy, and the European Police Organization (EUROPOL) has identified Nigerian organized crime related to trafficking in persons as one of the largest law enforcement challenges to European governments. Nigerian women are trafficked to Malaysia, where they are forced into prostitution and to work as drug mules for their traffickers. West African women travel through Nigeria to destinations in Europe and the Middle East, where they are subsequently subjected to forced prostitution. [...]

The Government of Nigeria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government demonstrated an increase in anti-trafficking law enforcement efforts by increasing the number of trafficking investigations, prosecutions and convictions and by providing extensive specialized anti-trafficking training to officials from various government ministries and agencies. The National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP) increased protection efforts by developing a formal referral mechanism for victim. .. the government has yet to implement formal procedures for the return and reintegration of Nigerian victims. [...]

Despite the growing number of Nigerian trafficking victims identified abroad, the government has yet to implement formal procedures for the return and reintegration of Nigerian victims; consequently, many victims are not afforded adequate care upon their return to Nigeria. This is of particular concern, as some European countries deny Nigerian victims’ attempts to seek asylum or to access European victim programs on the basis of the perceived availability of adequate victim services in Nigeria.

All victims were eligible to receive funds from the victims’ trust fund, which was financed primarily through confiscated assets of convicted traffickers. During the reporting period the equivalent of approximately \$20,000 was disbursed among 47 victims for purposes ranging from vocational training to school tuition, although not necessarily in equal amounts. The government provided a limited legal alternative—short term-residency that could not be extended—to the removal of foreign victims to countries where they may face hardship or retribution”. (USDS, 20 June 2014)

Furthermore, the United States Department of State’s (USDS) 2015 Trafficking in Persons Report also describes:

“Nigeria is a transit point for West African children subjected to forced labor in Cameroon and Gabon. During the reporting period, an NGO alleged Nigerian officials subjected children in internally displaced person (IDP) camps in northeast Nigeria to labor and sex trafficking. A Nigerian soldier also allegedly engaged in the forced labor of a child.

During the reporting period, media and international observers reported the terrorist organization Boko Haram forcefully recruited and used child soldiers as young as 12-years-old and abducted women and girls in the northern region of Nigeria, some of whom it later subjected to domestic servitude, forced labor, and sex slavery through forced marriages to its militants. An NGO also reported a civilian vigilante group, identified as the Civilian Joint Task Force (CJTF), recruited and used child soldiers, sometimes by force. The government prohibited the recruitment and use of child soldiers and issued official statements condemning such use; however, the CJTF continued to recruit and use child soldiers during the reporting period. The Borno State government continued to provide financial and in-kind resources to the CJTF, which was also, at times, aligned with the Nigerian military in operations against Boko Haram.” (USDS, 27 July 2015)

Regarding the return to and reintegration of Nigerian human trafficking victims, the Finnish Immigration Service (FIS) describes the following:

“Many of the informants in Skilbrei and Tveit’s study had heard of women returning to Nigeria who had been arrested upon their arrival in the country and released in exchange for bribes paid by their family. Some informants had heard about a case in which one hundred Nigerian women had been repatriated from Italy to Nigeria and all of them were arrested at the airport. They had been released in exchange for bribes paid by their parents. [...]

In addition to arrests, the women being repatriated to Nigeria fear the social consequences of the return. [...] People who return or are repatriated to Nigeria without money are received in a significantly different manner than those who return wealthy. Communities may have a widely held negative attitude towards the victims and the social stigmatisation is high if the victim returns with health problems instead of wealth. The victims may face disappointment, contempt and hostility even from their own family members who are disappointed if the girl has not earned enough or at all in Europe. The families may refuse to have them back, and consequently, many repatriated victims do not have a place to go in Nigeria. The victims may be exposed to psychological and emotional violence from their families. [...]

Many victims of human trafficking have experienced violence when returning to Nigeria. Women returning to Lagos and Benin City have fallen victim to armed robbery, rape and/or physical violence. [...] Many inhabitants of Edo experience violence but repatriated women are more vulnerable to it as they are assumed to have money, either earned by themselves or received as repatriation compensation.” (FIS, 24 March 2015, pp. 25-27)

Women returning to Nigeria also face the risk of being re-trafficked, as explained by the European Asylum Support Office (EASO):

“Many of the victims repatriated to Nigeria try to return to Europe as soon as possible. They may do so on their own initiative, or be pressured or forced to do this by the trafficker or the madam, to whom they may not have yet fully repaid their debt, or by their family, disappointed that they were not able to fulfil their expectations of becoming wealthy. Many of the women repatriated to Nigeria [...] re-negotiated their passage to Europe under the same conditions and

did so repeatedly. Cherti et al. note that the close relationship between the victims' families or communities and traffickers may lead to the risk of being re-trafficked even when the victim herself is unwilling to leave (EASO, October 2015, p. 47)

Regarding their expressed fear of return for reasons of retaliation, the same report also explains:

“Victims of human trafficking often express the feeling that returning to Nigeria is too dangerous for fear of retaliation by traffickers or madams. They are afraid because of the juju oath they have sworn and the remaining debt with the trafficker.

Their fears are not always shared by NGOs working with victims of sex trafficking. The NGOs working with victims of sex trafficking interviewed by the Danish Immigration Service (2007 fact-finding mission) provided conflicting and unclear information on this issue. Some NGOs emphasised the fear of retaliation by traffickers of victims, while others remarked that there were no records of violent reprisals or killings of victims in the media. Traffickers were not known to have persecuted or killed victims in Nigeria. Victims who had testified against their traffickers were not considered to be at risk. It was explained that local traffickers would have no interest to act against a victim who testifies against them or a madam abroad, as this would greatly expose them to risks of imprisonment by the police. The risk of reprisals was assessed to be greater in Europe than in Nigeria. It was reported that traffickers would rather send the victim back to Europe than killing or severely injuring them

On the other hand, other interlocutors interviewed by the aforementioned Danish mission in 2007, did mention examples of reprisals, violence, kidnapping and burning of homes of victims, especially when they had not repaid their debts. There were also reports of witnesses experiencing reprisals and intimidation by traffickers. However, there seemed to be no systematic reprisal against returning victims, although in individual cases this might have occurred.” (EASO, October 2015, p. 45)

## **5.12 Persons with disabilities**

Concerning the rights of persons with disabilities, the United States Department of State's (USDS) 2014 country report on Human Rights practices in Nigeria describes:

“The constitution does not explicitly prohibit discrimination based on disability, but it prohibits discrimination based on the circumstances of one's birth. There are no federal laws prohibiting discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. Plateau and Lagos states have laws that protect the rights of persons with disabilities, while Akwa-Ibom, Jigawa, Osun, and Oyo states took steps to develop such laws. Government responsibility for persons with disabilities falls under the Ministry of Women's Affairs and Social Development. Some government agencies, such as the National Human Rights Commission and Ministry of Labor, designated an employee to work on issues related to disabilities.

Mental health-care services were almost nonexistent. Officials at a small number of prisons used private donations to provide separate mental health facilities for prisoners with mental disabilities. All prisoners with disabilities stayed with the general inmate population without regard to disability, and no additional services were available.

Persons with disabilities faced social stigma, exploitation, and discrimination, and relatives often regarded them as a source of shame. Many families viewed children with disabilities who could not contribute to family income as liabilities and sometimes severely abused or neglected them. Many indigent persons with disabilities begged on the streets. Persons with intellectual disabilities were stigmatized, sometimes even within the community of persons with disabilities.” (USDS, 25 June 2015)

### 5.13 Persons living with HIV/AIDS

The Central Intelligence Agency (CIA) World Factbook stated that around 3,17% of the population, or 3.228.600 adults (2013 est.) were living with HIV/AIDS in 2013 (CIA, 11 August 2015). AVERT, an international HIV and AIDS charity, also explained that the country has the second highest number of new infections reported each year (AVERT, 2014).

The National Agency for the Control of AIDS (NACA) reports:

“The first HIV Sentinel Survey in 1991 showed a prevalence of 1.8%. Subsequent sentinel surveys produced prevalence of 3.8% (1993), 4.5% (1996), 5.4% (1999), 5.8% (2001), 5.0% (2003), 4.4% (2005), 4.6% (2008) and 4.1 % ( 2010). The National HIV/AIDS and Reproductive Health Survey (NARHS) was adopted in 2003 to provide information on key HIV/AIDS and Reproductive Health knowledge and behaviour-related issues. In 2007, the scope was expanded to include estimation of HIV prevalence in the country. A more comprehensive survey was conducted in 2012, (NARHS plus II 2012) which showed a decline to 3.4% in HIV prevalence, indicating a reversal of the epidemic in the country, compared to the 2007 figure of 3.6%. [...]

This is designed to reposition the prevention of new HIV infections as the major focus of the national HIV/AIDS response, for the National HIV/AIDS Strategic Plan (NSP) 2010-2015. The NSP 2010-2015 aligns with key priorities outlined in the poverty reduction strategy for Nigeria (Nigeria Vision 20:2020) and the National HIV Policy. As a resource mobilization tool for the national response, it will help achieve universal access to HIV prevention, treatment, care and support and the Millennium Development Goal six on HIV in Nigeria.

The key HIV/AIDS priorities of the NSP 2010-2015 are related to the thematic areas identified by the National HIV/AIDS Policy 2010-2015. These areas are:

- Promotion of Behavior Change and Prevention of New HIV Infections
- Treatment of HIV/AIDS and Related Health Conditions
- Care and Support of PLHIV, PABA, and OVC
- Policy, Advocacy, Human Rights, and Legal Issues
- Institutional Architecture, Systems, Coordination, and Resources
- Monitoring and Evaluation Systems (comprising M&E, Research, and Knowledge Management)” (NACA, 2014, pp. 17, 26)

A United States Department of State (USDS)’s report dating from June 2015 noted with regards to discrimination against persons living with HIV/AIDS:

“According to the 2013 NDHS [Nigeria Demographic and Health Survey], administered to a broad cross-section of society throughout the 36 states and the FCT [Federal Capital Territory], 50 percent of women and 46 percent of men reported discriminatory attitudes towards those with HIV. There was widespread societal discrimination against persons with HIV/AIDS. The

public considered the disease a result of immoral behavior and a punishment for same-sex activity. Persons with HIV/AIDS often lost their jobs or were denied health-care services. Authorities and NGOs sought to reduce the stigma and change perceptions through public education campaigns.” (USDS, 25 June 2015)

The issue of discrimination was further described by a report from Voice of America (VOA) dating from July 2015:

“New research shows that more than 30 years into the HIV/AIDS epidemic, African women living with the HIV still face much stigma and discrimination. The study says it’s affecting efforts to prevent mother-to-child transmission of the AIDS virus.

The community-led research was commissioned by the World Health Organization and done in Kenya, Namibia and Nigeria. The study was conducted by the International Community of Women Living with HIV – or ICW -- and the Global Network of People Living with HIV. [...]

One Nigerian woman said in the report that instead of talking to her, nurses shouted and laughed at her because of her HIV status. [...]

The report is entitled "Early Infant Diagnosis: Understanding the Perceptions, Values and Preferences of Women Living with HIV in Kenya, Namibia and Nigeria." It was released at the 8th International AIDS Society Conference on HIV Pathogenesis, Treatment and Prevention in Vancouver, Canada. (VOA, 20 July 2015)

Regarding HIV prevention, AVERT, an organization working to provide information on HIV/AIDS describes the barriers they have encountered to promote prevention following the enactment of the new anti-gay law in Nigeria:

“The high HIV prevalence reported among high-risk groups, as well as their link to the general population should place these individuals at the centre of HIV prevention programmes. Nevertheless, HIV prevention messages are not sufficiently reaching people that fall within these groups. One of the major barriers to accessing HIV prevention programmes for MSM and sex workers are laws that prohibit their activities. For example, same-sex relations in Nigeria are criminalised with 14 years imprisonment, and in early 2014 a new law was passed to further criminalise the LGBT community. It states that people who participate in gay organisations or publically show same-sex affection will be imprisoned for 10 years; those that support gay organisations face the same conviction. There is concern that this will limit access for the LGBT community to HIV services.” (AVERT, 2014)

In addition, an article published in July 2014 by Erasing 76 Crimes also reported on the impact of the recently enacted anti-gay law as follows:

“The extent of the devastation that Nigeria’s anti-gay law is wreaking on Nigerian anti-AIDS efforts is coming into view.

Among Nigerian men who have sex with men, the number of people reached for HIV prevention has dropped drastically since the signing of the anti-gay “Same-Sex Marriage Prohibition Bill” in January. [...]

Survey results were mixed with regard to contacts with HIV-positive people — a range of minus 50% to plus 30% contacts in those same five locations for the Positive Health, Dignity and Prevention program endorsed by UNAIDS (the Joint United Nations Programme on HIV/AIDS).

A key reason for the drop in HIV prevention services is health-care professionals' fear of prosecution under the anti-gay law, which provides 10-year prison sentences for people at meetings with gay men." (Erasing 76 Crimes, 9 July 2014)

Threats from the community and from government authorities have also led many HIV patients to refrain from seeking treatment, as reported by Science Speaks in an article dating from 4 April 2014:

"When Nigeria passed its "Same Sex Marriage (Prohibition) Law," banning gay people from gathering, and criminalizing "gay clubs, societies, organizations," and their "sustenance," the work of reaching men who have sex with men, life-saving HIV prevention, treatment and other health services in the country with the world's second largest HIV epidemic, had only begun to make headway. With same sex relationships already criminalized, information on risks and needs had been nonexistent when researchers began to gather data in 2006, a spokesperson from the Population Council who is familiar with the situation in Nigeria said Thursday. Using word of mouth and then focus groups, researchers began to gather data. The need, they determined over time, was urgent. The more than 15 percent HIV prevalence among men who have sex with men was four times the prevalence among the general population. [...]

In the wake of the Nigeria law, gains vanished overnight, said the spokeswoman (whose name the Population Council requested not be used for her protection). From reaching 1,700 men in three months, she said, programs saw numbers of new clients halve, and drop to zero, she said, as threats of extortion, arrests and mob violence drove patients into hiding. "Among health care providers there was a lot of panic, there was a lot of frustration, and a lot of fear," she added.

As reaching people in groups became impossible, she said, programs had to change their strategies to reach individuals. The government, in turn had to release a statement saying it was okay to seek health services." (Science Speaks, 4 April 2014).

#### **5.14 Housing, land, and property rights**

Emeke Chegwe, a senior lecturer and former Head of Department of Jurisprudence and International Law of Delta State University analyses the fundamental rights to property and housing in the context of Nigeria and explains:

"The right to adequate housing [...] is one of the economic, social and cultural rights, which has been guaranteed by a number of local and international laws. But their enjoyment in Nigeria falls short of the growing expectations of Nigerians in their desire to have them elevated to the status of fundamental human rights. [...]. It has therefore been suggested that a great proportion of national wealth should not be enjoyed only by a handful of persons to the exclusion of the less privileged in the society. Surprisingly, there are a number of international human rights conventions, which duly provide for a right to adequate housing. Nigeria is a signatory to these international conventions and has also ratified a number of them. At the national level, the right to housing is recognised in the constitution and other laws enacted at other levels which impact upon housing.[...] Thus, there is a de jure acknowledgement of the right to housing in Nigerian domestic law. However, the housing problem has not generally been approached from a human

rights perspective. [...]The socio-economic forces currently at play in the country have cast serious doubts on the ability of the ordinary Nigerian to realize his rights to adequate housing.” (Chegwe, 2014, pp.11-12)

The June 2015 United States Department of State (USDS) country report on human rights practices reported on the violation of these rights as follows:

“Human rights groups and the media reported security services raided homes without warrants while searching for suspected Boko Haram militants. In some instances this occurred immediately following a bombing or attack by suspected militants. In other cases the security services conducted searches and seizures during planned sweeps through neighborhoods where they suspected Boko Haram militants resided. During the year, although the government did not punish family members for alleged offenses committed by individuals, reports indicated security services arrested and detained the family members of suspected Boko Haram militants.

The Federal Capital Development Authority (FCTA) continued to threaten to evict residents in communities not deemed in compliance with the Abuja city plan. [...] Many observers viewed the demolitions as motivated primarily by corruption and discrimination based on socioeconomic class.” (USDS, 25 June 2015)

This issue was further described by Amnesty International’s (AI) 2015 State of the World’s Human Rights report, which states:

“Lagos state government violated the right to effective remedy of close to 9,000 people affected by a forced eviction in Badia East, Lagos State, in February 2013. After mounting pressure and over a year after rendering thousands homeless, the Lagos state government provided some affected people with limited financial assistance instead of adequate compensation for their losses. Furthermore, in order to access the financial assistance the government required people to sign documents that effectively prevented them from accessing further remedy.

In June the Economic Community of West African States (ECOWAS) Court awarded almost US\$70,000 in damages to members of the Bundu community in relation to an incident on 12 October 2009: armed security forces had opened fire on unarmed protesters in an informal settlement in Port Harcourt, killing one and seriously injuring 12 others. The protesters were demonstrating against plans to demolish their homes. The Court held that there was no justification for the shootings and the government had breached its obligation to protect and respect the right to peaceful association and assembly.” (AI, 25 February 2015, p.)

## **5.15 Administration of justice**

### **5.15.1 Right to a fair trial**

According to the United States Department of State (USDS), “although the constitution and law provide for an independent judiciary, the judicial branch remained susceptible to pressure from the executive and legislative branches and the business sector.” (USDS, 25 June 2015). This has deeply impacted the administration of justice in Nigeria, as the report further describes:

“Political leaders influenced the judiciary, particularly at the state and local levels. Understaffing, underfunding, inefficiency, and corruption prevented the judiciary from functioning adequately.

Judges frequently failed to appear for trials, often because they were pursuing other sources of income or due at times to threats against them. In addition court officials often lacked the proper equipment, training, and motivation to perform their duties, with their lack of motivation primarily due to inadequate compensation.

There was a widespread perception that judges were easily bribed and that litigants could not rely on the courts to render impartial judgments. Citizens encountered long delays and alleged receiving requests from judicial officials for bribes to expedite cases or obtain favorable rulings. [...]

The constitution provides that states may establish courts based on common law or customary law systems. This allows states to use the sharia penal code in their courts, which outlines hadd offenses and punishments, including caning, amputation, and death by stoning. The nature of a case and the consent of the parties usually determined if a sharia court had jurisdiction. The impetus to establish sharia courts stemmed at least in part from inefficiency, cost, and corruption in the regular court system.

Defendants have the right to challenge the constitutionality of sharia criminal statutes through the common law appellate courts; however, no challenges with adequate legal standing reached the common law appellate system. The highest appellate court for sharia-based decisions remained the Supreme Court, staffed by common law judges who are not required to have any formal training in the sharia penal code.” (USDS, 25 June 2015)

Concerning trial procedures, the same report also notes:

“Defendants enjoy the right to be presumed innocent; be informed promptly and in detail of charges (with free interpretation as necessary); receive a fair and public trial without undue delay; communicate with an attorney of choice (or to have one provided at public expense); have adequate time and facilities to prepare a defense; to confront witnesses against them and present witnesses and evidence; not be compelled to testify or confess guilt; and appeal. The law provides defendants the right to apply directly or through a lawyer for access to government-held evidence. Authorities did not always respect these rights. Although accused persons are entitled to counsel of their choice, there is no law preventing a trial from going forward without counsel, except for certain offenses that carry the death penalty. [...]

Human rights groups alleged the government denied terror suspects detained by the military their rights to legal representation, due process, and to be heard by a judicial authority. In December 2013 the Nigerian Defense Headquarters recommended “immediate trial” for 500 terror suspects and opened for review the cases of an additional 614 detainees suspected of terrorist activities. On October 1, the Lagos Federal High Court sentenced three suspected members of Boko Haram to 25 years’ imprisonment each for acts of terrorism and possession of prohibited firearms and ammunition. The court acquitted an additional suspect of all charges.

Indigent persons without representation were more likely to have their sentences carried out immediately, although all convicted persons have the right to appeal.

Sharia courts usually accorded the testimony of women and non-Muslims less weight than that of men. Under common law women and members of other groups could testify in civil or criminal proceedings and give testimony that carried the same weight as testimony of other witnesses. Some sharia court judges allowed different evidentiary requirements to prove adultery or fornication for male and female defendants. In contrast sharia courts could convict men only if they confessed or there was eyewitness testimony regarding their crime. Sharia courts,

however, provided women with certain benefits, including increased access to divorce, child custody, and alimony. It remained significantly easier, faster, and cheaper to get a hearing in a sharia court than in a common law court.

Military courts tried only military personnel, but their judgments could be appealed to civilian courts. Members of the military are subject to the Armed Forces Act regarding civil and criminal matters. The operational commanding officer of a member of the armed forces must approve charges against that member. The law provides for internal appeals before military councils as well as final appeal to the civilian Court of Appeals. Members of the armed forces charged with crimes committed while performing their duties during active service are liable to court-martial under military law.” (USDS, 25 June 2015)

Amnesty International’s (AI) May 2014 ‘Stop Torture, Country Profile Nigeria’ equally discussed the criminal justice system in Nigeria and added:

“The criminal justice system in Nigeria is blighted by corruption, with human rights violations common and widespread. Numerous rights guaranteed under international and Nigerian law are either poorly enforced or not enforced at all. These include the right to be brought swiftly before a court, the right to seek legal counsel, the right to contact family, the right to challenge the lawfulness of an arrest, the right to be spoken to in a language you can understand, and the right to be presumed innocent until proven guilty. As an example, security forces routinely resort to unfocused “dragnet” policing, targeting particular areas or groups rather than individuals based on reasonable suspicion. Frequently suspects are asked to pay to be released.” (AI, 13 May 2014, p. 5)

Regarding the role of women, the United States Department of State (USDS) published on 27 February 2014 a report noting:

“The testimony of women and non-Muslims usually was accorded less weight in sharia courts, although no legal provisions in common law barred women or other groups from testifying in civil or criminal proceedings or gave their testimony less weight. Some sharia court judges allowed different evidentiary requirements to prove adultery or fornication for male and female defendants. For women, pregnancy represented permissible evidence in some sharia courts. In contrast, men could be convicted only if they confessed or there was eyewitness testimony. Sharia courts provided women with certain benefits, including increased access to divorce, child custody, and alimony. It remained significantly easier, faster, and cheaper to get a hearing in a sharia court than in a common law court.” (USDS, 27 February 2014)

### *5.15.2 Prohibition of arbitrary arrest and detention*

The United States Department of State (USDS) published in June 2015 a report on the human rights practices in Nigeria and noted, regarding the prohibition of arbitrary arrest and detention: “Although the constitution and law prohibit arbitrary arrest and detention, police and security services employed these practices. The 7th Division arbitrarily arrested hundreds of persons during sweeps for militants.” (USDS, 25 June 2015). The same report also discussed the role of the police and security apparatus on this matter as follows:

“The National Police Force (NPF) reports to the inspector general of police, who is appointed by the president and is responsible for law enforcement operations. An assistant inspector general commands each NPF state unit. The constitution prohibits state and local governments from organizing their own police forces, but state governors may direct federal police for local

emergency actions. The DSS is responsible for internal security and reports to the president through the national security adviser. Due to police inability to control societal violence, the government turned to the army in many cases. For example, military, JTF, or Special Task Force units deployed to Nassarawa in response to indigene-settler violence, after local police could not contain outbreaks of ethnoreligious violence, and to Bauchi, Borno, Kano, Kaduna, Plateau, and Yobe states on a continuous basis in response to Boko Haram attacks. The military was often unable to respond adequately to reports of violence.

The NPF, the DSS, and the military reported to civilian authorities, but these security services periodically acted outside of civilian control. The government lacked effective mechanisms to investigate and punish abuse and corruption. The NPF and the military remained susceptible to corruption, committed human rights abuses, and operated with widespread impunity in the apprehension, illegal detention, and sometimes extrajudicial execution of criminal suspects. In the military services, a soldier's commanding officer determines disciplinary action, and the officer's decision is nominally subject to review by the chain of command under the Armed Forces Act.

The DSS also committed human rights abuses, particularly in restricting freedom of speech and press. In some cases private citizens or the government brought charges against perpetrators of human rights abuses in these units, but most cases lingered in court or went unresolved after an initial investigation. The NHRC has, as one of its thematic focus areas, responsibility for investigating reports of 'torture and extrajudicial, summary, and arbitrary executions.'" (USDS, 25 June 2015)

Other allegations of arbitrary arrest were reported by the United States Department of State (USDS) in February 2014:

"The law requires that even under a state of emergency, which the president declared in May, detainees must be brought before a magistrate within 48 hours and have access to lawyers and family members. There were no reports that government and security officials adhered to this regulation without bribery, and families were reportedly afraid to approach the Giwa barracks detention facility. Police routinely detained suspects without informing them of the charges or allowing access to counsel and family members; such detentions often included solicitations of bribes. Provision of bail often remained arbitrary or subject to extrajudicial influence. Judges often set conditions of bail too stringent to be met. In many areas with no functioning bail system, suspects remained incarcerated indefinitely in investigative detention within the prison system. Authorities kept detainees incommunicado for long periods. Numerous detainees alleged police demanded bribes to take them to court to have their cases heard or in exchange for freedom. If family members wanted to attend a trial, police often demanded additional payment.

Police held individuals who happened to be in the vicinity of a crime for interrogation for periods ranging from a few hours to several months. After their release authorities frequently asked them to return for further questioning.

Security force personnel arbitrarily arrested numerous persons during the year. The number of such cases remained unknown, but in 2013 and during the year AI and Human Rights Watch (HRW) catalogued examples of such cases. Human rights groups accused the government and security services of arbitrarily arresting male inhabitants of Maiduguri or family members of suspected militants following Boko Haram attacks." (USDS, 27 February 2014)

Regarding arbitrary arrest and detention in cases involving Boko Haram suspects, Amnesty International's (AI) 2015 State of the World's Human Rights report notes:

"In responding to Boko Haram, Nigerian security forces committed grave human rights violations and acts which constitute crimes under international law.

Arbitrary arrests by the military continued in northeast Nigeria. The military was known to enter communities, forcing the men to sit down outside in front of an informant in order to identify suspected Boko Haram members. Those singled out were detained by the military. In November the Nigerian military released at least 167 detainees from custody, a small portion of those arrested.

Detainees were denied access to the outside world, including lawyers, courts and families, and were held outside the protection of the law. Detainees were usually not informed of the reason for their arrest; their families were not given information about their fate or whereabouts. By the end of the year few, if any, of those detained by the military were brought before a court or permitted to challenge the lawfulness of their detention.

Many of those detained appeared to have been subjected to torture or other ill-treatment, as part of interrogations or as punishment. Detainees continued to die in military detention facilities as a result of torture or extremely harsh detention conditions." (AI, 25 February 2015)

On the same note, Human Rights Watch's (HRW) 2015 World Report also explained:

"Government security forces continued to respond to the Boko Haram violence in a heavy-handed manner, leading to serious human rights violations. Suspects are routinely abused, tortured, and held incommunicado in abusive detention conditions without charge or trial. The Joint Investigation Team, which military authorities commissioned in 2013, has recommended for trial 500 suspects out of 1,400 detainees in the northeast. Fewer than 50 suspects have faced trial." (HRW, 29 January 2015)

Furthermore, a written statement submitted by Amnesty International (AI) to the UN Human Rights Council (UNHRC) also denounced the practice of detaining family members of alleged Boko Haram supporters as follows:

"Amnesty International (AI) estimates that since 2009 the Nigerian military has arrested at least 20,000 persons in areas of Boko Haram activity. On numerous occasions, particularly following Boko Haram raids, soldiers have used unreliable hidden informants to screen entire communities of villages and towns in Borno and Yobe states. The military has also arrested relatives of Boko Haram suspects in lieu of the suspect.

In detention centres in the north-east and other locations in Nigeria, detainees have not had access to their families, lawyers or adequate medical attention. Those detained are held because they are allegedly members or supporters of Boko Haram, but most have never been charged and have not been brought before a court." (UNHRC, 4 June 2015, p. 3)

Boko Haram has also reportedly been involved in the practice of arbitrary detention, as described by Amnesty International (AI):

"Boko Haram [...] imprisoned thousands of civilians in its camps and in towns under its control, generally holding them in large houses, prisons or other buildings, under armed guard. In Bama

town hundreds of men were held by Boko Haram in the town's prison for several weeks before being executed. Amnesty International (AI) has also documented instances of imprisonment of civilians in areas under Boko Haram control in houses in Baga, Beta and Gwoza, and in a makeshift prison in Ngoshe. It is likely that this practice occurred in other towns under Boko Haram control. [...]

The makeshift prison in Ngoshe served as a transit point for newly captured detainees: young men who refused to join Boko Haram were killed; young women who converted to Islam were transferred to houses in surrounding towns, where they were detained; and the remaining women who refused to convert and the elderly were detained in Ngoshe.

Amnesty International (AI) interviewed 20 women who were detained in this makeshift prison, which opened around the time Boko Haram took over Gwoza LGA in September 2014. The prison consisted of a fenced compound of three houses owned by a local official. The women interviewed said that the prison held at least 200 people, mainly women of all ages and some older men. Each house had four to five rooms which were used as cells; each room could hold approximately 20 detainees." (AI, 13 April 2015, pp. 59, 68)

### 5.15.3 *Prison conditions*

According to World Prison Brief (WPB)'s overview of Nigeria, the total prison population in the country amounted to almost 58 000 in 2014 (WPB, 2014). This number includes pre-trial and remand prisoners, which represent 69,3% of the prison population. The same source adds that the occupancy level is currently at 113,9%.

The United States Department of State (USDS) provided a thorough overview of prison conditions in its country report on human rights practices as follows:

"Prison and detention center conditions remained harsh and life threatening. Prisoners and detainees, a majority of whom had not been tried, were reportedly subjected to extrajudicial execution, torture, gross overcrowding, food and water shortages, inadequate medical treatment, deliberate and incidental exposure to heat and sun, and infrastructure deficiencies that led to wholly inadequate sanitary conditions that could result in death. Guards and prison officials reportedly extorted inmates or levied fees on them to pay for food, prison maintenance, and release from prison. Female inmates in some cases faced the threat of rape. Female prisoners pregnant at the time of incarceration gave birth to and raised their babies in prison.

Domestic and international human rights groups reported the existence of unofficial military prisons, including the Giwa military barracks in Maiduguri, Borno State, and Sector Alpha (aka "Guantanamo") and the Presidential Lodge (aka "the Guardroom") facilities in Damaturu, Yobe State, among others. AI [Amnesty International (AI)] cataloged cases of illegal detention, inhuman and degrading treatment, beatings, torture, starvation, and extrajudicial killings in unofficial military prisons. On August 5, AI released a report alleging that on or around March 14, after Boko Haram raided Giwa Barracks to free its members detained there, military personnel and the C-JTF carried out mass extrajudicial executions of recaptured prisoners around Maiduguri. Authorities held Boko Haram suspects in facilities throughout the country, including under reportedly inhuman conditions at the SARS detention center, also known as the "abattoir," in Abuja.

The prison system included 234 prisons--including 12 maximum-security prisons, 83 satellite prisons, 10 farm centers, two women's prisons, eight zonal offices, and six directorates--all of

which held prisoners and detainees. Detention of suspected militants did not always fall under the formal prison system structure. As of December the country's prisons held 56,620 persons, of which 2 percent were women and 1 percent juveniles. Of the total prison population, 70 percent were pretrial detainees. Authorities sometimes held female and male prisoners together, especially in rural areas. [No facilities for pregnant or nursing mothers. Juveniles often held with adults].

Overcrowding was a significant problem in some prisons. Although the designed capacity of the country's prisons was 47,284, an imbalance in the use of prisons resulted in underutilization at some facilities, while others were at more than 800 percent of their designed capacity. For example, the Owerri Federal Prison had capacity for 548 prisoners but held more than 1,784. Ogwuashi-Uku prison in Delta State, with a capacity of 64 prisoners, housed 541, while Port Harcourt prison, with a capacity of 804, held 2,955. Ijebi-Ode prison in Ogun State, with a capacity of 49 prisoners, held 309. In April extreme overcrowding in Garu Satellite Prison in Jigawa reportedly caused the suffocation death of a prisoner.

Most of the country's 234 prisons were 70 to 80 years old and lacked basic facilities. Lack of potable water, inadequate sewage facilities, and severe overcrowding resulted in dangerous and unsanitary conditions. Disease remained pervasive in cramped, poorly ventilated prison facilities, which had chronic shortages of medical supplies. Inadequate medical treatment caused many prisoners to die from treatable illnesses, such as HIV/AIDS, malaria, and tuberculosis. Although authorities attempted to isolate persons with communicable diseases, facilities often lacked adequate space, and inmates with these illnesses lived with the general prison population. Prison authorities reported the death rate in the formal prison system was 36 prisoners per year; no reliable independent statistics existed on the number of prison deaths. [...]

Prisoners with mental disabilities remained incarcerated with the general prison population. Some prisons made efforts to provide mental health services, but most prisons did not.

Although the law prohibits the imprisonment of children, minors--many of whom were born in prison--lived in the prisons. According to the Nigerian Prison Service, in 2013 a total of 69 infants resided in prison with their mothers, while 847 juvenile inmates were detained in juvenile detention centers." (USDS, 25 June 2015)

Considering the Global Conditions in Prisons and Other Detention Facilities in Nigeria, the High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, stated in June 2015:

"Extremely worrying reports had also emerged about the actions of Nigerian armed forces. One victim recounted his ordeal when he was mistaken for a Boko Haram member and detained by the military in Yola in Adamawa State. The man said he spent five days without food or water, as detainees drank the urine of others to quench their thirst. He claimed that there was an average of five deaths per day in the facility." (OHCHR, 5 June 2015)

On the same note, a statement submitted to the United Nations Human Rights Council (UNHRC) by Amnesty International dating from 4 June 2015 also exposed:

"Since March 2011, more than 7,000 men and boys have died in military detention. Their deaths are often unrecorded and almost never investigated. [...] The main causes of deaths were starvation, thirst, severe overcrowding that led to the spread of lethal diseases, torture and lack of medical attention, and the use of fumigation chemicals in unventilated cells. The highest

death rates were recorded in Giwa barracks, Maiduguri, Borno state, in May, June and July 2013, where up to 180 deaths were recorded on some days. Amnesty International (AI) documented similar patterns of deaths in custody at Sector Alpha ('Guantanamo') in Damaturu, Yobe state and the Joint Task Force (JTF) Headquarters in Potiskum, Yobe state. Circumstantial evidence points to further deaths in custody at the Multinational JTF Headquarters at Baga, Borno state; 23 Armoured Brigade barracks, Yola, Adamawa state; and Presidential Lodge ('Guardroom') in Damaturu, Yobe state." (UNHRC, 4 June 2015, p. 2)

Amnesty International's (AI) Secretary General, Salil Shetty, further indicated that "thousands of young men and boys have been arbitrarily arrested and deliberately killed or left to die in detention in the most horrific conditions. It provides strong grounds for investigations into the possible criminal responsibility of members of the military, including those at the highest levels" (AI, 3 June 2015).

The Director of Muslim Rights Concern, Professor Ishaq Akintola discussed the issue of overcrowding and stated in an article by Voice of Nigeria (VOA):

"Olokuta Prison in Ondo State which has capacity for 160 prisoners now has about 688 inmates. Port Harcourt prison in Rivers State which was designed to take only 804 prisoners currently has about 2,900. Prisoners sleep in turn. Meals served in the prisons are not only too small; they are not even good enough for dogs. The amount allocated for each prisoner for meal per day is unprintable". (VON, 19 July 2015)

An article by Premium Times, a Nigerian news portal, dating from December 2014 described the notorious case of the treatment faced by a group of Nigerian soldiers upon being accused of refusing to fight Boko Haram:

"54 Nigerian soldiers sentenced to death for refusing to fight Boko Haram, have endured days without food since being transferred from Abuja, Premium Times can authoritatively report. The soldiers, moved from Abuja to a holding cell in Lagos last Sunday, are held under conditions military sources have described as terrible and inhumane. [...]"

'The first cell has 30 soldiers. The second is underground and has 24 soldiers,' our sources said. "There are no beds, no mattresses. The soldiers have not been fed since Sunday." (Premium Times, 27 December, 2014)

The Voice of America (VOA) states in a February 2014 that the incarceration rate in Nigeria is low compared to other countries, but that this may be explained by the practice of extra-judicial killings:

"The International Center for Prison Studies says Nigeria has one of the 10 smallest incarceration rates in the world, with 32 out of every 100,000 Nigerians in prison.

But Abbas said Nigeria's relatively low rate of incarceration can be partly explained by extra-judicial killings.

Human Rights Watch said Nigerian security officers have killed hundreds of suspects in its fight against Islamist militants known as Boko Haram, who have killed thousands of people in the past four and a half years.

Abbas said another reason Nigeria has a relatively low number of inmates is that Nigerian prisons are already full. Many of the inmates crowding the prisons, he said, are detainees, waiting months or even years for trials.

'The judicial system is a slow process,' he said. 'The way we dispense justice in Nigeria is quite slow. And at times you tend to find out that there is the prosecutors at times have transferred or maybe decide to say, 'So okay, the case file is missing.'" (VOA, 10 February 2014)

#### 5.15.4 *Death penalty*

An overview of the death penalty in Nigeria by the Death Penalty Project describes the following:

"Nigeria retains the death penalty for ordinary crimes, including murder, armed robbery and rape. Although Nigeria has been a party to the International Covenant on Civil and Political Rights (ICCPR) since 1993, it has neither signed nor ratified the First Optional Protocol to the ICCPR allowing for the right of individual petition nor the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty. Nigeria has ratified the African Charter on Human and Peoples' Rights in 1983 and the Protocol to the African Charter on the Establishment of the African Court on Human and Peoples' Rights in 2004. Nigeria is also a member state of the Economic Community of West African States (ECOWAS), of which one of the institutions is the Community Court of Justice. The Court has jurisdiction to determine cases where violation of human rights occur in any member state.

Since 2004, we have been assisting the Nigerian NGO, the Legal Defence and Assistance Project (LEDAP) in bringing a series of legal challenges to the constitutionality of the death penalty in Nigeria.

Between 2004-2008, various challenges to the mandatory death sentence were brought in different state appeal courts as well as separate challenges to delay on death row, hanging, and the death penalty per se. As the criminal appeals succeeded on conviction, the issues on the constitutionality of the death penalty were not decided upon. In 2011, a further five appeals were filed in state appeal courts raising similar challenges to the death penalty.

In September 2012, there was a major breakthrough in Nigeria. The High Court of Lagos State declared that the mandatory imposition of the death penalty on four prisoners and the proposed method of execution by either hanging or by firing squad was unconstitutional." (The Death Penalty Project, n.d.)

On the same note, Amnesty International's (AI) 2014 State of the World's Human Rights report complements:

"Nigeria continued to sentence people to death [...]. During the adoption of the Universal Periodic Review outcomes of Nigeria at the UN Human Rights Council in March, Nigeria stated that it would continue with a national dialogue on the abolition of the death penalty.

In June 2014, the ECOWAS Court of Justice ordered Nigeria to remove from death row Thankgod Ebhos, who had not exhausted his right of appeal, and Maimuna Abdulmumini, who was a minor at the time of the alleged offence. In October 2014, after 19 years on death row and having narrowly escaped execution in June 2013, Thankgod Ebhos was released under

an order issued by the Governor of Kaduna State. Four other men were executed in June 2013, the first known executions in the country since 2006.

Courts martial in September and December convicted a total of 70 soldiers of mutiny and sentenced them all to death.” (AI, 25 February 2015)

Amnesty International's (AI) Oral Statement to the 56th Ordinary Session of the African Commission on Human and Peoples' Rights also reported:

“In Nigeria, military courts imposed mass death sentences. In September 2014, 12 soldiers were sentenced to death for mutiny and attempted murder after firing shots at their commanding officer in the north-eastern city of Maiduguri. The convicted soldiers belonged to the Nigerian Army's Seventh Division, which is at the forefront of the fight against the armed group Boko Haram. In December 2014, a military court in Abuja imposed death sentences on 54 soldiers who were convicted of conspiracy to mutiny and mutiny for refusing to join operations to retake three towns in Borno State that had been captured by Boko Haram. According to testimony given by the soldiers during the trial, they had complained to their superiors about not having the weaponry needed to complete their mission against Boko Haram. The lawyer for the soldiers said that the military court refused to consider the soldier's defence that they were improperly equipped. Halfway through the trial, journalists were prevented from covering the proceedings.

Amnesty International (AI) is concerned that the trial may not have complied with internationally recognized standards for fair trial. Also in the same month, the military court in Abuja sentenced four more soldiers, accused of mutiny, to death. A total of 70 soldier, all belonging to the Nigerian Army's Seventh Division, were sentenced to death in 2014. Amnesty International (AI) understands that the Nigerian authorities plan to trial more soldiers for offences carrying the death penalty.” (AI, 27 April 2015, p. 2)

Regarding the imposition of the death sentence to minors, Nigeria's decision to keep a child bride on death row has been criticized by numerous news outlets, as explained by the Guardian:

“The Nigerian government is violating its own laws by keeping a child bride on death row for murdering her husband almost a year after a regional court dismissed the sentence handed down to her, according to a coalition of human rights campaigners.

Maimuna Abdulmumini, 22, accused of burning her husband to death as a teenager, remains in prison today despite the Economic Community of West African States (Ecowas) Court of Justice ruling in June 2014 that the decision by a court in the north of the country to impose the death penalty was a violation of her fundamental rights. [...]

Abdulmumini was 13 when her husband, Ibrahim, burned to death in their marital home. For the five months they were married, their relationship was characterised by systemic abuse, according to Abdulmumini's lawyers. In response to questions posed by the Guardian and asked through her legal team, Abdulmumini herself said that her husband was “violent” to her in the the time they were married and suffered from a mental illness.

After a legal process dragged on for five years, Abdulmumini was convicted of murder and sentenced to death in December 2012. She has been in prison at Katsina state jail ever since,

her mental state gradually deteriorating as she shares an already cramped cell with five other condemned women.” (Guardian, 1 May 2015)

Regarding the signing of the Terrorism (Prevention) Act in 2011, the International Coalition for the Responsibility to Protect (ICRtoP) explains “President Jonathan signed the Terrorism (Prevention) Act in 2011, amended in 2012. The bill authorizes the death penalty, upon conviction, for any individual convicted of stated terrorist acts.” (ICRtoP, 2015)

## **Annex 1 - Chronological overview of Boko Haram's 2014-2015 activities**

January 26, 2014: At least 78 people are killed in two separate attacks in north-east Nigeria, one on a busy market in Borno state and the other in neighbouring Adamawa, with suspicions falling on Boko Haram. (PoT, 2014)

February 11, 2014: Suspected Boko Haram militants torch houses in the village of Konduga, killing at least 23 people, according to the governor of Borno state. (PoT, 2014)

February 15, 2014: Dozens of residents in northeastern Nigeria are killed in two separate attacks launched by Boko Haram, according to officials and residents. (PoT, 2014)

March 14, 2014: Hundreds of militants were said to have taken part in the attack on the Giwa barracks in Maiduguri, (PoT, 2014)

25 February 2014: At least 43 people were shot dead by Boko Haram gunmen in an attack on a school in Buni Yadi, Yobe State. Many schoolchildren were among those killed in the attack. (AI, 25 February 2015)

14 April 2014: Boko Haram carried out a car bomb attack in Nyanya, a suburb of the capital Abuja, killing more than 70 people. (AI, 25 February 2015)

14 April 2014: 276 girls were abducted by Boko Haram from the Government Girls Secondary School in Chibok, Borno State. Nigerian security forces had more than four hours' advance warning about the attack on Chibok, but failed to act. (AI, 25 February 2015)

1 May 2014: Boko Haram carried out a car bomb attack in Nyanya, a suburb of the capital Abuja, killing 19 people and injuring more than 60. (AI, 25 February 2015)

5 May 2014: At least 393 people were killed by Boko Haram in an attack in Gamborou Ngala, Borno State. The overwhelming majority of the casualties were civilians. Boko Haram burned market stalls, vehicles and nearby homes and shops. (AI, 25 February 2015)

20 May 2015: Twin car bombings in the central Nigerian city of Jos, blamed on Boko Haram, kill at least 118 and bring entire buildings down. (AFP, 2 February 2015)

3 June 2014: Heavily armed gunmen raid four northeastern villages in Borno state, with local leaders putting the death toll as high as 400-500. (AFP, 2 February 2015)

6 August 2014: Boko Haram captured the town of Gwoza and killed at least 600 civilians, although several sources suggested the figure was higher. (AI, 25 February 2015)

1 September 2014: Boko Haram attacked and captured Bama town, killing more than 50 civilians. According to eyewitnesses, the group imprisoned and later killed as many as 300 men and forced 30 women to marry its members. (AI, 25 February 2015)

28 November 2014: Three bombs exploded outside a mosque in Kano city and armed men, suspected to be Boko Haram fighters, fired into the crowd. At least 81 people died in the attack. (AI, 25 February 2015)

1 December 2014: More than 150 people die in a Boko Haram raid on the northeast Nigerian city of Damaturu in Yobe state. (AFP, 2 February 2015)

12 and 14 December 2014: Boko Haram killed 24 people and abducted more than 110 children and young men and women in two attacks on Gumsuri village. (AI, 25 February 2015)

3 January 2015: Scores of men, women and children were killed in the Nigerian towns of Baga and Doron Baga when Boko Haram militants launched a fierce attack. The exact number of dead remains unknown, but claims vary from 150 up to 2,000 people killed. (BBC News, 2 February 2015)

25 January 2015: Boko Haram captures the strategic northeastern Nigerian town of Monguno, and a military base, which lie about 125 kilometres (80 miles) north of Maiduguri, as US Secretary of State John Kerry pledges further US support for the counter-insurgency. (AFP, 2 February 2015)

1 February 2015: Boko Haram fighters storm Maiduguri. The army says it has repelled the assault with the help of militias. (AFP, 2 February 2015)

6 February 2015: Islamist group Boko Haram for the first time launched an attack in Niger, striking at the town of Bosso just across the border from Nigeria. Fighting broke out but troops pushed back the attack by the end of the morning. (AFP, 6 February 2015)

9 February 2015: Nigeria's Boko Haram fighters launched a new attack in neighbouring Niger on Monday, as parliament in Niamey was set to vote on joining a regional force against the Islamists. The insurgents raided a prison in the southeastern border town of Diffa, which they first attacked on Friday, but were repelled after a heavy exchange of fire. (AFP, 9 February 2015)

12 February 2015: A suicide attack by a female bomber killed at least seven people at a market in northeast Nigeria on Thursday, the latest bloodshed in a region where multi-national forces are trying to crush Boko Haram Islamists. There was no immediate claim of responsibility for the attack in the town of Biu, Borno state, but it resembled a spate of similar bombings blamed on the Islamists militants. (AFP, 12 February 2015)

13 February 2015: At least 21 people were killed in two separate attacks on northeastern villages near Maiduguri, community leader Mustapha Abbagini and a witness said. (AFP, 14 February 2015)

14 February 2015: Nigeria's Boko Haram rebels carried out their first attack Friday inside neighbouring Chad, targeting a village on the shores of Lake Chad as part of a widening insurgency that has sucked in four countries. (AFP, 14 February 2015)

15 February 2015: Thirteen people have now died as a result of a female suicide bomb attack at a bus station in the northeast Nigerian city of Damaturu. The attack happened in the state capital shortly after midday (1100 GMT) on Sunday and was blamed on Boko Haram, who have regularly used women and young girls as human bombs across northern Nigeria. (AFP, 16 February 2015)

17 February 2015: Two suicide attacks in northeast Nigeria killed at least 38 people Tuesday, less than six weeks from elections, as the leader of Boko Haram vowed to disrupt the vote. (AFP, 17 September 2015)

17 February 2015: Two suicide attacks in northeast Nigeria killed at least 38 people Tuesday, less than six weeks from elections, as the leader of Boko Haram vowed to disrupt the vote. (AFP, 17 September 2015)

19 May 2015: A suicide bomber blew himself up on a cattle market in the city of Garkida (federal state of Adamawa) at about 2:00 p.m. Boko Haram is thought to be responsible; according to eyewitnesses, up to ten people were killed. (FOMR, 26 May 2015, p. 4)

23 May 2015: About 50 fighters suspected of being Boko Haram members attacked the city of Gubio (about 100 km north of Maiduguri). The terrorists killed about 40 people and destroyed roughly 400 buildings and vehicles. Most attackers are said to have been children aged between 12 and 16. (FOMR, 1 June 2015, p. 4)

29 May 2015: A bomb attack on a wedding party took place in the village of Tashan-Alede (Hawul Local Government Area). Reportedly, up to ten people were killed. (FOMR, 1 June 2015, p. 4)

30 May 2015: A suicide bomber blew himself up in the Alhaji Haruna mosque (near the Monday market in Maiduguri) during the prayers. According to the police, 26 people died and 28 were injured, some of them seriously. (FOMR, 1 June 2015, p. 4)

30 May 2015: Boko Haram fighters used anti-tank missiles in an attack on the suburb of Dala on the south-western outskirts of the city of Maiduguri. The army repelled Boko Haram. 13 people were killed and 17 injured. (FOMR, 1 June 2015, p. 4)

31 May 2015: A bomb hidden in a bag of coals exploded on the Gamboru market in Maiduguri, the capital of the north-eastern federal state of Borno. One person died and three others were injured. (FOMR, 1 June 2015, p. 3)

4 June 2015: A suicide bomber blew herself up on the main market of the new city of Yola (Yola-Jimeta), the capital of the north-eastern state of Adamawa. 40 people died and another 40 were injured. (FOMR, 8 June 2015, p. 4)

9 June 2015: At about 4:00 p.m. Boko Haram fighters left the Sambisa forest and attacked the villages Matangale, Buraltima and Dirmanti in the federal state of Borno (Damboa Local Government Area). They killed at least 43 inhabitants, pillaged food and burned down all buildings. (FOMR, 15 June 2015, p. 4)

14 June 2015: Boko Haram fighters attacked the city of Babbangida, the administrative centre of the Tarmuwa Local Government Area. They used women and children as human shields during the fight with army soldiers. Ten people died. (FOMR, 22 June 2015, p. 3)

15 June 2015: a suicide bomber blew himself up in the Dorowa quarter of the city of Potiskum after having been handed over to a citizens' militia as a suspected thief. Eight people, most of them militia members, died. On the same day, two people died in a suicide attack in front of a drinks booth in Potiskum. (FOMR, 22 June 2015, p. 3)

27 June 2015: A suicide attacker blew himself up in front of the control checkpoint at the entry to the Molai lepra hospital on the outskirts of the city of Maiduguri in the federal state of Borno. Five people died and another ten were injured in the attack. (FOMR, 29 June 2015, p. 5)

23 June 2015: A roughly 12-year-old girl conducted a suicide attack on the weekly market of the remote village of Wagir, Gujba Local Government Area (LGA), province of Yobe. The attack killed ten people and injured about 30. (FOMR, 29 June 2015, p. 5)

22 June 2015: A young suicide attacker blew herself up on the Baga fish market in the city of Maiduguri near a group of Muslims doing their afternoon prayers. More than 30 people died. Shortly afterwards, a second woman blew herself up outside the market on the Baga road, only a few hundred metres from the place of the first attack. She only killed herself. (FOMR, 29 June 2015, p. 5)

22 and 23 June 2015: Boko Haram fighters attacked the villages Debiro Biu (Biu LGA) and Debiro Hawul (Hawul LGA) in the federal state of Borno. They killed about 40 inhabitants, pillaged stores and burned down buildings. (FOMR, 29 June 2015, p. 5)

30 June 2015: Boko Haram fighters ambushed the villages Mussaram I and Mussaram II that are about 50 km from Kukawa and near the city of Monguno, shooting about 50 villagers. (FOMR, 6 July 2015, p. 4)

01 July 2015: About 50 fighters of the terror organization Boko Haram attacked the village of Kukawa on the shores of Lake Chad. At first they shot prayers in several mosques, mostly men and boys, next they killed women in their houses. Official reports spoke of at least 97 casualties. (FOMR, 6 July 2015, p. 4)

01 July 2015: A young female suicide bomber blew herself up in front of the entrance to the Leper and General Hospital about 10 km south-west of Maiduguri in Borno state. A few minutes later an assassin on a bicycle exploded a body-worn bomb at the hospital's fence. Both attackers died and two people were injured. (FOMR, 6 July 2015, p. 4)

02 July 2015: At least ten people were killed in two suicide bombings in Borno state near fruit stalls along the highway from Bama to Konduga. (FOMR, 6 July 2015, p. 4)

03 July 2015: Boko Haram fighters attacked the village of Zabarmari located about 10 km from Maiduguri. When the villagers started to flee six female suicide bombers blew themselves up in their midst causing several dozen casualties. (FOMR, 6 July 2015, p. 4)

05 July 2015: A suicide bomber attacked the Redeemed Christian Church of God in the outskirts of the city of Potiskum (Jigawa area) in Yobe state, killing five churchgoers and the pastor. (FOMR, 6 July 2015, p. 4)

05 July 2015: A first bomb exploded in a restaurant on Bauchi Road in the city of Jos in Plateau state in central Nigeria, about four minutes later another explosion at Yantaya mosque followed. At least 16 people are reported dead. (FOMR, 6 July 2015, p. 4)

10 July 2015: Fighters of the Boko Haram terror group attacked the village of Ngamdu located 100 km west of Borno state capital Maiduguri on the highway from Maiduguri to Damaturu. They killed at least ten villagers and blocked the highway. (FOMR, 13 July 2015, p. 4)

07 July 2015: Two female suicide bombers blew themselves up on the market place of the village of Sabon-Gari in the Damboa Local Government Area, killing themselves and three others. (FOMR, 13 July 2015, p. 5)

07 July 2015: A bomb exploded in the middle of a crowd in the city of Zaria (Kaduna state) near the secre-tariat of the Council of the Sabon-Gari Local Government Area. 25 died and 32 suffered injuries. (FOMR, 13 July 2015, p. 4)

11 July 2015: A suicide bomber seated in a motorized rickshaw together with two other passengers caused an explosion a few meters from the office building of the national intelligence service SSS in Maiduguri. The other rickshaw passengers died along with the assassin and five passers-by were wounded. (FOMR, 13 July 2015, p. 4)

11 July 15: Fighters of the terror organization Boko Haram attacked the three villages Kalwa, Misala and Gwollam in Monguno Local Government Area (Borno state). They killed 43 people, burnt down houses and stole food. (FOMR, 20 July 2015, p. 4)

14 July 2015: Boko Haram fighters ambushed the city of Damasak that is only a few kilometres from the border to Niger. Several people were killed and houses burnt down. The attack came only a few days after the withdrawal of soldiers from Chad and Niger who had been stationed in the city. (FOMR, 20 July 2015, p. 4)

14 July 2015: At least 30 people were killed in three attacks by militants in northeastern Nigeria, local officials and inhabitants said on Wednesday. The three assaults were carried out simultaneously on Tuesday. In the deadliest, over 20 were killed outside Ngamdu, a local legislator, Mohammed Sando, told AFP. (Dawn, 15 July 2015)

16 July 2015: A double suicide attack occurred in the market place of the city of Gombe, the capital of the state with the same name. At first a female bomber blew herself up and a few minutes later a hidden bomb exploded, killing about 50 people and wounding around 70. (FOMR, 20 July 2015, p. 4)

17 July 2015: Two female suicide bombers - an elderly woman and an about 10-year-old girl - detonated one bomb each at the entrance of an outdoor Muslim prayer site in the city of Damaturu, the capital of Yobe state. A total of eleven people died. (FOMR, 20 July 2015, p. 4)

17 July 2015: Two explosions at a market in Nigeria's north-eastern city of Gombe have killed at least 49 people and injured dozens of others, officials have said. (BBC News, 17 July 2015)

20 July 2015: Six people were killed in a bomb blast as police searched vehicles at a checkpoint outside the northeast Nigerian city of Damaturu on Monday, police and a witness said. (AFP, 20 July 2015)

3 September 2015: At least 19 people have been killed and 140 wounded in two bomb attacks in northern Cameroon, officials say. (BBC, 3 September 2015)

11 September 2015: At least three people have died when a bomb exploded at a camp in north-eastern Nigeria for people who have fled their homes because of the Boko Haram Islamist insurgency. It occurred at the Malkohi camp for internally displaced persons (IDPs) on the outskirts of Yola in Adamawa state. (BBC News, 11 September 2015)

20 September 2015: At least 54 people have been killed in three explosions in the north-eastern Nigerian city of Maiduguri, police say. (BBC, 21 September 2015)

27 September 2015: Suspected Boko Haram terrorists attacked Mailari village, in Konduga LGA. Nine persons were reported killed while 10 were injured. (AFP, 27 September 2015)

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