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# Indicators of indiscriminate violence

COMMON ANALYSIS
Last update: October 2021

The common analysis regarding the degree of indiscriminate violence taking place in the different states of Nigeria combines quantitative and qualitative elements in a holistic and inclusive assessment.

The indicators applied are formulated in reference to the ECtHR judgment in *Sufi and Elmi*:

> […] first, whether the parties to the conflict were either employing methods and tactics of warfare which increased the risk of civilian casualties or directly targeting civilians; secondly, whether the use of such methods and/or tactics was widespread among the parties to the conflict; thirdly, whether the fighting was localised or widespread; and finally, the number of civilians killed, injured and displaced as a result of the fighting.
>
> **ECtHR, *Sufi and Elmi*, para.241**

These indicators are further developed and adapted in order to be applied as a general approach to assessing the element of 'indiscriminate violence', irrespective of the country of origin in question.

The security situation in the respective states is assessed by taking into account the following elements.

### o Presence of actors in the conflict

This indicator looks into the presence of actors in the conflict in the respective area, including the presence of non-State armed groups, and whether operations by the Nigerian security forces are being conducted.

In the case of the identified armed conflicts, all actors are reported to engage in activities which may (indiscriminately) affect civilians. It is important to highlight that in COI sources the distinction between criminal armed groups, gangs, bandits, communal militias, herders and farmers and vigilante groups is not always clear. The lines between these groups are increasingly blurred, especially for the North-West and North-Central region. See also Actors of persecution or serious harm.

### o Nature of methods and tactics

The methods and tactics used in the armed conflicts ongoing in Nigeria differ according to the actors involved. Some acts are by their nature more indiscriminate than others and create a more substantial risk for civilians.

Boko Haram are particularly known to use methods which are of indiscriminate nature, such as (suicide) bombings and attacks on whole villages.

In the conflict between armed groups of herders and farmers, the violence is also increasingly affecting civilians, by targeting whole villages and communities.

IPOB/ESN violence appears to be of a more targeted nature, with attacks against police stations. Clashes between ESN and Nigerian state forces can nevertheless affect civilians indiscriminately.

The actions by the Nigerian security forces tend to be of a more targeted nature; however, they may also (indiscriminately) affect civilians, such as in the case of air strikes.

For more information on the nature of methods and tactics used by the actors involved in armed conflicts, see also Actors of persecution or serious harm.

#### o Frequency of incidents

This indicator refers to the average number of incidents per week during the reporting period.

The frequency of incidents is a useful indicator to assist in the assessment of the risk of indiscriminate violence. Based on available COI, derived from the Armed Conflict Location and Event Data Project (ACLED) database, this indicator looks in particular at incidents reported as 'battles', 'violence against civilians', 'explosions/remote violence', and 'riots', which are found to be of relevance in terms of their potential to indiscriminately affect civilians.

ACLED codes security incidents as follows:

- **Battles**: violent clashes between at least two armed groups. Battles can occur between armed and organised state, non-state, and external groups, and in any combination therein. Sub-events of battles are armed clashes, government regains territory and non-state actor overtakes territory.
- **Violence against civilians**: violent events where an organised armed group deliberately inflicts violence upon unarmed non-combatants. It includes violent attacks on unarmed civilians such as sexual violence, attacks, abduction/forced disappearance.
- **Explosions/remote violence**: events where an explosion, bomb or other explosive device was used to engage in conflict.
- **Riots**: are a violent demonstration, often involving a spontaneous action by unorganised, unaffiliated members of society. They include violent demonstration, mob violence.

ACLED data with regard to incidents should be regarded as merely estimates and indications of trends in violence, due to limitations in the reporting of incidents. See clarifications in Security situation 2021, Methodology.

#### o Geographical scope

This element looks into how widespread the violence within each state is, highlighting the areas (LGAs) which are particularly affected by indiscriminate violence and/or the areas (LGAs) which are relatively less affected, where relevant information is available. The number of LGAs affected by security incidents in each state has been provided based on publicly available data of ACLED.[22]

Where the conflict severity varies within an area, the place of origin of the applicant would constitute an important element to consider in the assessment. The higher the level of indiscriminate violence in the respective place, the less additional individual elements would be required in order to apply Article 15(c) QD .

The individual assessment should also take into account the accessibility of a certain territory.

#### o Civilian casualties

The number of civilian casualties is considered a key indicator when assessing the level of indiscriminate violence and the associated risk for civilians in the context of Article 15(c) QD.[23]

As no comprehensive data with regard to civilian deaths and injuries at the level of the states in Nigeria has been identified, this analysis refers to ACLED records regarding the overall number of fatalities. The data used for this indicator reflects the number of fatalities in relation to reported 'battles', 'violence against civilians' 'explosions/remote violence' and 'riots', as defined above with reference to the ACLED Codebook. Importantly, it does not differentiate between civilians and combatants and does not additionally capture the number of those injured in relation to such incidents. While this does not directly meet the information needs under the indicator 'civilian casualties', it can nevertheless be seen as a relevant indication of the level of confrontations and degree of violence taking place.

It should further be mentioned that ACLED data is regarded as merely estimates, due to limitations in the reporting of incidents, and especially with regard to the number of fatalities. For incidents which, according to the original source, had led to an unknown number of fatalities, ACLED codes the number of fatalities as 10 in 'a significant attack in an active warzone' or 'a significant attack outside of a warzone', and as 3 in 'an attack of more limited scope, in an active warzone' or 'an attack outside of a warzone. See clarifications in Security situation 2021, Methodology.

The data on fatalities per state is provided for the period 1 January 2020 - 31 December 2020. The reported number of fatalities is further weighted by the population of the state and presented as 'number of fatalities per 100 000 inhabitants', rounded in the nearest whole number. In cases where the number of fatalities per 100 000 inhabitants is less than one, this is specifically indicated. The number on fatalities for the period 1 January 2021 - 30 April 2021 has also been provided per state.

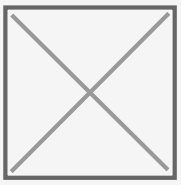
#### o Displacement

This element refers to conflict-induced (internal) displacement from the state in question.

For the number of internally displaced persons (IDPs) and returnees, the COI summaries reflect data from the International Organization for Migration (IOM), where available. It should be highlighted that these data refer to the number of IDPs recorded within one state at the specific time.

Reporting periods vary as indicated in the analysis.

In addition to the indicators above, where available, some examples of further impact of the armed conflicts on the life of civilians (e.g. infrastructure damage) are mentioned and taken into account in the assessment.



None of the indicators above would be sufficient by itself to assess the level of indiscriminate violence and the risk it creates for the civilian population in a particular area. Therefore, a holistic approach has been applied, taking into account all different elements.

It should, furthermore, be noted that the COI used as a basis for this assessment cannot be considered a complete representation of the extent of indiscriminate violence and its impact on the life of civilians. Concerns with regard to underreporting, especially pertinent to the quantitative indicators above, should be taken into account. Such concerns are particularly relevant to areas which are most affected by the violence.

[22] **ACLED Dataset, filtered on Nigeria, 1 January 2020 to 31 December 2020, accessed on 16 August 2021. [back to text]**

[23] **See also CJEU, CF and DN v Bundesrepublik Deutschland, paras. 31-33. [back to text]**

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