



# EASO

## Country of Origin Information Report

### Nigeria

#### Targeting of individuals



November 2018





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More information on the European Union is available on the Internet (<http://europa.eu>).

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Cover photo: © [Utenriksdepartementet UD](#), Banki IDP camp, Borno state, northeast Nigeria  
On 9 November 2016, women and children collect water from a borehole in Mafa IDP Camp, Borno State, northeast Nigeria.

# Acknowledgements

This report was drafted by EASO.

The following national asylum and migration departments reviewed this report:

The Netherlands, Immigration and Naturalisation Service, Office for Country Information and Language Analysis (OCILA);

Sweden, Migrationsverket (Swedish Migration Agency), Lifos - Centre for Country of Origin Information and Analysis.

The following external expert reviewed this report:

Dr Megan Turnbull, Assistant Professor of Comparative Politics at the University of Georgia in the Department of International Affairs.

It must be noted that the review carried out by the mentioned departments, experts or organisations contributes to the overall quality of the report, but does not necessarily imply their formal endorsement of the final report, which is the full responsibility of EASO.



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# Disclaimer

This report was written according to the EASO COI Report Methodology (2012).<sup>1</sup> The report is based on carefully selected sources of information. All sources used are referenced.

The information contained in this report has been researched, evaluated and analysed with utmost care. However, this document does not claim to be exhaustive. If a particular event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Any event taking place after the finalisation of this report is not included.

Furthermore, this report is not conclusive as to the determination or merit of any particular application for international protection. Terminology used should not be regarded as indicative of a particular legal position.

'Refugee', 'risk' and similar terminology are used as generic terminology and not in the legal sense as applied in the EU Asylum Acquis, the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees.

Neither EASO nor any person acting on its behalf may be held responsible for the use which may be made of the information contained in this report.

The drafting of this report (including review) was finalised on 17 October 2018. Any event taking place after this date is not included in this report. More information on the reference period for this report can be found in the [methodology](#) section of the [Introduction](#).

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<sup>1</sup> The EASO methodology is largely based on the Common EU Guidelines for processing Country of Origin Information (COI), 2008, and can be downloaded from the EASO website: [url](#).

## Glossary and abbreviations

ABA	Adaka Boro Avengers
ABC	American Broadcasting Company
AC	Action Congress
ACAPS	Assessment Capacities Project
ACCORD	Austrian Centre for Country of Origin and Asylum Research and Documentation
ACHPRRWA	African Charter on Human and Peoples' Rights on the Rights of the Women in Africa
ACHR	African Charter on Human & Peoples' Rights
ACHPR	African Charter on Human rights and Peoples' Rights
ACLED	Armed Conflict Location and Event Data Project
ACN	Action Congress of Nigeria
ACRWC	African charter on the Rights and Welfare of the Child
AD	Alliance for Democracy
AGE	Advocates for Grass root Empowerment
AGHI	Access to Good Health Initiative
AI	Amnesty International
alfa	Witchcraft practitioners
<i>Almajiri</i>	(in Nigerian context): those who left their villages or town, parents, relations, and friends in search of Islamic religious knowledge and scholarship
ANPP	All Nigeria Peoples Party
APC	All Progressives Congress
APGA	All Progressives Grand Alliance
AQIM	Al Qaeda in the Islamic Maghreb
ARC	Asylum Research Consultancy
ASCEND	Association of Comprehensive Empowerment of Nigerians with Disabilities
AYM	Aggrieved Youth Movement
BBC	British Broadcasting Corporation
BIM	Biafra Independent Movement
BOI	Board of Inquiry
BOYES	Borno Youths Empowerment Scheme
CAN	Action Congress of Nigeria
CDSR	The Coalition for the Defense of Sexual Rights
CEDAW	Convention on the Elimination of All forms of Discrimination against Women
CFR	Council on Foreign Relations
CGRS	Commissioner General for Refugees and Stateless Persons

CHD	Centre for Humanitarian Dialogue
CJTF	Civilian Joint Task Force
COI	Country of Origin Information
COMA	Coalition for Militant Action in the Niger Delta
CPC	Congress for Progressive Change
CRARN	Child's Right and Rehabilitation Network
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of People with Disabilities
CRU	Complaints Response Unit
CSO	Civil Society Organisation
CSW	Christian Solidarity Worldwide
CTU	Counter Terrorism Unit
DDR	Disarmament, Demobilisation, and Reintegration
DFAT	[Australian] Department of Foreign Affairs and Trade
DHS	Demographic and Health Survey
DPO	Disabled People's Organisation
DSS	Department of State Services
EASO	European Asylum Support Office
EC	European Commission
EiEWGN	Education in Emergencies Working Group Nigeria
ENDS	Every Nigerian Do Something Foundation
EP	European Parliament
EU	European Union
EU+ countries	28 EU member states, and Norway and Switzerland
FIDH	Fédération Internationale des Ligues des Droits de l'Homme /International Federation for Human Rights
FMoE	[Nigerian] Federal Ministry of Education
GBV	Gender based violence
GCPEA	Global Coalition to Protect Education from Attack
GTI	Global Terrorist Index
FATF	Financial Action Task Force
FGM/C	Female Genital Mutilation/Cutting
<i>Hadd</i>	offences or punishments that are fixed under the Sharia [plural: <i>hudud</i> ]
<i>Hisbah/hispa</i>	Islamic law enforcement agency
HIV	Human immunodeficiency virus
HORF	House of Rainbow Fellowship

HRD	Human rights defenders
HRW	Human Rights Watch
<i>Hudud</i>	offences or punishments that are fixed under the Sharia [plural of <i>hadd</i> ]
IAH	Initiative for Advancement of Humanity
ICARH	International Centre for Advocacy on Rights to Health
ICAT	Inter-Agency Coordination Group Against Trafficking in Persons
ICC	International Criminal Court
ICG	International Crisis Group
ICT	Information and communication technology
IDP	Internally displaced people
IGP	Inspector General of Police
IJPCS	Ibadan Institute for Peace and Strategic Studies
ILGA	International Lesbian, Gay, Bisexual, Trans and Intersex Association
IMH	Initiative for Improved Male Health
IMN	Islamic Movement in Nigeria
IOM	International Organisation for Migrations
IPOB	Indigenous People of Biafra
IRB	Immigration and Refugee Board (Canada)
IRIN	Integrated Regional Information Networks
ISIS	Islamic State in Iraq and Syria
ISIS-WA	Islamic State-West Africa
ISWAP	Islamic State in West Africa Province
IVF	In Vitro Fertilization
IYC	Ijaw Youth Council
JAS	Jama'atu Ahlis Sunna Lidda'awati wal-Jihad
JNDLF	Joint Niger Delta Liberation Force
JONAPWD	The Joint National Association of Persons with Disabilities
JTF	Joint Task Force
<i>juju</i>	Belief in witchcraft
<i>kuffir</i>	non-believers
Landinfo	Norwegian Country of Origin Information Centre
LG	Local governments
LGAs	Local Government Areas
LGB	Lesbians, Gay and Bisexual persons
LGBT	Lesbian, Gay, Bisexual, and Transgender persons
LGBTI	Lesbian, Gay, Bisexual, Transgender, and Intersex persons

LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer and/ or Intersex persons
LIFFE	Levites Initiative for Freedom and Enlightenment
LIFOS	COI unit of the Swedish Migration Agency (Migrationsverket)
mafias	organised crime groups
MASSOB	Movement for the Actualization of the Sovereign State of Biafra
MEND	Movement for the Emancipation of the Niger Delta
MMC	Maiduguri Municipal Council
MOSOP	Movement for the Survival of the Ogoni People
NAPTIP	Nigerian National Agency for Prohibition of Trafficking in Persons
NBM	Neo-Black Movement of Africa
NBS	[Nigerian] National Bureau of Statistics
NDA	Niger Delta Avengers
NDGJM	Niger Delta Greenland Justice Mandate
NDPVF	Niger Delta People’s Volunteer Force
NDV	Niger Delta Vigilantes
NERI	North East Regional Initiative
NFI	Non-Food Items
NGO	Non-governmental organisation
NHRC	[Nigerian] National Human Rights Commission
NNDEF	New Niger Delta Emancipation Front
NPF	Nigeria Police Force
NRHC	National Human Rights Commission
NUJ	Nigerian Union for Journalists
OFF	Otugas Fire Force
OFPRA	Office français de protection des réfugiés et apatrides
OIM	Organizzazione Internazionale per le Migrazioni
OPC	Oodua People’s Congress
<i>Qisas</i>	punishments inflicted upon the offenders by way of retaliation for causing death of or injuries to a person
PCD	Preliminary Certificate of Disability
PDC	Permanent Disability Certificate
PDP	People's Democratic Party
PMF	Police Mobile Force
PSC	Police Service Commission
PWA	People with Albinism
QA	Queer Alliance

RDRS	Niger Delta Red Squad
REWL	Red Egbesu Water Lions
RNDA	Reformed Niger Delta Avengers
SARS	Special Anti-Robbery Squad
SBI	Special Board of Inquiry
SBM	SBM Intelligence
SERAP	Socio-Economic Rights and Accountability Project
SOGI	Sexual Orientation and Gender Identity
SPU	Special Protection Unit
SSD	Safe Schools Declaration
SSMPA	Same Sex Marriage (Prohibition) Act
<i>Taklif</i>	the age of puberty
THB	Trafficking in human beings
TIERS	The Initiative for Equal Rights
TWG	Technical Working Group on Violence Against Children
UK	United Kingdom
UN	United Nations
UNFPA	United Nations Population Fund
UNILAG	University of Lagos
UNSC	United Nations Security Council
UNHCR	United Nations High Commissioner for Refugees
UNHRC	United Nations Human Rights Council
UNIBEN	University of Benin
UNICEF	United Nations Children's Fund
UNILAG	University of Lagos
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNODC	United Nations Office on Drugs and Crime
US	United States
US DoS	United States Department of State
USIP	United States Institute of Peace
VAPP	The Violence Against Persons (Prohibition) Act
VAW	Violence Against women
VOWAN	Voice of Widows, Divorcée and Orphans of Nigeria
WHER	Women's Health and Equal Rights Initiative
WHO	World Health Organisation
WPD	Widows for Peace through Democracy



# Introduction

This report was drafted by staff of the Country of Origin (COI) sector in EASO.

The report aims to provide information on targeting of individuals in Nigeria, focusing on actors as well as on the profiles of targeted persons. Such information is relevant for international protection status determination (refugee status and subsidiary protection). The terms of reference can be found in [Annex 2](#).

## Methodology

### Defining the Terms of Reference (ToR)

The definition of the profiles of targeted persons is based on the Nigerian context, taking into consideration a survey sent out to all EU Member states previous to the development of the [ToR](#).

Members of the EASO COI Specialist Network on West Africa and of the EASO Country Guidance network gave input on the terms of reference that were finalised during a preparatory meeting in March 2018 taking all the inputs into account.

As regards the actors of targeting, the main questions were:

- What are the objectives of the actor?
- What are the organisational structure and the modus operandi?
- Is there forced recruitment?

As regards the profiles of targeted individuals, the terms of reference are based on the following questions:

- Do individuals under this profile experience human rights violations and or discriminations?
- And if so, by whom? What kind of violations, why, where and when as well as how often?

Furthermore, the ToR includes questions on whether persons affected by human rights violations have the possibilities to avoid this (for example by relocation) as well as whether there are means of redress available to them. Where such information is available, it is included in the report.

### Collecting information

The information is a result of desk research of public, specialised paper-based and electronic sources until 30 August 2018. As a result of the quality control process (see below) some additional information was included in response to feedback received during the respective reviews, until 17 November 2018.

As a general indication, the time frame for collecting information was set on the period from 2015 onwards.

### Quality control (peer and external review)

In order to ensure that the authors respected the EASO COI Report Methodology, a review was carried out by COI specialists from the countries and organisations listed as reviewers in the [Acknowledgements](#) section. In addition, a review of the report was carried out by Dr. Megan Turnbull, Assistant Professor of Comparative Politics at the University of Georgia in the Department of International Affairs. All comments made by the reviewers were taken into consideration and most of them were implemented in the final draft of this report. EASO performed the final quality review and editing of the text.

## Structure and use of the report

The report is divided into two main sections, following a first brief and general introduction to Nigeria. The second chapter on actors discusses several non-state actors, such as Boko Haram, militant groups in the Niger Delta, secret societies and cults, and traffickers, and state or state-affiliated actors.

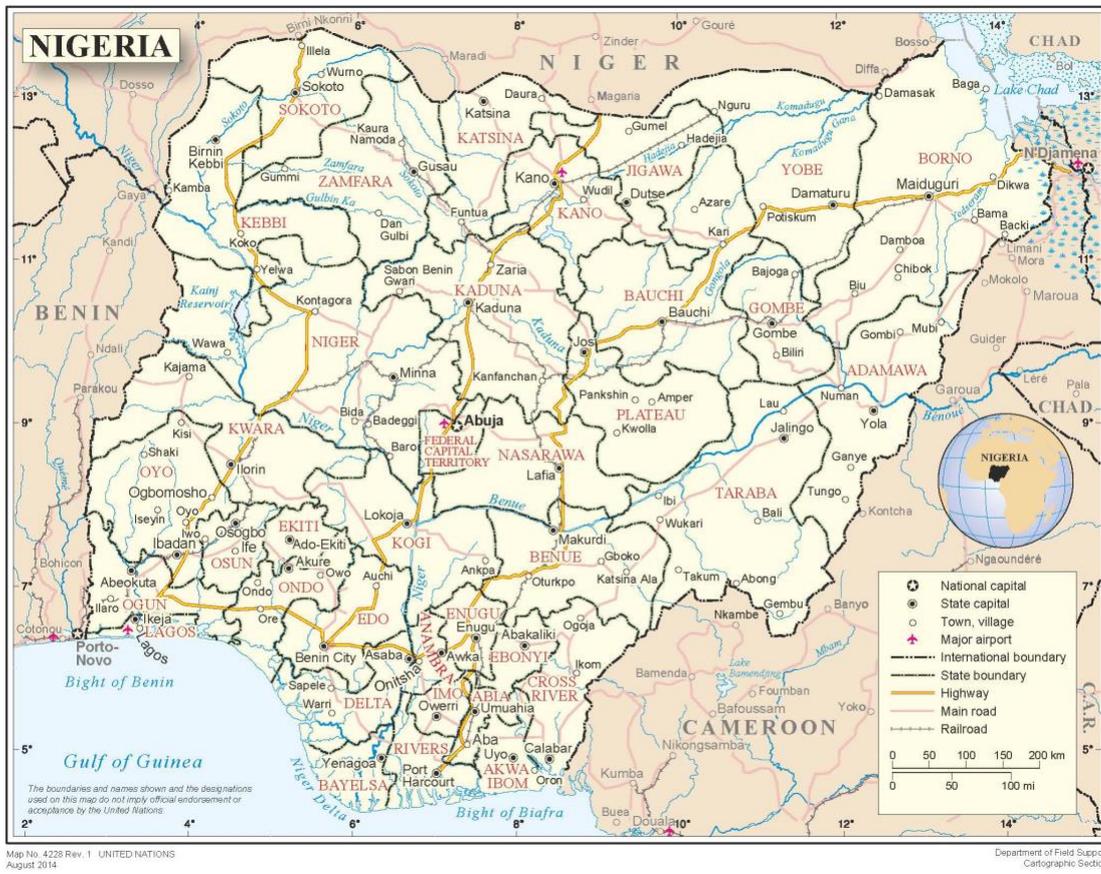
The third chapter discusses the profiles of targeted persons as defined in the ToR according to the actor(s) targeting them. In some cases, the profile of individuals targeted by a certain actor builds upon the description of the said actor in the second chapter. A certain overlapping, for a better understanding of the profile concerned, is unavoidable.

Simultaneously to this report, EASO has published reports on [Security Situation](#), [Actors of Protection](#), and [Key Socio-economic Indicators](#) in Nigeria. All reports were published in November 2018 and publicly available at the EASO COI portal.<sup>2</sup> Where relevant, in this report reference to these reports have been made for further reading and more detailed information.

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<sup>2</sup> EASO, COI report Nigeria, Actors of Protection, November 2018, [url](#); EASO, COI report Nigeria, Key-socio-economic indicators, November 2018, [url](#); EASO, COI report Nigeria, Security situation, November 2018, [url](#)

# Map



Map 1: © United Nations<sup>3</sup>

<sup>(3)</sup> UN, Map No 4228, August 2014, [url](#)

# 1. General introduction on Nigeria

Nigeria is a Federal Presidential Republic. It is divided into 36 states, and Abuja, which has the status of Federal Capital Territory (FCT).<sup>4</sup> The 36 states and the FCT are grouped into six geopolitical zones (see map below):

- North Central (7 states): Niger, Kogi, Benue, Plateau, Nas(s)arawa, Kwara and FCT
- North East (6 states): Bauchi, Borno, Taraba, Adamawa, Gombe and Yobe
- North West (7 states): Zamfara, Sokoto, Kaduna, Kebbi, Katsina, Kano and Jigawa
- South East (5 states): Enugu, Imo, Ebonyi, Abia and Anambra
- South South (6 states): Bayelsa, Akwa Ibom, Edo, Rivers, Cross River and Delta
- South West (6 states): Oyo, Ekiti, Osun, Ondo, Lagos and Ogun



Map 2: @DFAT 2018<sup>5</sup>

<sup>4</sup> CIA Factbook – Nigeria, last updated 18 September 2018, [url](#)

<sup>5</sup> Australia, DFAT, Country Information Report Nigeria, 9 March 2018, [url](#), p. 2

Nigeria is the most populated country in Africa, with an estimated population of 193 million people (2016 data).<sup>6</sup> The country has a population growth rate of 2.61 %. The total area is 923 768 km<sup>2</sup>, and the population density is 212/km<sup>2</sup>.<sup>7</sup>

Nigeria is a highly diverse country with regards to ethnic groups and languages. There are more than 250 ethnic groups of which the largest groups are: Hausa/Fulani 29 %, Yoruba 21 %, Igbo (Ibo) 18 %, Ijaw 10 %, Kanuri 4 %, Ibibio 3.5 %, Tiv 2.5 %<sup>8</sup>, Edo/Bini 2%<sup>9</sup>. The main languages (of the 519 living languages in the country) spoken include English, pidgin English, Hausa, Yoruba, Igbo, Fulani, Ijaw.<sup>10</sup>

In the north, the main ethnic groups are Hausa and Fulani, and several other groups such as Kanuri (in the north-east). The Middle Belt has many smaller, differing but related groups. Nigeria's south is divided into a Yoruba-speaking area in the west and an Igbo-speaking area in the east. The main group in the Niger Delta are the Ijaw although there are several other smaller ethnic groups.<sup>11</sup> See the map above with the six zones and the main ethnic groups.

The religious adherence of the population is nearly equally divided between Christians and (Sunni) Muslims. According to a 2010 survey, the percentages of Muslims and Christians were 48.8 % respectively 49.3 % of the population, while 1.9 % was mainly composed of 'either practitioners of indigenous religions or no affiliations'.<sup>12</sup>

The economy largely relies on agriculture, trade, and oil production.<sup>13</sup>

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<sup>6</sup> Nigeria, NBS, Population of Nigeria 2016, available at: [url](#)

<sup>7</sup> World Population Review, Nigeria population 2018 (estimate), n.d., [url](#)

<sup>8</sup> CIA Factbook – Nigeria, last updated 18 September 2018, [url](#); Worldatlas, Largest Ethnic Groups in Nigeria, 25 April 2017, [url](#)

<sup>9</sup> Encyclopaedia Britannica, Edo People, 29 August 2018, [url](#)

<sup>10</sup> Ethnologue, Nigeria, Languages, [url](#)

<sup>11</sup> Minority Rights Group International, Nigeria, updated January 2018, [url](#)

<sup>12</sup> Pew Research Centre, Global Religious Futures Projects – Nigeria, 2010, [url](#). The CIA Factbook gives the following percentages: Muslim 50%, Christian 40%, indigenous beliefs 10%. CIA Factbook – Nigeria, last updated 18 September 2018, [url](#);

<sup>13</sup> CIA Factbook – Nigeria, last updated 18 September 2018, [url](#). For more information, see EASO, COI report Nigeria, Key-socio-economic indicators, November 2018, [url](#)

## 2. Actors targeting individuals

In this chapter, an overview of the main state and non-state actors targeting individuals is presented.

### 2.1 Boko Haram

Boko Haram's official Arabic name, *Jama'atu Ahlis Sunna Lidda'awati wal-Jihad*, translates into 'People Committed to the Prophet's Teachings for Propagation and Jihad'.<sup>14</sup> Boko Haram is the unofficial name of the organisation<sup>15</sup> that in Hausa language means 'Western education is forbidden' or 'Western education is sin'<sup>16</sup>, depending on the sources.

As a result of the use of massive violence, in particular the group's indiscriminate killing of Muslim civilians, a group calling itself *Jama'at Ansar al Muslimin fi balad al Sudan* [Group of Supporters for Muslims in Black Lands], commonly known as Ansaru, broke away in early 2012.<sup>17</sup>

According to scholar Marc-Antoine Pérouse de Montclos, Ansaru 'exhibited much more potential to become Al-Qaeda's Nigerian affiliate'.<sup>18</sup> He states that 'Ansaru is a professional terrorist organization rather than a sect, and all of its members are combatants. Ansaru distinguished itself by attacking international targets and criticizing Abubakar Shekau for massacring "innocent Muslims"'. He further notes: 'Killed by the security forces in Kano in 2012, its leader Abubakar Adam Kamar was replaced by Khalid Barnawi, who is said to have served as the link between Boko Haram and Al-Qaeda in the Islamic Maghreb (AQIM)'.<sup>19</sup>

In June 2013, the then Nigerian president Goodluck Jonathan declared Boko Haram and the splinter group Ansaru<sup>20</sup>, as terrorist organisations.<sup>21</sup> In November of the same year, the United States Department of State (US DoS) also declared the two as terrorist organisations.<sup>22</sup>

In September 2014, the group was added to the United Nations' Security Council sanctions list, as an affiliated organisation of Al Qaeda.<sup>23</sup> The United Nations (UN) sanctions list aims at avoiding that organisations like Boko Haram are able to receive funding and weapons, and travel freely.<sup>24</sup>

In 2016<sup>25</sup>, Boko Haram split into two groups: the Islamic State-West Africa (ISIS-WA), led by Abu Musab al-Barnawi, and *Jama'atu Ahlis Sunna Lidda'awati wal-Jihad* (JAS), led by Abubakar Shekau. Behind

<sup>14</sup> UN, Security Council, Security Council Committee Pursuant To Resolutions 1267 (1999) 1989 (2011) And 2253 (2015) Concerning Isil (Da'esh) Al-Qaida And Associated Individuals Groups Undertakings And Entities, last updated 9 September 2014, [url](#)

<sup>15</sup> Sahel Blog [blog], Boko Haram: What's in a Name? [Updated], 7 January 2013, [url](#); Princeton University Press, An interview with Alexander Thurston, author of Boko Haram The History of an African Jihadist Movement, [2018], [url](#)

<sup>16</sup> Independent, Paying for terrorism: Where does Boko Haram gets its money from?, 6 June 2014, [url](#)

<sup>17</sup> Critical Threats, Backgrounder: Boko Haram in Nigeria, 16 November 2017, [url](#), p. 2

<sup>18</sup> Pérouse de Montclos, Marc-Antoine, Nigeria's Interminable Insurgency? Addressing the Boko Haram Crisis, September 2014, [url](#), p. 11

<sup>19</sup> Pérouse de Montclos, Marc-Antoine, Nigeria's Interminable Insurgency? Addressing the Boko Haram Crisis, September 2014, [url](#), pp. 7-8

<sup>20</sup> In 2012, Ansaru emerged as a splinter from Boko Haram, led by Abu Usmatul Al-Ansari. CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>21</sup> CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>22</sup> CNN, U.S. designates Boko Haram, its offshoot as terrorist organizations, updated 13 November 2013, [url](#)

<sup>23</sup> UN, Security Council, Security Council Committee Pursuant To Resolutions 1267 (1999) 1989 (2011) And 2253 (2015) Concerning Isil (Da'esh) Al-Qaida And Associated Individuals Groups Undertakings And Entities, last updated 9 September 2014, [url](#)

<sup>24</sup> CNN, U.N. Security Council slaps Boko Haram with sanctions, updated 23 May 2014, [url](#)

<sup>25</sup> International Crisis Group indicates May 2016, when Mamman Nur and Abou Moussab al-Barnawi, unexpectedly left a Shura council meeting. International Crisis Group, Niger and Boko Haram: Beyond Counter-insurgency, 27 February 2017,

the rupture is Shekau's 'dictatorial leadership style', the territorial loss and the question of who is 'an acceptable target' to the group's violent actions, particularly Muslim civilians.<sup>26</sup> The JAS argues that anyone who does not support the group is a 'government collaborator', thus a target, whereas ISIS-WA maintains that government forces and installations should be the group's primary target.<sup>27</sup>

### 2.1.1 Objectives

Boko Haram is a group of Salafi-jihadist ideology<sup>28</sup> that defends the replacement of the secular Nigerian state by an Islamic one with strict compliance to Sharia law, throughout the country.<sup>29</sup> The establishment of such state (caliphate) aims at addressing shortcomings in the Nigerian society, including corruption and lack of good governance<sup>30</sup>, that can be achieved through violence<sup>31</sup>, not only against westerners, but also against other Muslims, if considered 'violators' (those who do not support the group, including Sufis or Shia).<sup>32</sup>

Mohammed Yusuf, a charismatic Salafist cleric and preacher, created Boko Haram in 2002 in Maiduguri (Borno State), as an alternative to the 'illegitimate' non-Islamic northern Nigeria<sup>33</sup>, and to fight Western education, which he believed to 'undermine Nigeria's development'.<sup>34</sup>

Sources argue that the organisation started as a 'religiously inspired societal transformation'<sup>35</sup>, but gave way - after Yusuf's killing by the Nigerian security forces in 2009 - to a violent organisation led by Abubabakar Shekau (who was Yusuf's deputy)<sup>36</sup> with the main objective of creating an Islamic state in northern Nigeria.<sup>37</sup>

Alexander Thurston, a researcher on Islam and politics, and Visiting Assistant Professor of Political Science and Comparative Religion at Miami University of Ohio<sup>38</sup>, argues that Yusuf's Boko Haram had already been involved in a violent 'uprising in December 2003 in rural northeastern Nigeria'.<sup>39</sup>

Under Shekau, Boko Haram launched extreme military operations and engaged in 'widespread human rights violations' across northern Nigeria.<sup>40</sup> According to the United Nations (UN), the human rights violations committed by Boko Haram amount to breaches of international humanitarian law and international human rights law, including:

- 'massacres;

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[url](#), p. 18; ISS establishes August 2016 as date of the split. ISS, Factional Dynamics within Boko Haram, July 2018, [url](#), pp. 3, 10

<sup>26</sup> CSIS, Boko Haram: The History of an African Jihadist Movement, 14 February 2018, [url](#); ISS, Factional Dynamics within Boko Haram, July 2018, [url](#), pp. 3, 10.

<sup>27</sup> ISS, Factional Dynamics within Boko Haram, July 2018, [url](#), pp. 3, 10

<sup>28</sup> Counter Extremism Project, Boko Haram, [2017], [url](#)

<sup>29</sup> USIP, Why Do Youth Join Boko Haram?, June 2014, [url](#)

<sup>30</sup> International Crisis Group, Curbing Violence in Nigeria (II): The Boko Haram Insurgency, 3 April 2014, [url](#), s. 9

<sup>31</sup> Portal (The), "Boko Haram"... the Salafi jihadism cancer in Nigeria, 3 June 2018, [url](#)

<sup>32</sup> Counter Extremism Project, Boko Haram, [2017], [url](#), pp. 2-3; Portal (The), "Boko Haram"... the Salafi jihadism cancer in Nigeria, 3 June 2018, [url](#)

<sup>33</sup> CFR, Nigeria's Battle With Boko Haram, last updated 8 August 2018, [url](#)

<sup>34</sup> CSIS, Boko Haram: The History of an African Jihadist Movement, 14 February 2018, [url](#); Independent, Paying for terrorism: Where does Boko Haram gets its money from?, 6 June 2014, [url](#)

<sup>35</sup> Mahmood, O.S. & Ani, N.C., Factional Dynamics within Boko Haram, 6 July 2018, [url](#), p. 6

<sup>36</sup> Mahmood, O.S. & Ani, N.C., Factional Dynamics within Boko Haram, 6 July 2018, [url](#), p. 6

<sup>37</sup> National Geographic Heidi Schultz, Nigeria's Boko Haram: Who Are They and What Do They Want?, 8 May 2014, [url](#); Australian Government, Australian National Security, Boko Haram, [url](#)

<sup>38</sup> Sahel Blog, About Alex Thurston, [2018], [url](#)

<sup>39</sup> Thurston, Alex, Five Myths About Boko Haram, in: Lawfare [blog], 14 January 2018, [url](#)

<sup>40</sup> HRW, World Report 2017 – Nigeria, 12 January 2017; UN HRC, Report of the UNHCR on violations and abuses committed by Boko Haram and the impact in human rights in the affected countries, accessible at: [url](#)

- the burning down of entire villages;
- attacks on protected sites such as places of worship and schools, and the slaughter of people taking refuge in such sites;
- torture;
- cruel and degrading treatment following sentences in so-called "courts";
- abduction on a massive scale, including of children;
- forced displacement;
- child recruitment; and
- extremely severe and widespread violations of the rights of women and girls, including sexual slavery, sexual violence, forced so-called "marriages", and forced pregnancy'.<sup>41</sup>

Boko Haram's actions and terrorist attacks have spilled into to the Lake Chad area and neighbouring countries of Chad, Cameroon and Niger, displacing thousands of civilians.<sup>42</sup>

Recent UN estimates indicate that nearly 8 million persons in the area are in need of some sort of assistance.<sup>43</sup> In Niger, for example, the UN-run Diffa Camp hosted approximately 250 000 displaced persons in 2016. That year, Boko Haram was responsible for over 30 deadly attacks on the camp, forcing the UN to move the displaced persons to an area nearby.<sup>44</sup> More recently, although reports indicate that the security situation improved in Diffa, the entire Lake Chad Basin sources of income – trade and fishing –, are not viable due to the effects of past Boko Haram's actions in the region.<sup>45</sup>

Sources also indicate Boko Haram has used territories in those countries to recruit, fund, and get logistical support. Before 2014 'Boko Haram militants had used Cameroonian territory as a sanctuary, a logistical hub and a recruitment ground, taking advantage of porous borders and common links'.<sup>46</sup>

Already in 2009, Muhammad Yusuf's sermons reached many Nigeriens that eventually joined Boko Haram. Niger was also used as a 'rear base' for Boko Haram. Although to a lesser extent, Chad has also served as ground for Boko Haram's violent activities, preaching and recruitment, with Yusuf's recordings 'widely circulated in Chad', and 'Boko Haram videos in the Boudouma language also surfaced in Chad'. In 2014, alarmed by Boko Haram's progressive seizure of territory in Nigeria, the Chad authorities led successful 'regional operations to counter Boko Haram, in concert with Niger and Cameroon' and 'Boko Haram's presence in the country has largely been restricted to the Lake Chad area'. Although violence is sporadic, and lower than in 2015, Boko Haram is still present 'in the islands of Lake Chad, posing a threat to both civilians in the area and to border security'.<sup>47</sup>

In the period between July 2014 and March 2015, Boko Haram occupied and controlled most of Borno, northern Adamawa and eastern Yobe states<sup>48</sup>, a territory similar to the size of Belgium.<sup>49</sup>

<sup>41</sup> UN HRC, Boko Haram, n.d., [url](#)

<sup>42</sup> FATF, Terrorist Financing In West And Central Africa, October 2016, [url](#)

<sup>43</sup> UN, 2018 Humanitarian Response Plan Launch, 8 February 2018, [url](#)

<sup>44</sup> Africanews [youtube], UN to relocate refugees from Niger's Diffa region, 25 May 2016, [url](#)

<sup>45</sup> Independent, Boko Haram: Who are the Nigerian jihadist insurgents and how are they funded?, 17 July 2018, [url](#)

<sup>46</sup> ISS, Factional Dynamics within Boko Haram, July 2018, [url](#), pp. 7-9

<sup>47</sup> CSIS, Boko Haram: The History of an African Jihadist Movement, A discussion with the author, Dr. Alexander Thurston, 14 February 2018, [url](#); ISS, Factional Dynamics within Boko Haram, July 2018, [url](#), pp. 7-9.

<sup>48</sup> AI, 'Our Job Is To Shoot, Slaughter And Kill', Boko Haram's Reign Of Terror In North-East Nigeria, 2015, [url](#), p. 29

<sup>49</sup> Telegraph (The), Boko Haram is now a mini-Islamic State, with its own territory, 10 January 2015, [url](#)

In December 2015, President Buhari declared Boko Haram ‘technically defeated’. However, a number of violent attacks in Nigeria, but also in Niger, Cameroon<sup>50</sup>, and Chad contradict that statement.<sup>51</sup> In January 2018, Buhari insisted on the defeat of Boko Haram, however admitting to the existence of ‘isolated attacks’.<sup>52</sup>

Contrarily, sources state that ‘Boko Haram, in fact, remains an important source of insecurity and instability in the Lake Chad Basin’<sup>53</sup> and find the ‘belief that Boko Haram is no longer a potent force may be misplaced and claims of its defeat are grossly exaggerated’.<sup>54</sup> Alex Thurston considers the government’s statements ‘premature’; the researcher finds that although the group does not control the same amounts of territory as in the late 2014 early 2015 period, Shekau and al-Barnawi fighters are still active, and the latter have conducted a number of attacks to military targets.<sup>55</sup>

## 2.1.2 Structure

There is limited information and clarity on Boko Haram and Boko Haram’s splinter groups (ISIS-WA and JAS) structure and organisation.

Generically, sources indicate that Boko Haram has a decentralised structure, translated into a ‘fluid number of cells and hierarchical layers’; in the first layer is the group’s leader, followed by the main decision-making body, the Shura Council, composed by 30 members.<sup>56</sup> According to one source, Shura members have never been identified.<sup>57</sup> The Shura Council commands the regional cells, that ‘differ by location and tactical specialization, ranging from combat troops, explosives experts, welfare service providers, intelligence and surveillance, and a medical committee’.<sup>58</sup>

Freedom Onuoha, a Research Fellow at the Centre for Strategic Research and Studies of the National Defence College in Abuja, drew an hypothetical organisational structure of Boko Haram under Abubakar Shekau, that shows hierarchical relations between the spiritual leader, who is supported by two deputies and the Shura Consultative Council (where selected members head committees); those feed into the state operational commanders and strategists, who are supported by local operational commanders and strategists, who finally lead the various operational cells.<sup>59</sup>

According to Stratfor, the Shura Council’s departments engage in different activities within the group:

‘Departments carry out suicide bombings, kidnappings, intelligence gathering, target selection and surveillance. They also construct explosive devices, plant explosives at target sites, steal cars for use in attacks, engage security forces and recruit and train new members. Boko Haram also has several supporting departments that focus on the welfare of its members and the surviving family members of suicide bombers, a medical committee that looks after the health care needs of members and their families and a so-called public enlightenment department that is responsible for external communication and propaganda’.<sup>60</sup>

<sup>50</sup> Defense Post (The), Five Cameroon soldiers killed in likely Boko Haram attack near border with Nigeria, 3 April 2018, [url](#)

<sup>51</sup> Jeune Afrique, Lac Tchad : un soldat tchadien et vingt jihadistes tués dans des affrontements avec Boko Haram, 24 March 2018, [url](#); Guardian (The), What next for the millions uprooted by Boko Haram? – photo essay, 5 April 2018, [url](#)

<sup>52</sup> Premium Times, UPDATED: We have beaten Boko Haram, Buhari insists, 1 January 2018, [url](#)

<sup>53</sup> Atangana, Elysée Martin, Why does Boko Haram remain a regional threat in the Lake Chad Basin?, 5 June 2018, [url](#)

<sup>54</sup> Olaniyan, Azeez, Down, but Not yet Out: Boko Haram and the Concept of “Technical Defeat”, 23 August 2018, [url](#)

<sup>55</sup> Thurston, Alex, Five Myths About Boko Haram, in: Lawfare [blog], 14 January 2018, [url](#)

<sup>56</sup> Counter Extremism Project (CEP), Boko Haram, Organizational Structure, [2017], [url](#)

<sup>57</sup> CFR, What Makes Boko Haram Run?, 5 May 2016, [url](#)

<sup>58</sup> Counter Extremism Project (CEP), Boko Haram, Organizational Structure, [2017], [url](#)

<sup>59</sup> Onuoha, Freedom, Boko Haram and the evolving Salafi Jihadist threat in Nigeria, 2014, [url](#), p. 162

<sup>60</sup> Stratfor, Nigeria: Examining Boko Haram, 15 July 2014, [url](#)

This decentralised structure makes it difficult to identify the exact number of members, but sources in 2014 estimated the ‘core membership at several hundred’, not counting the thousands of supporters participating in attacks or providing other types of support.<sup>61</sup>

Estimates on the numbers of members vary greatly between 15 000 and 50 000.<sup>62</sup> The number of fighters is believed to have decreased in 2016 and 2017, due to counter-terrorism efforts by the Nigerian government, and due to the severe food shortages in the northern regions of Nigeria.<sup>63</sup>

### 2.1.2.1 Leadership

Boko Haram’s leadership has numerous actors, consequence of the already mentioned splits. The three below are at the epicentre of core events.

#### Mohammed Yusuf

Ustaz Mohammed Yusuf was born in Yobe State in 1970<sup>64</sup> and was a charismatic Salafist clerical and preacher<sup>65</sup>, had four wives and 12 children.<sup>66</sup> Yusuf studied Theology at the Islamic University of Medina in Saudi Arabia; he rejected the Nigerian secular state and defended a strict application of the Sharia and Islam.<sup>67</sup>

Yusuf ‘founded the first form of *Jama’atu Ahlis- Sunnah Lidda’awati Wal Jihad* around 2002, published his book *This is our Faith and our Dawah* around 2008, and led the group until his death in 2009’. Scholar Marc-Antoine Pérouse de Montclos states that ‘although this was initially a largely non-violent group, Yusuf’s, and therefore Boko Haram’s, relations with the state and the dominant Islamic Izala movement became increasingly fraught in the mid- to late 2000s’.<sup>68</sup>

In the autumn of 2003, the police attacked Kannamma (Yobe State) - where some believe Yusuf had his encampment -, and several followers were killed; in reaction, in December 2003, Boko Haram launched one of its first attacks against security forces. In June 2009, 15 Boko Haram followers were killed by the police in an altercation on the use of safety helmets while riding their bikes. Yusuf announced he would avenge the dead.<sup>69</sup>

In July 2009, several consecutive attacks by Boko Haram in northern Nigeria (Maiduguri, Borno State; Potiskum, Yobe State; Wudil, Kano State) left hundreds of people dead: militants, civilians and security forces.<sup>70</sup> Borno state’s official enquiry reveal 1 118 killed in the state between 27 July and 1 August 2009.<sup>71</sup> Following a police crackdown of Maiduguri, Mohammed Yusuf – then 39 - was

<sup>61</sup> Stratfor, Nigeria: Examining Boko Haram, 15 July 2014, [url](#); Counter Extremism Project (CEP), Boko Haram, Organizational Structure, [2017], [url](#)

<sup>62</sup> Africacheck.org, FACTSHEET: Explaining Nigeria’s Boko Haram & its violent insurgency, 22 September 2014, [url](#); Stratfor Nigeria: Examining Boko Haram,”, 15 July 2014, [url](#); US DoS, Country reports on Human Rights Practices for 2016 – Nigeria, [url](#); Counter Extremism Project, Boko Haram, 22 November 2017, [url](#); AI, Boko Haram at a glance, 29 January 2015, [url](#)

<sup>63</sup> Counter Extremism Project, Boko Haram, 22 November 2017, [url](#)

<sup>64</sup> Pérouse de Montclos, Marc-Antoine, Nigeria’s Interminable Insurgency? Addressing the Boko Haram Crisis, September 2014, [url](#), p. 32

<sup>65</sup> CFR, Nigeria’s Battle With Boko Haram, last updated 8 August 2018, [url](#)

<sup>66</sup> BBC, Nigeria sect head dies in custody, 31 July 2009, [url](#)

<sup>67</sup> Vicky, Alain, Aux origines de la secte Boko Haram, 12 May 2014, available at: [url](#); CSIS, Boko Haram: The History of an African Jihadist Movement, 14 February 2018, [url](#)

<sup>68</sup> Pérouse de Montclos, Marc-Antoine, Nigeria’s Interminable Insurgency? Addressing the Boko Haram Crisis, September 2014, [url](#), p. 32.

<sup>69</sup> Vicky, Alain, Aux origines de la secte Boko Haram, 12 May 2014, available at: [url](#)

<sup>70</sup> BBC, Nigerian Islamist attacks spread, 27 July 2009, [url](#); BBC, Nigerian police find sect women, 2 August 2009, [url](#)

<sup>71</sup> Hizagi, Adam, Les origines et la transformation de l’insurrection de Boko Haram dans le Nord du Nigeria, 2013, [url](#), pp. 137-164.

captured and killed in police custody, while he was allegedly trying to escape.<sup>72</sup> After Yusuf's death<sup>73</sup>, his deputy, Abubakar Shekau, rose to Boko Haram's leadership.<sup>74</sup>

**Abubakar Shekau** (also Abu Muhammad Abu Bakr Bin Muhammad Al Shakwi Al Muslimi Bishku<sup>75</sup> or Abu Muhammad Abubakar Bin Muhammad<sup>76</sup>)

Born in Shekau (Yobe State). According to a recent interview granted by his mother Falmata, Shekau is the son of an imam (deceased) and pursued Islamic studies in Maiduguri from an early age; there he became an *almajiri* (Quranic student)<sup>77</sup> and met Mohamed Yusuf.<sup>78</sup>

After Mohammed Yusuf's death by the Nigerian military in 2009<sup>79</sup> Shekau, who was Yusuf's deputy, became Boko Haram's leader. Sources describe him as 'part-theologian, part-gangster'.<sup>80</sup> He is notorious for Boko Haram's turn to more violent methods, including the use of children as suicide bombers, attacks to mosques and killing of Muslim infidels.<sup>81</sup>

Shekau became internationally known after claiming responsibility for the abduction of 276 girls from their boarding school in Chibok (Borno State).<sup>82</sup>

In March 2015, Shekau pledged allegiance to ISIS<sup>83</sup> and Boko Haram was 'rebranded as the *Wilāyat al-Islāmiyya Gharb Afriqiyah* or the Islamic State in West Africa Province (ISWAP)'.<sup>84</sup>

On 3 August 2016, ISIS stated that Abu Musab al-Barnawi was ISWAP/Boko Haram's new leader.<sup>85</sup> Immediately after that, Abubakar Shekau released an audio message, where he states he is still Boko Haram's leader and accused al-Barnawi of staging a coup against him.<sup>86</sup> Several sources indicate Shekau's relation with the Islamic State is ambiguous.<sup>87</sup>

<sup>72</sup> Long War Journal, Nigerian Taliban leader killed in custody, 31 July 2009, [url](#); CNN, Captured leader of Nigerian militant sect is dead, 30 July 2009, [url](#)

<sup>73</sup> Counter Extremism Project, Boko Haram, [2017], [url](#)

<sup>74</sup> BBC, Nigeria's Boko Haram leader Abubakar Shekau in profile, 9 May 2014, [url](#)

<sup>75</sup> Pérouse de Montclos, Marc-Antoine, Nigeria's Interminable Insurgency? Addressing the Boko Haram Crisis, September 2014, [url](#), p. 32.

<sup>76</sup> TRAC, Who is the real Abubakar Shekau (aka Abu Muhammad Abubakar Bin Muhammad), n.d., [url](#)

<sup>77</sup> *Almajiri* (plural *Almajirai*) 'is a Hausa word for pupil or student and emanates from the Arabic word "*AlMuhajir*" which means a seeker of Islamic knowledge'. (...) In Nigeria, the word "*Almajiri*" means those who left their villages or town, parents, relations, and friends in search of Islamic religious knowledge and scholarship'. Okonkwo, Oge Samuel, The *Almajiri* System And Violent Extremism In Northern Nigeria, 18 July 2017, available at: [url](#)

<sup>78</sup> VOA, VOA Interview: Mother of Boko Haram Leader Speaks Out, 14 June 2018, [url](#); CFR, Mother of Boko Haram Leader Abubakar Shekau Speaks About Her Son, 29 June 2018, [url](#)

<sup>79</sup> Counter Extremism Project, Boko Haram, [2017], [url](#)

<sup>80</sup> BBC, Nigeria's Boko Haram leader Abubakar Shekau in profile, 9 May 2014, [url](#); TRAC, Who is the real Abubakar Shekau (aka Abu Muhammad Abubakar Bin Muhammad), n.d., [url](#)

<sup>81</sup> ISS, Factional Dynamics within Boko Haram, July 2018, [url](#), p. 12; Counter Extremism Project, Boko Haram, [2017], [url](#); CFR, Boko Haram Factions May Seek State Cooperation, 28 August 2017, [url](#).

<sup>82</sup> National Geographic, Nigeria's Boko Haram: Who Are They and What Do They Want?, 8 May 2014, [url](#); CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>83</sup> Counter Extremism Project (CEP), Boko Haram, Organizational Structure, [2017], [url](#); CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>84</sup> Al Jazeera Centre for Studies, Split in ISIS-Aligned Boko Haram Group, 27 October 2016, [url](#), p. 3; Pham, J. Peter, How Boko Haram Became the Islamic State's West Africa Province, Winter 2016, [url](#)

<sup>85</sup> CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>86</sup> BBC, Boko Haram in Nigeria: Split emerges over leadership, last updated 5 August 2016, [url](#)

<sup>87</sup> BBC, Boko Haram in Nigeria: Split emerges over leadership, last updated 5 August 2016, [url](#); Al Jazeera Centre for Studies, Split in ISIS-Aligned Boko Haram Group, 27 October 2016, [url](#), p. 3; BBC, Boko Haram in Nigeria: Abu Musab al-Barnawi named as new leader, 3 August 2016, [url](#); CFR, Boko Haram Factions May Seek State Cooperation, 28 August 2017, [url](#)

The Nigerian army has reported killing Shekau on several occasions; he has not appeared since 2015.<sup>88</sup> Some media sources report that Shekau is in ill health.<sup>89</sup>

### Abu Musab al-Barnawi

Abu Musab al-Barnawi is the son of Mohammed Yusuf, Boko Haram's founder.<sup>90</sup> In January 2015, he was identified in a video uploaded by Boko Haram as the group's spokesman, under Shekau.<sup>91</sup>

Al-Barnawi has been extremely critical of Shekau's leadership and tactics for targeting ordinary Muslims; al-Barnawi defends attacks should focus on Christian infidels.<sup>92</sup>

On 3 August 2016, ISIS stated that Abu Musab al-Barnawi was ISWAP/Boko Haram's new leader.<sup>93</sup> In reaction, Abubakar Shekau accused al-Barnawi of staging a coup to overthrow him.<sup>94</sup>

On 21 August 2018, the 'factional leader of the Boko Haram loyal to Islamic State in West Africa (ISWA) Mamman Nur has been killed by his fighters who rebelled against him.' Nur is described as 'the brain behind the ties between Boko Haram and the Abu Bakr al-Baghdadi led Islamic State' who had led the rebellion against Shekau in 2014. Abu Musab al-Barnawi is, according to sources to the Daily Trust, a mere 'shadow leader because of his father'. According to one source, 'The commanders became disenchanted with Nur's style of leadership; they saw him as not as rough as Shekau. The breakaway faction which moved to shores of Lake Chad region in Northern Borno was later recognised by the Al-Baghdadi.'<sup>95</sup>

### 2.1.2.2 Financing

According to the Financial Action Task Force (FATF)<sup>96</sup>, the confirmed sources of funding of Boko Haram are extortion, robberies and looting, cattle and livestock rustling, *Zakat* [Islamic donations], local businesses/commercial enterprises and kidnapping.<sup>97</sup>

Funds are also generated from other criminal activities, including ransom kidnappings, smuggling, arms smuggling or bank robberies.<sup>98</sup>

While some sources state that substantial funding and arms comes from international extremist groups like Al Qaeda and AQIM<sup>99</sup>, Alex Thurston recently stated that de-classified documents produced by the CIA uncovered one single transfer of EUR 200 000 from AQIM to Boko Haram, in early 2010; the researcher adds that, although being significant, this sum does not explain the whole financing of Boko Haram. He indicates that the group's financing rather comes from a mix of activities,

<sup>88</sup> BBC, Boko Haram in Nigeria: Abu Musab al-Barnawi named as new leader, 3 August 2016, [url](#)

<sup>89</sup> Vanguard, Boko Haram's Shekau critically ill, 30 June 2018, [url](#)

<sup>90</sup> CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>91</sup> BBC, Boko Haram in Nigeria: Abu Musab al-Barnawi named as new leader, 3 August 2016, [url](#); Al Jazeera Centre for Studies, Split in ISIS-Aligned Boko Haram Group, 27 October 2016, [url](#)

<sup>92</sup> Al Jazeera Centre for Studies, Split in ISIS-Aligned Boko Haram Group, 27 October 2016, [url](#), p. 3

<sup>93</sup> CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>94</sup> BBC, Boko Haram in Nigeria: Split emerges over leadership, last updated 5 August 2016, [url](#)

<sup>95</sup> Daily Trust, Factional Boko Haram leader Mamman Nur killed by own fighters, 14 September 2018, [url](#)

<sup>96</sup> The Financial Action Task Force (FATF) is an inter-governmental body established in 1989, aimed at 'set[ting] standards and promote[ing] effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system'. In 1999, ECOWAS established the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA), who is an Associated Member of the FATF. FATF, [website], n.d. [url](#)

<sup>97</sup> Financial Action Task Force (FATF), Terrorist Financing In West And Central Africa, October 2016, [url](#), pp. 10-18

<sup>98</sup> Africa Check, Factsheet: Explaining Nigeria's Boko Haram & its violent insurgency, last updated 31 July 2017, [url](#)

<sup>99</sup> Independent, Paying for terrorism: Where does Boko Haram gets its money from?, 6 June 2014, [url](#); Counter Extremism Project, Boko Haram, [2017], [url](#); Global Financial Integrity, Stopping Boko Haram by Curtailing Illicit Finance, 11 June 2014, [url](#); FATF, Terrorist Financing In West And Central Africa, October 2016, [url](#), pp. 10-18

including bank robberies, kidnappings for ransom (namely outside Nigeria, in Cameroon), and extortion.<sup>100</sup>

Among scholars and observers of Boko Haram, there has been scepticism regarding how ‘deep’ Boko Haram’s alliances with Al-Qaeda and the Islamic state actually go. While Jacob Zenn has argued that there are tight links between these groups, others, including Adam Higazi, Brandon Kendhammer, Kyari Mohammed, Marc-Antoine Pérouse de Montclos, and Alex Thurston, have challenged this and contrarily argue that Boko Haram is not ‘a mere extension of the global jihadist movement’, but actually influenced by ‘local political factors, security force abuses, and the internal logics of insurgencies’.<sup>101</sup>

The scholars, in an article titled ‘A Response to Jacob Zenn on Boko Haram and al-Qa’ida’ stress that ‘the narrative that Boko Haram was a close collaborator of *al-Qa’ida* has dangerous implications for policymaking’ and that ‘policies that have been devised for responding to al-Qa’ida are not suitable for responding to Boko Haram’. Further, they add that ‘treating Boko Haram largely through the lens of counter-terrorism and counter-insurgency could hurt many more innocent people and exacerbate a grievous humanitarian emergency’.<sup>102</sup>

Boko Haram has received legitimate business profits, and money laundering through fictitious real estate companies and charities.<sup>103</sup>

Sources also indicate that Boko Haram gains income from ‘protection money’ received from local government institutions, religious supporters and opponents to the Nigerian government.<sup>104</sup>

### 2.1.3 Modus operandi

At the peak of the insurgency in early January 2015, Boko Haram controlled about 20 000 square miles [51 799 km<sup>2</sup>] of territory in Nigeria<sup>105</sup>, including 15 Local Government Areas (LGAs) and partial control over another 15 LGAs.<sup>106</sup> As the group started losing control of their territory through mid-late 2015, their large-scale attacks diminished as well.<sup>107</sup>

Boko Haram’s areas of activities within Nigeria are mainly Adamawa, Borno and Yobe states.<sup>108</sup> In August 2014, Shekau declared Boko Haram to have established a caliphate in the areas under its control, with Gwoza (Borno State) as its seat of power’.<sup>109</sup>

Data sourced to the Armed Conflict Location and Event Data Project (ACLED) reveals that between July 2009 and March 2015 Boko Haram’s areas of operation showed a strong focus in the north-eastern parts of the country - Baga, Chibok and Maiduguri (where the group was founded) - as well as some additional major areas of incidents within Nigeria: Kano, Kaduna, Jos and Abuja.<sup>110</sup>

<sup>100</sup> CSIS, Boko Haram: The History of an African Jihadist Movement, 14 February 2018, [url](#)

<sup>101</sup> Higazi, Adam, et al., A Response to Jacob Zenn on Boko Haram and al-Qa’ida, June 2018, [url](#)

<sup>102</sup> Higazi, Adam, et al., A Response to Jacob Zenn on Boko Haram and al-Qa’ida, June 2018, [url](#)

<sup>103</sup> Global Financial Integrity, Stopping Boko Haram by Curtailing Illicit Finance, 11 June 2014, [url](#); FATF, Terrorist Financing In West And Central Africa, October 2016, [url](#), pp. 10-18

<sup>104</sup> Counter Extremism Project, Boko Haram, [2017], [url](#); Global Financial Integrity, Stopping Boko Haram by Curtailing Illicit Finance, 11 June 2014, [url](#)

<sup>105</sup> Al Jazeera Centre for Studies, Anatomy of Boko Haram: The Rise and Decline of a Violent Group in Nigeria, 22 April 2018, [url](#), p.5

<sup>106</sup> Al, Boko Haram at a glance, 29 January 2015, [url](#)

<sup>107</sup> Al Jazeera Centre for Studies, Anatomy of Boko Haram, 22 April 2018, [url](#), p.5; International Crisis Group, Boko Haram on the Back Foot?, 4 May 2016, [url](#)

<sup>108</sup> Stratfor, Nigeria: Examining Boko Haram, 15 July 2014, [url](#)

<sup>109</sup> BBC, Boko Haram declares 'Islamic state' in northern Nigeria, 25 August 2014, [url](#); Irish Times (The), Inside the headquarters of Boko Haram’s former caliphate, 12 July 2017, [url](#)

<sup>110</sup> Economist (The), Nigeria: Boko Haram, [map], (source: ACLED), n.d. [url](#)

After the 2016 split [see Section [2.1.2](#)] the areas of operation and attacks differ from ISIS-WA to JAS. Al-Barnawi's ISIS-WA has mainly attacked military structures, whereas Shekau's JAS seems to continue its 'indiscriminate violence against civilians', including the majority of female suicide attacks.<sup>111</sup>

The group has also led violent actions and attacks in the Lake Chad Basin countries of Niger, Cameroon and Chad, namely by invading border communities.<sup>112</sup> See also Section [2.1.1](#).

Boko Haram is responsible for the death of approximately 17 000 people since May 2011. Another 14 645 persons have died as a result of clashes between Boko Haram and state actors.<sup>113</sup> See also [EASO COI report Nigeria, State Actors of Protection](#), November 2018. In 2015 the Global Terrorist Index (GTI) ranked Boko Haram the world's deadliest terrorist group<sup>114</sup>, whereas in 2017 it was ranked the world's third deadliest terrorist group.<sup>115</sup>

The tactics used by Boko Haram 'are those typically associated with terrorism', namely suicide bombings, kidnappings, and destruction of property<sup>116</sup>, targeting of civilians, political assassinations, assaults, 'invasion of border communities, and seizures and control of territory in Nigeria'.<sup>117</sup>

Since its existence, the extremist group has moved from attacking governmental and political targets to targeting civilians, and has targeted both Muslim and Christian populations<sup>118</sup>, although since the 2016 split, ISIS-WA has led 'less frequent but larger attacks' against military targets.<sup>119</sup>

According to a study by academics Jason Warner and Hilary Matfess, from 11 April 2011 to 30 June 2017, Boko Haram 'deployed 434 bombers to 247 different targets during 238 suicide-bombing attacks'. The source states that 'at least 56 % of these bombers were women, and at least 81 bombers were specifically identified as children or teenagers'.<sup>120</sup>

In recent years, Boko Haram increased attacks on 'soft targets'<sup>121</sup>, combined with the use of more women and children as suicide bombers<sup>122</sup>; one media outlet showed the case of a 14 year old girl who had allegedly been paid 40 pence by Boko Haram to carry out a suicide bomb attack, before being caught by the Nigerian authorities.<sup>123</sup>

UNICEF reported on the 'alarming surge in number of children used in Boko Haram bomb attacks' in the first quarter of 2017; whereas in the Q1-2016 6 children had been reportedly used in such attacks, in Q1-2017 27 children – including infants –, were used by the terrorist group.<sup>124</sup>

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<sup>111</sup> ISS, The potentially more sinister threat in Boko Haram's split, 12 July 2018, [url](#)

<sup>112</sup> CFR, Nigeria's Battle With Boko Haram, last updated 8 August 2018, [url](#); Al Jazeera Centre for Studies, Anatomy of Boko Haram, 22 April 2018, [url](#)

<sup>113</sup> CFR, Nigeria Security Tracker, 30 April 2018, [url](#)

<sup>114</sup> IEP, Global Terrorism Index 2015, 17 November 2015, [url](#), p. 4

<sup>115</sup> IEP, Global Terrorism Index 2017, 15 November 2017, [url](#), p. 16

<sup>116</sup> CFR, Nigeria's Battle With Boko Haram, last updated 8 August 2018, [url](#)

<sup>117</sup> Al Jazeera Centre for Studies, Anatomy of Boko Haram, 22 April 2018, [url](#)

<sup>118</sup> National Geographic, Nigeria's Boko Haram: Who Are They and What Do They Want?, 8 May 2014, [url](#); Al Jazeera Centre for Studies, Split in ISIS-Aligned Boko Haram Group, 27 October 2016, [url](#), p. 4

<sup>119</sup> ISS, The potentially more sinister threat in Boko Haram's split, 12 July 2018, [url](#)

<sup>120</sup> Warner, Jason and Matfess, Hilary, Exploding Stereotypes: Characteristics of Boko Haram's Suicide Bombers, August 2017, [url](#), p. 4

<sup>121</sup> There is no single definition for 'soft target'; NATO describes it as 'locations that are relatively vulnerable to terrorist attacks due to their open access, structural characteristics and limited security' in: NATO, Soft Target Protection, Description, 29 May 2018, [url](#)

<sup>122</sup> CFR, Nigeria's Battle With Boko Haram, last updated 8 August 2018, [url](#)

<sup>123</sup> Sun (The), Who are Boko Haram, who is their leader Abubakar Shekau and what do the Nigerian Islamist group want?, 5 June 2018, [url](#)

<sup>124</sup> UNICEF, Lake Chad conflict: alarming surge in number of children used in Boko Haram bomb attacks this year, 12 April 2017, [url](#)

The United States Institute of Peace (USIP) notes that from August 2011 to March 2012, the group focused in bombing public spaces, churches and schools.<sup>125</sup>

As a result, according to UNICEF, Boko Haram's actions in North East Nigeria since 2009 has killed 2 259 teachers and displaced 19 000 others, leaving 'almost 1,400 schools [...] destroyed'. In Borno, the worst hit state, 57 % of all schools are destroyed.<sup>126</sup>

Alexander Thurston states that Boko Haram's tactics have changed over time: under Shekau's leadership, from 2010 to 2013, Boko Haram bombed 'major targets, including in the capital, Abuja, and perpetrated regular assassinations and raids in the northeast'. From 2013 to 2015, the focus turned to the controlled territory in north-eastern Nigeria, with local populations being given 'a stark choice: embrace Boko Haram's brand of Islam, or face violence'; it was during this period that Boko Haram kidnapped 276 girls from Chibok school (April 2014). After the 2015 Nigerian military actions that led to the loss of Boko Haram's territory, the group returned to an underground existence and 'intensified its terrorism', which included pledging allegiance to ISIS.<sup>127</sup>

As noted by academic Hilary Matfess, Boko Haram's motivation for kidnapping women and children was a retaliation for the Nigerian military's 'kidnapping' of the wives and families of the group's members, already in 2012.<sup>128</sup>

Women have also been used in Boko Haram's operations, namely after the Chibok abduction; Matfess argues that women joined the group for two main reasons: material benefits and educational opportunities.<sup>129</sup> Chitra Nagarajan, writer and human rights activist in Nigeria, states that women in Boko Haram also engage actively in fighting, recruitment, integrate new women and girls into the group, make bombs and serve as suicide bombers.<sup>130</sup>

On 8 May 2018, the Nigerian army announced that, after a week-long battle with Boko Haram in which 50 militants were killed, 1 000 hostages were freed in Borno State. Those people held captive were 'mainly women and children, as well as some young men who had been forced to become Boko Haram fighters'.<sup>131</sup>

## 2.1.4 Recruitment by Boko Haram

Alongside the several changes in Boko Haram's structure, leadership and tactics, recruitment has changed accordingly. In the early days of Mohammed Yusuf's preaching in Maiduguri, young people were attracted by his speeches on 'the excesses of government officials'.<sup>132</sup>

Freedom Onuoha states that Boko Haram members include persons from various backgrounds, including 'disaffected youths, unemployed graduates, former almajirai [constitute the majority of foot soldiers], and wealthy persons, mostly but not limited to northern Nigeria. It also draws members from beyond Nigeria: from Cameroon, Chad, Niger, and Sudan'.<sup>133</sup>

According to the Swedish Lifos report on recruitment by Boko Haram, 'to a large extent BH troops consists of Kanuri, the largest ethnic group in Borno where BH was founded. Also Abubaker Shekau is

<sup>125</sup> USIP, What is Boko Haram?, 30 May 2012, [url](#)

<sup>126</sup> UNICEF, More than half of all schools remain closed in Borno State, 29 September 2017, [url](#)

<sup>127</sup> Princeton University Press, An interview with Alexander Thurston, [2018], [url](#)

<sup>128</sup> Washington Post, Boko Haram has kidnapped more girls. Here's what we know, 8 March 2018, [url](#).

<sup>129</sup> Washington Post, Boko Haram has kidnapped more girls. Here's what we know, 8 March 2018, [url](#).

<sup>130</sup> Nagarajan, Chitra, gender Assessment of Northeast Nigeria, June 2017, [url](#)

<sup>131</sup> CNN, Nigerian army says it has freed 1,000 Boko Haram captives, 8 May 2018, [url](#)

<sup>132</sup> USIP, Why Do Youth Join Boko Haram?, June 2014, [url](#), p. 3.

<sup>133</sup> Onuoha, Freedom, Boko Haram and the evolving Salafi Jihadist threat in Nigeria, 2014, [url](#), pp. 161-162; USIP, Why Do Youth Join Boko Haram?, June 2014, [url](#), p. 3.

a Kanuri'. The same report notes that the Kanuri have also been largely the victims of Boko Haram's violence.<sup>134</sup>

Abubakar Shekau's leadership came with increasingly violent tactics and many of Boko Haram's members abandoned the group. Sources state that therefore the group resorted to more aggressive recruiting methods, including kidnapping.<sup>135</sup> For forced recruitment, see Section 2.1.5.

A study conducted by CLEEN Foundation in 2013 in six states in northern Nigeria suggests that militancy in Boko Haram varied, depending both on the individual's profile and set of belief, together with the context they act upon. However, the study identifies multiple factors for militancy: economic, social, political, and religious.<sup>136</sup> The study further elaborates and indicates 'poverty, unemployment, ignorance of religious texts, lack of good parental upbringing, drug abused [and] unnecessary indoctrinations' as potential drivers for radicalisation in northern Nigeria.<sup>137</sup>

Three years later, a 2016 study by the Mercy Corps on youth recruitment by Boko Haram finds that the decision to join the group challenges the clear-cut 'categories of "voluntary" and "forced"'. Whereas some youth reported having been abducted by the group, others had joined for ideological reasons. The majority, however, stated they felt coerced or pressured to join to 'remain safe', protect themselves and their families, or were coerced to join after being unable to repay small loans received from Boko Haram (a practice known as 'clandestine dispensation').<sup>138</sup> Young women also reported feeling socially pressured to join, as their husbands were members of the extremist group and they were expected to do so by family or social context.<sup>139</sup>

Below, the main reasons to join Boko Haram are discussed in more detail.

#### 2.1.4.1 Economy and unemployment

A 2018 study published by the Institute for Security Studies (ISS) surveyed the Nigerian public's perception on why people join Boko Haram; a considerable majority of the respondents stated members 'want to make money' or 'they are unemployed and see Boko Haram as a job'. The study argues that this perception is patent across the country (including the northern states of Kano, Gombe and Yobe), and not only in less affected and distant urban centres like Abuja or Lagos.<sup>140</sup>

Other studies reinforce this understanding, by stating that 'unemployment and poverty make youth vulnerable to radicalization' and are evident in Nigeria<sup>141</sup>, or by disclosing that young Nigerians saw Boko Haram as a provider to start a business and thrive economically; Boko Haram offers loans to socioeconomically disadvantaged youths, while demanding repayment only a few days later. When they cannot repay the loan, they are recruited into the militants' group.<sup>142</sup>

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<sup>134</sup> Sweden, Lifos, Temarapport: Rekrytering till Boko Haram, 8 July 2015, [url](#)

<sup>135</sup> Mercy Corps, Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth, April 2016, [url](#), p. 5; Premium Times, Boko Haram offering loans to Nigerian youth as recruitment tool – Military, 20 April 2016, [url](#)

<sup>136</sup> CLEEN Foundation, Youths, Radicalisation and Affiliation with Insurgent Groups in Northern Nigeria, 2014, [url](#)

<sup>137</sup> CLEEN Foundation, Youths, Radicalisation and Affiliation with Insurgent Groups in Northern Nigeria, 2014, [url](#), p. 40

<sup>138</sup> Counter Extremism Project, Boko Haram, [2017], [url](#), p.4

<sup>139</sup> Mercy Corps, Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth, April 2016, [url](#), pp. 11-12

<sup>140</sup> ISS, Factional Dynamics within Boko Haram, July 2018, [url](#)

<sup>141</sup> USIP, Why Do Youth Join Boko Haram?, June 2014, [url](#), p. 5

<sup>142</sup> Mercy Corps, Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth, April 2016, [url](#), pp. 11-12

### 2.1.4.2 Ideology

Academics agree that Boko Haram's main appeal resides in decades of corruption and poor governance, declining social services, lack of transparency in government, and poor development outcomes.<sup>143</sup>

Other sources also indicate low understanding of the fundamental religious opposition to violence, the proliferation of sects and independent preachers (in Islam and Christianity), together with 'increasing reliance on preachers rather than on the holy books themselves' makes 'youth more vulnerable and susceptible to recruitment' by 'independent and roaming preachers, extremist groups, and religious ideologues, who often distort religious injunctions'.<sup>144</sup>

Religious training in foreign countries, parents' influence, visits to regular worship centres, and audio and video messages, were also found to contribute to religious extremism and radicalisation, paving the way for Nigerian youth to join Boko Haram.<sup>145</sup>

Some youth were drawn to Boko Haram on ideological principles, especially during Yusuf's leadership. One male youth in Yobe interviewed by the Mercy Corps 'described being drawn to the revolutionary aspect of Boko Haram' where he found echo to his expectations.<sup>146</sup>

### 2.1.4.3 Grievances against the government

In the early days of the group (2002), Boko Haram enjoyed general public support in the northern states, as it was seen 'as an alternative to Nigeria's corrupt government', widely blamed for the poor living conditions in the region.<sup>147</sup>

Widespread corruption in Nigeria, and especially in the northern states was 'conducive to recruitment and radicalization'. Boko Haram's narrative against the secular Nigeria state's corruption was very appealing to an 'impoverished, alienated, and jobless northern Muslim youth'.<sup>148</sup>

### 2.1.4.4 Social pressure

According to a 2016 Mercy Corps study on youth recruitment by Boko Haram, influence from social and business peers was found to be a key factor in the recruitment process, with most of the interviewees stating that friends, family members or business partners had had a relevant role in their enrolment.<sup>149</sup>

Many former Boko Haram fighters have reported that their introduction to the terrorist group was not made via Qur'anic schools or other types of 'formal' indoctrination, but rather through friends and family members.<sup>150</sup>

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<sup>143</sup> International Crisis Group, *Curbing Violence in Nigeria (II): The Boko Haram Insurgency*, 2014, [url](#); Meagher, Kate, *Beyond Terror: Addressing the Boko Haram Challenge in Nigeria*, November 2014, available at: [url](#)

<sup>144</sup> CLEEN Foundation, *Youths, Radicalisation and Affiliation with Insurgent Groups in Northern Nigeria*, 2014 [url](#); USIP, *Why Do Youth Join Boko Haram?*, June 2014, [url](#), p. 5

<sup>145</sup> CLEEN Foundation, *Youths, Radicalisation and Affiliation with Insurgent Groups in Northern Nigeria*, 2014, [url](#)

<sup>146</sup> Mercy Corps, *Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth*, April 2016, [url](#), pp. 11-12

<sup>147</sup> Seeker, Jules, *How Does Boko Haram Recruit Its Soldiers?*, 08 January 2016, [url](#)

<sup>148</sup> USIP, *Why Do Youth Join Boko Haram?*, June 2014, [url](#), p. 7

<sup>149</sup> Mercy Corps, *Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth*, April 2016, [url](#), pp. 11-12

<sup>150</sup> Botha, Anneli and Abdile, Mahdi, *Getting behind the profiles of Boko Haram members and factors contributing to radicalisation versus working towards peace*, 2016, available at: [url](#)

## 2.1.5 Forced recruitment

Boko Haram is believed to forcibly recruit youth and children. According to the Counter Extremism Project, 10 000 boys and girls were abducted between 2014 and 2016<sup>151</sup>, both in northern Nigeria, in Cameroon, Niger and Chad.<sup>152</sup> See also Section [2.1.7](#).

In the 2013 CLEEN Foundation survey on youth radicalisation in northern Nigeria, only one respondent from Borno State mentioned Boko Haram using forced recruitment as a means to recruit young people. However, the report adds that ‘stories have been told in Maiduguri where youths were threatened by Boko Haram if they refuse to join the group’.<sup>153</sup>

In 2014 Boko Haram increased the abduction of young boys in northern Nigeria. The *Fédération Internationale des Ligues des Droits de l’Homme* (FIDH) reports on attacks to isolated villages (in Kummaaba/Dambo, Borno State during which 60 women and girls, plus 31 boys were abducted, or in Gaidamgari, Borno State, where 60 people were killed by Boko Haram after the villagers refused to deliver them young boys.<sup>154</sup> Some of these abducted young boys were then ‘re-educated’ in Koranic schools, some of them based in Cameroon.<sup>155</sup>

These inexperienced young boys were used to obtain intelligence and information, and sent to the front line in the ‘first wave’ of attacks on villages, military barracks or security services buildings. Those who survived were then used in subsequent attacks on the security forces. These young militants were reportedly drugged with powerful substances, giving them an impression of invincibility.<sup>156</sup>

Reports from late 2016 indicated that hundreds of Boko Haram soldiers and their families had surrendered to the Multinational Joint Task Force in the Lake Chad frontline. Many of these had potentially been ‘abducted or forcibly recruited by Boko Haram’.<sup>157</sup>

### 2.1.5.1 Consequences for refusal to join / leaving Boko Haram

One source indicates that leaving Boko Haram in pre-2009 would not entail many consequences, other than stop ‘attending preaching sessions and meetings’. However, under Shekau’s leadership, young people feeling disillusioned or in disagreement with extreme violence and wanting to leave faced other challenges. One source reports that former members escaped during ‘the chaos of battle or slipping out at night’, fearing being killed in the process as others who had tried to leave before.<sup>158</sup>

On the consequences in case of refusal to join or leaving Boko Haram, several incidents have been reported in the media, namely:

In 2017, a woman who escaped Boko Haram describes how the insurgents had killed others who tried to flee after being kidnapped. Those who refused to become suicide bombers would be separated from the group, beaten and starved.<sup>159</sup>

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<sup>151</sup> Counter Extremism Project, Boko Haram, [2017], [url](#), p. 4

<sup>152</sup> Al Jazeera Centre for Studies, Anatomy of Boko Haram: The Rise and Decline of a Violent Group in Nigeria, 22 April 2018, [url](#); Seeker, Jules, How Does Boko Haram Recruit Its Soldiers?, 08 January 2016, [url](#)

<sup>153</sup> CLEEN Foundation, Youths, Radicalisation and Affiliation with Insurgent Groups in Northern Nigeria, 2014, [url](#), pp. 29-30

<sup>154</sup> FIDH, Nigeria Les Crimes de Masse de Boko Haram, 2015, [url](#), p. 19; Aaron Brantly, Financing terror Bit by Bit, October 2014, [url](#)

<sup>155</sup> Recorder (The), Boko Haram Begins Forced Recruitment, 22 July 2014, [url](#)

<sup>156</sup> FIDH, Nigeria Les Crimes de Masse de Boko Haram, 2015, [url](#)

<sup>157</sup> Reuters, Hundreds of Boko Haram fighters surrender in Chad: sources, 12 November 2016, [url](#)

<sup>158</sup> Mercy Corps, Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth, April 2016, [url](#), p. 16

<sup>159</sup> News Deeply, Starved and Beaten: The Cost of Refusing to Be a Boko Haram Bomber, 28 November 2017, [url](#)

In March 2015, 74 men and 20 children were reportedly murdered by Boko Haram in Njaba-Damboia LGA (Borno State) for refusing to join the insurgent group.<sup>160</sup>

In December 2014 in Madagali (Adamawa State) several people were reportedly killed by Boko Haram fighters for refusing to join the group.<sup>161</sup> Amnesty International reports that on 14 December 2014 at least 100 men were executed in one day in December when the armed group took over Madagali and the men refused to join Boko Haram.<sup>162</sup>

In August 2014, Boko Haram sieged Gamboru (Borno State) and there were reports of 29 people killed for resisting to join the group.<sup>163</sup>

The Australian Department of Foreign Affairs and Trade (DFAT) reports the assassination of Muslim preachers who refused to join the group in 2010-2011, including Bashir Kashara (October 2010), Ibrahim Ahmad Abdullahi (March 2011), and Ibrahim Birkuti (June 2011). In July 2014, Sheikh Dahiru Bauchi was also killed by Boko Haram in Kaduna.<sup>164</sup>

### 2.1.6 Child soldiers

During Abubakar Shekau's violent attacks to establish the caliphate in northern Nigeria, young people were forced to flee the country to neighbouring countries, thus reducing the available human resources to join the group. This fact, according to sources, triggered the resource to more violent means of recruitment by Boko Haram.<sup>165</sup>

Several sources report on the use of child soldiers in different roles in Boko Haram's military offensives (in Nigeria, Cameroon and Chad): collecting military intelligence and information before and during attacks, as fighters in the frontline, to plant explosives, and as suicide bombers.<sup>166</sup>

Recruitment also took a cross-border dimension; in Cameroon alone, there were reports of over 500 recruits in border villages, including many young boys and girls.<sup>167</sup>

In April 2017, UNICEF reported on the 'alarming surge in number of children used in Boko Haram bomb attacks'; whereas in Q1-2016 6 children had been reportedly used in such attacks, in Q1-2017 27 children – including infants -, had been used by the terrorist group.<sup>168</sup>

The FIDH reports that child soldiers are regularly drugged to perform their missions, and threatened to be executed by Boko Haram's commanders if they refuse to obey.<sup>169</sup>

### 2.1.7 Women and girls

Boko Haram attracted international attention with the abduction of 276 girls from their school in Chibok (Borno State) on 14 April 2014<sup>170</sup>, and its leader's video recording where Abubakar Shekau

<sup>160</sup> Vanguard, 74 men, 20 children killed for refusing to join Boko Haram, 6 March 2015, [url](#); Daily Post, Boko Haram: 74 men, 20 children killed in Njaba village for refusing to join sect, 5 March 2015, [url](#)

<sup>161</sup> AA, Several Nigerians killed for refusing to join Boko Haram, 21 December 2014, [url](#)

<sup>162</sup> AI, Nigeria: Abducted women and girls forced to join Boko Haram attacks, 14 April 2015, [url](#); Reuters, Nigeria's Boko Haram abducted 2,000 women and girls: report, 14 April 2015, [url](#)

<sup>163</sup> Cameroun Web, Boko Haram coerce youth into fighting NGA, CMR soldiers, 1 September 2014, [url](#)

<sup>164</sup> Australia, DFAT Country Information report Nigeria, 9 March 2018, [url](#)

<sup>165</sup> FIDH, Nigeria Les Crimes de Masse de Boko Haram, 2015, [url](#), p. 19

<sup>166</sup> FIDH, Nigeria Les Crimes de Masse de Boko Haram, 2015, [url](#), p. 19; US DoS, Country reports on Human Rights Practices for 2016 – Nigeria, [url](#)

<sup>167</sup> News24, Boko Haram Gathers New Recruits in Cameroon, 8 August 2014, [url](#)

<sup>168</sup> UNICEF, Lake Chad conflict: alarming surge in number of children used in Boko Haram bomb attacks this year – UNICEF, 12 April 2017, [url](#)

<sup>169</sup> FIDH, Nigeria Les Crimes de Masse de Boko Haram, 2015, [url](#), p. 19.

<sup>170</sup> BBC, Chibok abductions in Nigeria: 'More than 230 seized', 21 April 2014, [url](#); BBC, Chibok abduction: The Nigerian town that lost its girls, 14 April 2016, [url](#)

stated the girls would be married to members of the Islamist group or sold in the market as war booty.<sup>171</sup> This was the largest kidnapping to date led by Boko Haram, and triggered the international campaign 'Bring Back our Girls'.<sup>172</sup>

As noted previously, academic Hilary Matfess states that Boko Haram's motivation for kidnapping women and children was a retaliation for the Nigerian military's 'kidnapping' of the wives and families of the group's members, already in 2012, long before the Chibok abduction.<sup>173</sup>

Sources state that women were used by Boko Haram as sex slaves during arranged and brief marriages.<sup>174</sup> Matfess argues that although 'thousands of girls have been abducted by the insurgents, many others joined voluntarily' and mentions that 'many women have been victims of the insurgency, while some have been complicit in the group's terrorism'.<sup>175</sup>

Women have been part in Boko Haram's operations; Matfess argues that the women joined the group for three main reasons: material benefits, educational opportunities and the practice of *purdah* (wife seclusion).<sup>176</sup> Chitra Nagarajan, writer and human rights activist in Nigeria, states that women in Boko Haram also engage actively in fighting, recruitment, integrate new women and girls into the group, make bombs and serve as suicide bombers.<sup>177</sup>

Former Boko Haram members interviewed in a study by researchers Anneli Botha and Mahdi Abdile indicate that between 500 to 1 000 women have some sort of role in Boko Haram; although most are engaged in domestic work, others take leading roles and are involved in military operations, either as foot soldiers, intelligence specialists, and/or explosive experts.<sup>178</sup>

## 2.2 Militant groups in the Niger Delta

Niger Delta's ethnic groups include Itsekeri, Ikwerre, Ogbia, Nembe, Izon, Epie-Atissa, Urhobo, Itsekiri, Isoko, Okrika, Efik, Ejagham, Bekwarra, Edo, Esan, Igarra, Okpamheri, Ibibio, Andoni, Brass, Dioubu, Etche, Kalibari, Nembe, Ogoni, Yoruba, Ijaw, Igbo. The last three groups are the largest.<sup>179</sup> According to the National Bureau of Statistics (NBS), the population of the Niger Delta (including Abia, Imo and Ondo states) is estimated at 42.6 million people, which is 22 % of Nigeria's total population (estimated at 193.4 million).<sup>180</sup> The region is predominately Christian.<sup>181</sup>

The Niger Delta, the most important crude oil producing area of Nigeria accounting for three quarters of the government's revenues, consists of the following states: Ondo, Edo, Delta, Bayelsa, Rivers, Imo, Abia, Akwa Ibom and Cross River. The Delta comprehends over 800 oil-producing communities, more

<sup>171</sup> National Geographic, Nigeria's Boko Haram: Who Are They and What Do They Want?, 8 May 2014, [url](#); CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>172</sup> Bring Back our Girls Campaign, [website] n.d. [url](#); Al Jazeera, Anatomy of Boko Haram: The Rise and Decline of a Violent Group in Nigeria, 22 April 2018, [url](#)

<sup>173</sup> Washington Post, Boko Haram has kidnapped more girls. Here's what we know, 8 March 2018, [url](#)

<sup>174</sup> FIDH, Nigeria Les Crimes de Masse de Boko Haram, 2015, [url](#), p. 15.

<sup>175</sup> Washington Post, Boko Haram has kidnapped more girls. Here's what we know, 8 March 2018, [url](#)

<sup>176</sup> *Purdah* (or wife seclusion) is an ancient practice, where women stay secluded in the house taking care of children and house chores, thus free from the agricultural works. It is seen as a elevation of social status. Washington Post, Boko Haram has kidnapped more girls. Here's what we know, 8 March 2018, [url](#).

<sup>177</sup> Nagarajan, Chitra, gender Assessment of Northeast Nigeria, June 2017, [url](#)

<sup>178</sup> Botha, Anneli and Abdile, Mahdi, Getting behind the profiles of Boko Haram members and factors contributing to radicalisation versus working towards peace, 2016, available at: [url](#)

<sup>179</sup> Nigeria Infopedia, Niger Delta States: full list, n.d., [url](#), Minority Rights International, Nigeria - Delta minorities, updated January 2018, [url](#); CIA Factbook – Nigeria, last updated 2 May 2018, [url](#)

<sup>180</sup> NBS, Population of Nigeria 2016, [url](#)

<sup>181</sup> Pew Forum on Religion & Public Life, Tolerance and Tension: Islam and Christianity in Sub-Saharan Africa, April 2010, p. ii, [url](#)

than 900 oil wells and numerous ‘petroleum production-related facilities’.<sup>182</sup> According to 2016 Ministry of Petroleum resources information, 78 of Nigeria’s 159 oil fields are in the Niger Delta region.<sup>183</sup> Despite the allocation of 13 % of the oil revenue directly to oil-producing states, the Niger Delta region displays ‘massive infrastructure decay, widespread poverty and environmental degradation’.<sup>184</sup> Corruption and unaccountability of oil revenues have been major challenges in Nigeria.<sup>185</sup>

This oil-producing area mainly consists of mangrove swamps and creeks, and is one of the world’s largest wetlands. Militants have been protesting against the environmental degradation (such as diminishing the abundant fish population and polluting the waters) and underdevelopment of the region for a long time and demand that the local population benefit more from the oil profits.<sup>186</sup> Over the years, a large number of protesting groups – some violent, others non-violent- have been active in the Niger Delta in the south.<sup>187</sup>

## 2.2.1 General

The first rebellion, demanding for local control over the oil resources in the Niger Delta was in 1966 led by Isaac Adaka Boro. It was suppressed within weeks.<sup>188</sup> The Movement for the Survival of the Ogoni People (MOSOP), founded in 1990, was the first group after the 1966 conflict. It was campaigning non-violently for the development and environmental protection of the Ogoni area. Its leader, Ken Sawo-Wiwa, with eight other leaders were executed in 1995.<sup>189</sup>

The main militant violent groups active before 2009 were<sup>190</sup>:

- Niger Delta Vigilantes (NDV)<sup>191</sup>, led by Ateke Tom, active between 2003 and 2005;
- Niger Delta People’s Volunteer Force (NDPVF), led by Alhaji Asari Dokubo, active between 2003 and 2005;
- Movement for the Emancipation of the Niger Delta (MEND), active from 2006 onwards and still existing, but largely inactive.<sup>192</sup>

The violence in the Niger Delta was at its height between 2006 and 2009, mostly performed by, or in the name of, MEND. A large-scale amnesty and disarmament, demobilisation, and reintegration (DDR) programme initiated in 2009 by President Umar Musa Yar’Adua, granted amnesty, vocational training and financial benefits to about 30 000 militia members, and brought an end to the insurgency.<sup>193</sup>

<sup>182</sup> Nigeria, Federal Ministry of Petroleum Resources, National Petroleum Policy, Nigeria Government Policy and Actions, 2017, [url](#), p. 41

<sup>183</sup> EITI, Nigeria: Mapping the Labyrinth, 13 June 2016, [url](#)

<sup>184</sup> Vanguard, 13% derivation: Oil-producing states receive N7trn in 18 years, 22 August 2017, [url](#)

<sup>185</sup> EITI, Nigeria, Overview, latest data 2015, [url](#); Social Action [blog], The Niger Delta and the Politics of Usable Nigerians, 13 July 2017, [url](#); BBC News, Can Nigeria’s president defeat oil industry corruption?, 21 October 2015, [url](#)

<sup>186</sup> CFR, MEND: The Niger Delta’s Umbrella Militant Group, 21 March 2007, [url](#); Onuoha, Freedom, The Resurgence of Militancy in Nigeria’s Oil-Rich Niger Delta and the Dangers of Militarisation, 8 June 2016, [url](#); International Crisis Group, Curbing Violence in Nigeria (III): Revisiting the Niger Delta, 29 September 2015, [url](#)

<sup>187</sup> International Crisis Group, Curbing Violence in Nigeria (III): Revisiting the Niger Delta, 29 September 2015, [url](#)

<sup>188</sup> UNDP, Niger Delta Human Development Report, 2006, [url](#)

<sup>189</sup> MOSOP, About MOSOP, n.d., [url](#)

<sup>190</sup> Small Arms Survey, Small arms, armed violence, and insecurity in Nigeria, 2007 [url](#); see also CFR, MEND: The Niger Delta’s Umbrella Militant Group, 21 March 2007, [url](#). This article provides a historical overview of the main militant groups in the Niger Delta area.

<sup>191</sup> Previously known as the cult group Icelander, also led by Tom and notorious for its violent tactics. Small Arms Survey, Small arms, armed violence, and insecurity in Nigeria: The Niger Delta in perspective, 2007, [url](#), p. 77

<sup>192</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>193</sup> International Crisis Group, Nigeria: Seizing the Moment in the Niger Delta, 30 April 2009, [url](#); Ebiede, Tarila Marclint, Beyond the Rebellion: Alternative Narratives of Violent Conflicts and the Implications for Peacebuilding in the Niger Delta, February 2016, [url](#)

According to the researcher Freedom Onuoha, ‘several ex-militant leaders such as Asari Dokubo, Gen. Ebikabowei “Boyloaf”, Victor Ben, Ateke Tom, and Government Ekpumopolo (alias Tompolo) were rewarded with lucrative contracts to guard pipelines.’<sup>194</sup>

This amnesty programme brought ‘relative peace’ and allowed oil production to reach higher levels.<sup>195</sup> The programme, initially intended to end in 2015, was extended to December 2017 by President Buhari. It had, however, been strongly curtailed in 2015; funding was cut by 70 %, the ex-militant leaders lost their pipeline security contracts, and the government prosecuted Tompolo for contract fraud. These developments, together with the government’s failure to properly address local grievances and to improve development in the Delta region led to a new wave of violence in 2016 and the emergence of the Niger Delta Avengers (NDA).<sup>196</sup> The researcher Rebecca Golden-Timsar, who has done research in the region for 20 years, concludes that the presidential amnesty programme has failed: ‘the negotiated amnesty and resulting fragile peace are primed for collapse, while crime and oil theft remain serious problems’.<sup>197</sup>

New militant groups emerging after the 2009 amnesty programme are (amongst others)<sup>198</sup>:

- AdakaAdaka Boro Avengers (ABA)<sup>199</sup>
- Aggrieved Youth Movement (AYM)<sup>200</sup>
- Egbesu Mightier Fraternity, a faction of the NDA<sup>201</sup>
- Joint Niger Delta Liberation Force (JNDLF)
- New Niger Delta Emancipation Front (NDEF)<sup>202</sup>
- Niger Delta Avengers (NDA)
- Niger Delta Greenland Justice Mandate (NDGJM)
- Niger Delta Red Squad (RDRS)
- Niger Delta People’s Salvation Front, the political wing of NDPVF<sup>203</sup>
- Niger Delta Searchlight<sup>204</sup>
- Otugas Fire Force (OFF)<sup>205</sup>
- Red Egbesu Water Lions (REWL)<sup>206</sup>
- Red Scorpions<sup>207</sup>

<sup>194</sup> Onuoha, Freedom, The Resurgence of Militancy in Nigeria’s Oil-Rich Niger Delta and the Dangers of Militarisation, 8 June 2016, [url](#)

<sup>195</sup> International Crisis Group, Nigeria: Seizing the Moment in the Niger Delta, Briefing no. 60, 30 April 2009, [url](#); see also Ebiede, Tarila Marclint, Beyond the Rebellion: Alternative Narratives of Violent Conflicts and the Implications for Peacebuilding in the Niger Delta, February 2016, [url](#), p. 11. See also EASO, COI report Nigeria, Key-socio-economic indicators, November 2018, [url](#)

<sup>196</sup> Onuoha, Freedom, The Resurgence of Militancy in Nigeria’s Oil-Rich Niger Delta and the Dangers of Militarisation, 8 June 2016, [url](#); Washington Post, Militants are devastating Nigeria’s oil industry again, 11 July 2016, [url](#)

<sup>197</sup> Rebecca Golden-Timsar, Amnesty And New Violence In The Niger Delta, Forbes, 20 March 2018, [url](#)

<sup>198</sup> ACCORD, Towards ending conflict and insecurity in the Niger Delta region, 12 September 2017, [url](#); Washington Post, Militants are devastating Nigeria’s oil industry again, 11 July 2016, [url](#); Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>199</sup> ACCORD, Towards ending conflict and insecurity in the Niger Delta region, 12 September 2017, [url](#)

<sup>200</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>201</sup> IBTimes, Niger Delta militants vow to shut oil and gas plants unless Nnamdi Kanu, Sambo Dasuki released, 19 May 2016, [url](#)

<sup>202</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>203</sup> BBC, The Niger Delta Avengers: Nigeria’s newest militants, 2 June 2016, [url](#)

<sup>204</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>205</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>206</sup> Onuoha, Freedom, The Resurgence of Militancy in Nigeria’s Oil-Rich Niger Delta and the Dangers of Militarisation, 8 June 2016, [url](#), p. 6

<sup>207</sup> The Guardian, Again, Red Scorpions blow Shell pipeline in Imo, 26 June 2016, [url](#)

- Reformed Egbesu Boys of Niger Delta<sup>208</sup>
- Reformed Niger Delta Avengers (RNDA)<sup>209</sup>

In a 2011 article on terrorism in liberation struggles, the researcher Ibaba Samuel Ibaba listed 13 militant groups in the Niger Delta, of which 6 were categorised as private militia, 4 ethnic militia and 3 pan-ethnic militia such as MEND.<sup>210</sup>

Armed militant groups often recruit locally and most groups consist of members from the same community. Most members are young unmarried Christian men from the Niger Delta, many of them Ijaw but there are also non-Ijaw groups.<sup>211</sup> However, the researcher Ebiede points to the fact that ‘militant groups do not only recruit from their immediate communities; they also accept fighters from neighboring communities.’ This could affect the power relations between the communities within the Niger Delta and worsen existing inter-communal conflicts, according to Ebiede.<sup>212</sup>

US DoS notes an increase in kidnappings and abductions for ransom payments in 2017; including an increase in kidnappings from ships ‘as militants turned to piracy and related crimes to support themselves’. For instance, on 8 February 2017 a cargo boat was attacked by pirates near Bayelsa State, kidnapping nine sailors; the pirates released them after ransom was paid.<sup>213</sup>

It is not always clear who is responsible for these attacks, as there are hundreds of militant groups, also known as cult groups, which may ally with the larger, more well-known groups - MEND and NVA - or operate under their names.<sup>214</sup> In the sections below more specific information is included for these two groups.

The role of oil companies in the violence cannot be left unmentioned, as several of them have hired militants as security guards, and their actions have often exacerbated violent conflicts in which whole communities were involved. As a research by the London Platform notes, ‘Shell’s close relationship with the Nigerian military exposes the company to charges of complicity in the systematic killing and torture of local residents.’<sup>215</sup>

## 2.2.2 Movement for the Emancipation of the Niger Delta (MEND)

Of the militant groups in the past years, the Movement for the Emancipation of the Niger Delta (MEND) has become the most notorious, according to the Council on Foreign Relations (CFR). It emerged in January 2006, shortly after the decline of the Niger Delta People’s Volunteer Force (NDPVF), a militant group led by Alhaji Mujahid Dokubo-Asari.<sup>216</sup>

<sup>208</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>209</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>210</sup> Ibaba Samuel Ibaba, Terrorism in Liberation Struggles: Interrogating the Engagement Tactics of the Movement for the Emancipation of the Niger Delta, 2011 [url](#)

<sup>211</sup> Small Arms Survey, Small arms, armed violence, and insecurity in Nigeria: The Niger Delta in perspective, 2007 [url](#)

<sup>212</sup> Ebiede, Tarila Marclint, Beyond the Rebellion: Alternative Narratives of Violent Conflicts and the Implications for Peacebuilding in the Niger Delta, February 2016, [url](#), p. 11

<sup>213</sup> US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

<sup>214</sup> Ebiede, Tarila Marclint, Beyond the Rebellion: Alternative Narratives of Violent Conflicts and the Implications for Peacebuilding in the Niger Delta, February 2016, [url](#), p. 14. See also International Crisis Group, Curbing Violence in Nigeria (III): Revisiting the Niger Delta, 29 September 2015, [url](#); UNDP, Niger Delta Human Development Report, 2006, [url](#)

<sup>215</sup> Platform London, Counting the costly – Corporations and human rights abuse in the Niger Delta, October 2011, [url](#), p. 5; Guardian (The), Shell accused of fuelling violence in Nigeria by paying rival militant gangs, 3 October 2011, [url](#); International Crisis Group, Nigeria: Seizing the Moment in the Niger Delta, 30 April 2009, [url](#)

<sup>216</sup> CFR, MEND: The Niger Delta’s Umbrella Militant Group, 21 March 2007 [url](#). Whereas the government had granted Asari amnesty and payments in exchange for handing in the group’s weapons, in 2005 he was arrested, charged with treason and imprisoned.

A researcher in contemporary African politics, cited by CFR in 2007, said that MEND, contrary to the NDPVF, has gained popular support among the community in the area. That enabled MEND to remain secretive and hidden from the authorities.<sup>217</sup>

### 2.2.2.1 Structure

Little is known about the organisational structure of MEND; it is described as a flexible umbrella organisation, adapting to its operations. Like other militant groups in the Niger Delta, the group consists to a large extent of young Ijaw men (Ijaw being the main ethnic group in the area)<sup>218</sup>, although non-Ijaw groups have also been included in MEND.<sup>219</sup> However, 'militant groups switch affiliations on a case-by-case basis', according to an International Crisis Group report, cited in CFR. MEND is also described as a loose coalition of groups such as NDPVF, the Coalition for Militant Action in the Niger Delta (COMA), and the Martyr's Brigade.<sup>220</sup>

The leadership of MEND, as is the case with other groups, is quite unclear. The group's spokesman is known by the name Jomo Gbomo, a pseudonym used by a number of Delta militants, according to Jamestown Foundation.<sup>221</sup> Later leader was Henry Okah, who was arrested in 2010 and in 2013 imprisoned for 24 years in South Africa.<sup>222</sup> Another former leader of MEND, Government Ekpemupolo - also known as Tompolo - has been arrested in 2016 on accusation of large-scale corruption and money laundering.<sup>223</sup>

### 2.2.2.2 Objectives

MEND pursued common political objectives of freedom and development of the region. According to Ibaba, 'MEND took shape in 2005 and emerged in 2006 as an umbrella organization of militia groups in the Niger Delta to advance the political objective of liberation started by Major Isaac Adaka Boro and the Niger Delta Volunteer Service in 1966.'<sup>224</sup> According to a 2016 analysis by the Jamestown Foundation, MEND was still aiming at participating in negotiations with the government. 'MEND has threatened to take up arms against the NDA if it does not pursue dialogue with the government' and recently declared 'its full support for the ongoing military presence in the Niger Delta region'.<sup>225</sup>

### 2.2.2.3 Modus operandi

MEND aimed at reaching its goals through various means:

- kidnapping and car bombing of foreign oil workers;
- attacks against oil pipelines;
- oil bunkering (stealing oil and selling it on the black-market).<sup>226</sup>

<sup>217</sup> CFR, MEND: The Niger Delta's Umbrella Militant Group, 21 March 2007 [url](#)

<sup>218</sup> CFR, MEND: The Niger Delta's Umbrella Militant Group, 21 March 2017 [url](#)

<sup>219</sup> Small Arms Survey, Small arms, armed violence, and insecurity in Nigeria: The Niger Delta in perspective, 2007 [url](#)

<sup>220</sup> CFR, MEND: The Niger Delta's Umbrella Militant Group, 21 March 2017, [url](#); Newsweek, Who is Tompolo, the Niger Delta Kingpin Wanted for Corruption?, 19 January 2016 [url](#); Small Arms Survey, Small arms, armed violence, and insecurity in Nigeria: The Niger Delta in perspective, 2007 [url](#), p. 123

<sup>221</sup> Jamestown Foundation, Nigeria Expands Its 'War on Terrorism' to the Niger Delta, 16 September 2016, [url](#); CFR, MEND: The Niger Delta's Umbrella Militant Group, 21 March 2007, [url](#)

<sup>222</sup> BBC, Henry Okah: Nigerian oil militant jailed for 24 years, 26 March 2013, [url](#); BBC, The Niger Delta Avengers: Nigeria's newest militants, 2 June 2016, [url](#)

<sup>223</sup> Newsweek, Who is Tompolo, the Niger Delta Kingpin Wanted for Corruption?, 19 January 2016 [url](#)

<sup>224</sup> Ibaba Samuel Ibaba, Terrorism in Liberation Struggles, 2011 [url](#)

<sup>225</sup> Jamestown Foundation, Nigeria Expands Its 'War on Terrorism' to the Niger Delta, 16 September 2016, [url](#)

<sup>226</sup> Global Security, Movement for the Emancipation of the Niger Delta (MEND), 6 May 2016, [url](#); Jamestown Foundation, Nigeria Expands Its 'War on Terrorism' to the Niger Delta, 16 September 2016, [url](#)

However, the group is no longer the main armed group active in the Niger Delta 'since most of its leaders are imprisoned or have accepted the 2009 amnesty', according to Jamestown Foundation.<sup>227</sup>

#### 2.2.2.4 Recruitment

According to a Global Security article, 'militias in the Niger Delta reportedly do not have difficulties recruiting members due to socioeconomic and political reasons, notably high levels of youth unemployment.'<sup>228</sup> Reports on forced recruitment by MEND could not be found in the time frame of drafting this report.

### 2.2.3 Niger Delta Avengers (NDA)

The Niger Delta Avengers (NDA), formed on 3 February 2016<sup>229</sup>, emerged in 2016 with a large number of attacks on oil infrastructures.<sup>230</sup> According to the BBC, this was the first group that emerged in the region since late President Umar Musa Yar'Adua granted amnesty to militants in the Niger Delta in 2009.<sup>231</sup>

#### 2.2.3.1 Structure and organisation

Little is known about the leaders and members of the NDA.<sup>232</sup> The BBC cites local people who believe that the group's members are to a large extent members of former militant groups such as MEND and the Niger Delta People's Salvation Front, the political wing of the NDVPF, which had been left out of the amnesty programme. Neither is the leader known, although a Colonel Mudoch Agbinibo (possibly a pseudonym) is mentioned as the spokesperson of the 'high command'.<sup>233</sup> The group claims its members are 'young, educated, well travelled ...and educated in east Europe'.<sup>234</sup> The Economist in July 2016 refers to Tompolo as the possible NDA leader, although both Tompolo and the group denied such link. The article notes that the group probably consists of 'just a few hundred men' but their numbers are 'fast-swelling'; the militants are reportedly 'irritated' that the Buhari government cut 70 % of the amnesty budget.<sup>235</sup> A faction of the NDA is called the Egbesu Mightier Fraternity.<sup>236</sup>

#### 2.2.3.2 Objectives

The NDA, although sharing the same objectives, distances themselves from MEND, claiming that 'MEND commanders had never cared about the Niger Delta and grown rich from amnesty payments without distributing the money to foot soldiers of the rebellion'.<sup>237</sup>

The NDA claims to aim at a redistribution of oil wealth to the Niger Delta people and the development of their communities, and calls for autonomy of the region. They threaten to 'cripple' Nigeria's

<sup>227</sup> Jamestown Foundation, Nigeria Expands Its 'War on Terrorism' to the Niger Delta, 16 September 2016, [url](#)

<sup>228</sup> Global Security, Movement for the Emancipation of the Niger Delta (MEND), 6 May 2016, [url](#)

<sup>229</sup> Onuoha, Freedom, The Resurgence of Militancy in Nigeria's Oil-Rich Niger Delta and the Dangers of Militarisation, 8 June 2016, [url](#), p. 5

<sup>230</sup> Jamestown Foundation, 'The Niger Delta Avengers: A New Threat to Oil Producers in Nigeria', 13 June 2016, [url](#)

<sup>231</sup> BBC, The Niger Delta Avengers: Nigeria's newest militants, 2 June 2016, [url](#)

<sup>232</sup> Canada, IRB, Nigeria: Information on the Niger Delta Avengers (NDA), (2015-August 2016), 15 August 2016 [url](#)

<sup>233</sup> BBC, The Niger Delta Avengers: Nigeria's newest militants, 2 June 2016, [url](#); Niger Delta Avengers, Happy Doomed Year Nigeria; Get Ready For Operation Bringing Down FPSO, 17 January 2018, [url](#)

<sup>234</sup> BBC, Nigeria arrests 'Avengers' oil militants, 16 May 2016, [url](#)

<sup>235</sup> Economist (The), Who are the Niger Delta Avengers?, 1 July 2016, [url](#)

<sup>236</sup> IBTimes, Niger Delta militants vow to shut oil and gas plants unless Nnamdi Kanu, Sambo Dasuki released, 19 May 2016, [url](#)

<sup>237</sup> Jamestown Foundation, 'The Niger Delta: Will Restarting Amnesty Payments Ease the Conflict?', 14 October 2016, [url](#)

economy if their aims are not met.<sup>238</sup> They also want continuation of amnesty program payments for all former militants.<sup>239</sup> The NDA is 'in communication' with Biafra independence activists and aims at crippling Nigeria's economy while demanding the secession of the Niger Delta region.<sup>240</sup> See Section 3.3.

According to a Global Security article on the NDA, in May 2016 'a new currency was unveiled by militants in the Niger Delta. The new currency was said to have started circulating within the Niger Delta, and militants in the region are using it to inform the government of their demands for sovereignty in the region.'<sup>241</sup>

### 2.2.3.3 Modus operandi

The NDA says it 'has no intention of killing innocent people or conducting kidnappings' but focuses on attacks on oil and gas installations as modus operandi, according to Jamestown Foundation.<sup>242</sup>

The group has claimed responsibility for at least 45 attacks<sup>243</sup> on oil pipelines and other oil facilities in the Niger Delta in 2016.<sup>244</sup> It has carried out violent attacks in Warri (Delta State), Akwa Ibom State, Bayelsa State and Rivers State.<sup>245</sup> The attacks caused a wave of violence that reduced Nigeria's crude output by 700 000 barrels per day, to the lowest level in almost three decades.<sup>246</sup> This, in addition to low oil prices, led to Nigeria's first recession in 25 years, according to Reuters.<sup>247</sup>

In August 2016, NDA announced a ceasefire - which was ended in November 2017, out of dissatisfaction with the peace talks and promises.<sup>248</sup> Reuters notes in January 2018: 'No substantial attacks have been carried out by any groups in the Delta region since January 2017.'<sup>249</sup>

In January 2018 the NDA once again threatened to attack offshore oil facilities and to target the deep sea operations of the multinationals.<sup>250</sup>

On 19 January 2018, five oil workers were kidnapped at the border of Edo and Delta states. The name of the kidnapping group is not known. The kidnapping occurred a few hours after the NDA issued a statement it was ending a 2017 ceasefire agreement.<sup>251</sup>

### 2.2.3.4 Recruitment

No reports were found on forced recruitment by the NDA.

### 2.2.3.5 State response

On 13 February 2016, NDA started Operation Red Economy, giving the federal government a two-weeks ultimatum to respond to their demands. They carried out three devastating attacks on oil and

<sup>238</sup> Jamestown Foundation, 'The Niger Delta Avengers: A New Threat to Oil Producers in Nigeria', 13 June 2016 [url](#); BBC, Nigeria arrests 'Avengers' oil militants, 16 May 2016, [url](#); Global Security, Niger Delta Avengers, page last modified 6 August 2016, [url](#)

<sup>239</sup> Economist (The), Who are the Niger Delta Avengers?, 1 July 2016, [url](#)

<sup>240</sup> Economist (The), Who are the Niger Delta Avengers?, 1 July 2016, [url](#); Global Security, Niger Delta Avengers, page last modified 6 August 2016, [url](#)

<sup>241</sup> Global Security, Niger Delta Avengers, page last modified 6 August 2016, [url](#)

<sup>242</sup> Jamestown Foundation, 'The Niger Delta Avengers: A New Threat to Oil Producers in Nigeria', 13 June 2016 [url](#)

<sup>243</sup> Pulse.ng, Why militant group just promised Nigeria a "doomed year", 18 January 2018, [url](#)

<sup>244</sup> Jamestown Foundation, 'The Niger Delta Avengers: A New Threat to Oil Producers in Nigeria', 13 June 2016 [url](#)

<sup>245</sup> Canada, IRB, Nigeria: Information on the Niger Delta Avengers (NDA), (2015-August 2016), 15 August 2016 [url](#)

<sup>246</sup> The Economist Intelligence Unit, Country Report Nigeria, 7 December 2017, [url](#), p. 22

<sup>247</sup> Reuters, Nigerian militants threaten oil rig attacks within days, 17 January 2018, [url](#)

<sup>248</sup> The Economist Intelligence Unit, Country Report Nigeria, 7 December 2017, [url](#), p. 22

<sup>249</sup> Reuters, Nigerian militants threaten oil rig attacks within days, 17 January 2018, [url](#)

<sup>250</sup> Reuters, Nigerian militants threaten oil rig attacks within days, 17 January 2018, [url](#)

<sup>251</sup> Punch, Gunmen abduct five oil workers in Niger Delta, 19 January 2018, [url](#)

gas pipelines and an oil platform.<sup>252</sup> President Muhammed Buhari responded in May 2016 by ordering the military to ‘crush’ the NDA.<sup>253</sup> Military presence intensified in the region and Onuoha noted ‘further escalation of violence could cripple oil production, with dire, cascading economic and security consequences for the country.’<sup>254</sup>

According to researchers from the Ibadan Institute for Peace and Strategic Studies, the ‘Government’s confrontational approach to militancy triggered further conflicts in the region [...] and strengthened the resolve of the militants.’<sup>255</sup>

In summer 2016, the Nigerian authorities announced they wanted to negotiate with the NDA and announced a ‘clean-up operation’ for oil pollution in the Delta region to win the support of the local population, and intended to repair damage to the oil infrastructure.<sup>256</sup> A military operation, Operation Crocodile Smile, was launched on 29 August 2016, designed to ‘provide security for the local residents and the region’s economic assets, while demonstrating the ability of security forces to rein in criminals and “economic saboteurs”’, according to a Nigerian Defense spokesman.<sup>257</sup>

In August 2016, amnesty payments to militants, earlier blocked by Buhari, were resumed in the hope that attacks would stop and oil production would increase.<sup>258</sup> The budget for the amnesty programme almost tripled in 2017 to an annual budget of about 55 billion Naira (about EUR 128 million). The programme allows each former militant a monthly ‘stipend’ of 65 000 Naira (EUR 151) plus job training.<sup>259</sup>

The NDA agreed to a ceasefire in August 2016 to enable talks on development and a greater share of the oil revenues for their region, and to address oil pollution and poverty. However, the talks did not achieve sufficient progress according to the group.<sup>260</sup> The NDA announced on 3 November 2017 that the ceasefire on ‘Operation Red Economy’ had officially ended and that it would resume activities. They said to have ‘lost faith’ in the local leaders about negotiations over a greater share of the oil wealth for the impoverished delta region.<sup>261</sup>

From 6 to 31 October 2017, Operation Crocodile Smile II was exercised in the Niger Delta to reduce, according to the federal government, ‘the prevailing security challenges, including illegal oil bunkering, militancy, kidnapping, cultism and pipeline vandalism’.<sup>262</sup> In February 2018, Operation Crocodile Smile III was launched.<sup>263</sup>

Complaints about the police conduct can be launched with the Nigerian National Human Rights Commission (NHRC). Also, complaints about oil spilling and environmental pollution can be addressed to the NHRC. The Commission recorded more than 1 million admissible complaints about human rights violations in 2016. This number had more than doubled compared to 2015, due to, amongst

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<sup>252</sup> Onuoha, Freedom, The Resurgence of Militancy in Nigeria’s Oil-Rich Niger Delta and the Dangers of Militarisation, 8 June 2016, [url](#)

<sup>253</sup> Punch, Buhari orders military to crush new Niger Delta militant group, 8 May 2016, [url](#)

<sup>254</sup> Onuoha, Freedom, The Resurgence of Militancy in Nigeria’s Oil-Rich Niger Delta and the Dangers of Militarisation, 8 June 2016, [url](#)

<sup>255</sup> Odo, Samuel Osagie, Awolere, Emmanuel Kayode & Andekin Amos Musa, In search of integrity: appraising state response to militancy in Nigeria’s Niger Delta, December 2017, [url](#), pp. 65-76

<sup>256</sup> Wall Street Journal (The), ‘Niger Delta Avengers’ Sabotage Oil Output, 5 June 2016, [url](#)

<sup>257</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>258</sup> Freedom House, Freedom in the world – Nigeria, 2017, [url](#)

<sup>259</sup> Reuters, Nigeria almost triples budget for Niger Delta amnesty – presidency, 7 May 2017, [url](#)

<sup>260</sup> Reuters, Nigerian militants threaten oil rig attacks within days, 17 January 2018, [url](#)

<sup>261</sup> Reuters, Nigeria’s ‘Delta Avengers’ militants end oil hub ceasefire, 3 November 2017, [url](#); Niger Delta Avengers, Happy Doomed Year Nigeria; Get Ready For Operation Bringing Down FPSO, 17 January 2018, [url](#). For more background information on the oil economy and distribution of wealth, see UNDP, Niger Delta Human Development Report, 2006, [url](#)

<sup>262</sup> Daily Trust, Operations Crocodile Smile II successful – Buratai, 31 October 2017, [url](#)

<sup>263</sup> Vanguard (The), Operation Python Dance III, others will soon come up – Buratai, 2 February 2018, [url](#)

others, 511 211 pending complaints from groups and communities to a Panel of Inquiry over oil spillage resulting from activities of oil companies in South South Nigeria. The Panel of Inquiry had been set up by the NHRC after a peak in the number of complaints on oil spills and environmental pollution in Edo, Delta, Cross-River, Rivers, and Bayelsa states, to carry out an assessment of the human rights impact of such acts. These complaints, which were contested by the accused oil companies, have been pending awaiting court decision.<sup>264</sup>

The Federal Government's Minister for Petroleum Resources announced on 3 June 2018 that the recent governmental approach was a success and petroleum production had returned to previous levels of 2.2 million barrels a day. He further mentioned that the government tackles fundamental issues of environment and security, and attempts to involve the local communities via capacity building and economic empowerment.<sup>265</sup>

## 2.3 Student/university cults

The term 'cult' in Nigeria is colloquially used for different types of groups, whose motivations or *modes operandi* are kept secret: traditional secret societies, vigilante groups, ethnic militias, and student confraternities or university cults.<sup>266</sup>

In this section, the student or university cults are discussed in their roles as targeting individuals, as these are commonly regarded as the most active targeters. In the following chapter on targeted individuals, the other groups are discussed.

The student or university cults (also called confraternities) originate from the Pyrates confraternity, founded in the 1950s by, amongst other, writer Wole Soyinka, to organise alumni students and to improve university excellence. In the 1980s other cults followed, such as Buccaneers, Black Axe, Red Berets and Black Berets.<sup>267</sup> Female student cults or confraternities also emerged in the 1990s. As of 1994-95 the situation started to change, from recruiting students from the ruling classes and demanding change of admission policies, to violent threats to professors and other students.<sup>268</sup>

In June 2004, a specific bill prohibiting about 100 cults, the Secret Cult and Cult Related Activities (Prohibition) Bill was passed by the National Assembly.<sup>269</sup> These banned cults include 'criminal gangs, spiritual and politically motivated groups seeking power and control, gangs that control waterways and passages, as well as those involved in oil bunkering activities'.<sup>270</sup>

A 2016 fact-finding mission by the Office français de protection des réfugiés et apatrides (OFPRA) interviewed several interlocutors, who underlined that cults nowadays resemble mafia organisations with very violent initiation rites and conducting illegal activities. Other sources rather call them youth gangs.<sup>271</sup> The cults are very strong in the Niger Delta states of Rivers, Bayelsa, Delta and Edo. They

<sup>264</sup> NHRC, Annual Report 2016, 16 June 2017, [url](#), pp. v, 38-39, 120

<sup>265</sup> Vanguard, How FG arrested Niger Delta crisis, saved Nigeria trillions, 3 June 2018, [url](#)

<sup>266</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 2

<sup>267</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016, [url](#), p. 48

<sup>268</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 8

<sup>269</sup> Nigeria, Secret Cult and Cult Related Activities (Prohibition) Bill, 2004, [url](#)

<sup>270</sup> Small Arms Survey, Armed and aimless: armed groups, guns, and human security in the ECOWAS region, 2005, [url](#), pp. 21, 22

<sup>271</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 48; AOAV, The Violent Road, 12 December 2013, [url](#), p. 106

often collaborate with politicians who use them to exercise violence for their own local aims. Many cults are concentrated in Rivers State, notably in Port Harcourt.<sup>272</sup>

Certain universities are particularly affected by student cults. In 2011 were mentioned: UNIBEN (Calabar, Benin), UNILAG (Lagos), and Obafemii Awolowo University (Ile Ife ) each of whom has at least 16 cult groups.<sup>273</sup> The university-based cults at Ebonyi State University in Abakaliki were reportedly responsible for violence such as ‘gun battles, kidnappings, and murder’.<sup>274</sup> There are also a few student cults in the north, for example the Gamji Cult which was used by general Abacha in the 1990s to maintain power.<sup>275</sup>

A 2015 OFPRA report lists the most well-known confraternities or student cults: Pyrates, Buccaneers, Supreme Vikings, Black Axe, Klansmen Konfraternity, (Supreme) Eiye or Air Lords. Female cults are: Black-bra, Black Berets, Woman Brassier, Daughters of Jezebel, Pink Lady, Amazons, White Angels, Lady of Rose, Sisterhood of Darkness, Golden Daughters, The Ten wonderful Girls, White Ladies, The Royal Queens, Daughters of the Knight, The Knights of the Aristos.<sup>276</sup> The website Global Sentinel also presents a list of cults and their beliefs.<sup>277</sup>

The Eiye confraternity is described by the BBC as follows: ‘The group now traffics human beings and narcotics (cocaine and marijuana) and forges passports. It has also facilitated the transport of stolen crude oil into Europe.’<sup>278</sup> The cult is notorious for its very intimidating attitude and violent attacks on university staff and students, police, and rival cults.<sup>279</sup>

Another notorious cult is the Black Axe confraternity, also known, according to IRB sources, as the Neo-Black Movement of Africa (NBM). However, other sources say that Black Axe is a ‘splinter group’ of the NBM, created in 1977-78 at the University of Benin. The Black Axe is reportedly often involved in cult violence. The cult also has connections with politicians and state officials who pay the cult to serve them. The Black Axe and the NBM have been banned under the Rivers State’s 2004 Secret Cult and Similar Activities (Prohibition) Law. There are many reports on rivalry and clashes between Black Axe and the Eiye and other confraternities.<sup>280</sup>

### 2.3.1 Structure

Sources of the 2015 OFPRA report differ in their information on structure and functioning of cults. Some mention a ‘supple functioning’ or networks, other report on a hierarchical structure. A senior researcher, Samuel Amaele who conducted research into cultism in tertiary institutions, gives the following hierarchical structure of cults:

- the leader presides the cult and holds the ultimate power;
- the chief priest (spiritual leader);
- the president presides the meetings and serves as secretary;
- the chief butcher (Minister of Defense) is charged with leading operations. Usually four or five butchers are in place;
- the elders are the advisers;

<sup>272</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 48

<sup>273</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 9

<sup>274</sup> AOAV, The Violent Road, 12 December 2013, [url](#)

<sup>275</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 9

<sup>276</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), pp. 10-11

<sup>277</sup> Global Sentinel, Cultism: Top 7 confraternities in Nigeria and their history, beliefs, 5 October 2017, [url](#)

<sup>278</sup> BBC, The world of Nigeria's sex-trafficking 'Air Lords', 27 January 2016, [url](#)

<sup>279</sup> Canada, IRB, Nigeria: The Eiye confraternity (2014-March 2016), 8 April 2016, NGA105490.E, [url](#)

<sup>280</sup> Canada, IRB, Nigeria: The Black Axe confraternity, also known as the Neo-Black Movement of Africa (2009- November 2012) NGA104208.E, 3 December 2012, [url](#)

- the eye (Minister of Intelligence) supervises the operations and informs the butcher of potentially targeted persons.<sup>281</sup>

The Canadian IRB in a query response on the Eiye confraternity, cites two sources which refer to the leader of the local cult as 'Capon', after the Chicago gangster Al Capone. One source mentions 'a "hierarchy of Capones"; the national Capone is like a Commander-in-Chief, while the campus-based Capones are like field commanders'.<sup>282</sup>

The United Nations Office on Drugs and Crime (UNODC) reports in 2014 that the Eiye and Aye confraternities 'are two of about a dozen criminal groups that started as university campus confraternities in Nigeria' and have become active in Europe; in Spain since 2007 and in Italy since 2008. They have 'a level of organization, violence and intimidation similar to other, better known *mafias*'.<sup>283</sup>

### 2.3.2 Objective

Witchcraft and cult groups served as traditional social control and conflict resolving mechanisms in Africa and thus are not a new phenomenon, according to the researcher Akinpelu Babajide Adedotun, analysing 'trends and patterns of fatalities resulting from cult societies and belief in witchcraft in Nigeria from June 2006 to May 2014'. Nigerian cult groups were ethnically based, mostly among the Yoruba, Efik, Igbo, Ogoni, and Isoko, in South West and South East Nigeria. Akinpelu notes: 'At the same time, new forms of cult groups, the Pyrate confraternity, Panama, and Black Eye have also emerged as a response to changing social, political, and economic realities in Nigeria. These cults initially functioned as civil society organizations but were later factionalized and transformed into violent groups'.<sup>284</sup>

The student cults originally aimed at improving university excellence and to fight oppression in any form. The Eiye confraternity, also known as 'Air Lords', for example, says its original intention was 'to make a positive contribution to society'.<sup>285</sup> The Black Axe or NBM has as objectives "'the redirection of all minds towards Black Realism and Determinism" and teaching people discipline of the body and mind, preventing negative images of Black people, conducting research on traditional African religions, and publishing a regular magazine called Uhuru'.<sup>286</sup>

Current cults are rather aiming at exercising power and 'perpetrate acts of violence'.<sup>287</sup> Cults differ from secret societies with regard to their area of operation (mainly at university campuses) and their type of activities.<sup>288</sup>

### 2.3.3 Modus operandi

Cults use several distinctive signs, according to the researcher Onike Rahaman, cited in the OFPRA Report:

- colours: each cult has their own colours, on clothing, caps or berets;
- code language which solely the members can understand;

<sup>281</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 12

<sup>282</sup> Canada, IRB, Nigeria: The Eiye confraternity (2014-March 2016), 8 April 2016, NGA105490.E, [url](#)

<sup>283</sup> UNODC, Global Report on Trafficking in Persons 2014, November 2014, [url](#), pp. 56-57

<sup>284</sup> Akinpelu, B. A., 'Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, pp. 77-90, [url](#), p. 81

<sup>285</sup> BBC, The world of Nigeria's sex-trafficking 'Air Lords', 27 January 2016, [url](#)

<sup>286</sup> Canada, IRB, Nigeria: The Black Axe confraternity, also known as the Neo-Black Movement of Africa (2009- November 2012) NGA104208.E, 3 December 2012, [url](#)

<sup>287</sup> Amaele, Samuel, Menace of Cultism in Nigeria Tertiary Institutions, challenges and way forward, January 2013, [url](#)

<sup>288</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 8

- greetings with specific wordings;
- bodily decorations such as tattoos, women often have piercings;
- they use only surnames, for security reasons.<sup>289</sup>

Student cults engage, according to OFPRA sources, in several criminal activities such as killings, human trafficking, drugs trafficking, smuggling, extortions, and prostitution networks. Their violence extends to the university campuses and actions such as armed robbery, murder, kidnapping, gangsterism, frequently committed by cults, pose security and social problems to the entire nation.<sup>290</sup>

Conflicts between cult groups who fight for the supremacy and the wish to dominate the other local cults are fought on the streets, for example in Lagos and Akure (Ondo State).<sup>291</sup> Cult members are armed with firearms, machetes, knives, and use *juju* (witchcraft) and rituals to achieve their goals. They get these firearms from different sources such as businessmen and politicians, via accomplices in the local government, via attacks on local security forces, in exchange for stolen oil, borrowing from other militia or cult groups, etc.<sup>292</sup>

There are no general statistics on the number of people killed by student cults, but according to the database of Nigeria Watch, 1 863 deaths recorded between June 2006 and 2014 could be connected to cults; the highest numbers (nearly 600) in Rivers State.<sup>293</sup> The OFPRA fact-finding mission report notes that many cults are concentrated in Rivers State, notably in Port Harcourt.<sup>294</sup> The figure of cult-related violence for 2017 was 442 fatalities, while kidnapping resulted in 290 victims, according to the database of Nigeria Watch.<sup>295</sup>

Several sources indicate links between cult groups and trafficking groups.<sup>296</sup> Others call them ‘street boys’ who are used by political parties as ‘thugs’ to exercise violence during elections. Cult members are even recruited and armed by members of political parties (called ‘militants’) and are used as instruments to kill or attack political opponents.<sup>297</sup>

Nigerian media also report on ‘cultists’ engaged in oil pipe destruction.<sup>298</sup> The website Global security notes: ‘In 2009 there were allegations that the Movement for the Emancipation of the Niger Delta (MEND) sponsored cultist activities on university campuses and supplied student cults with weapons. Some sources reported that student cults and Niger Delta insurgent groups like MEND were closely intertwined.’<sup>299</sup>

The researcher Akinpelu Babajide Adedotun analyses ‘trends and patterns of fatalities resulting from cult societies and belief in witchcraft in Nigeria from June 2006 to May 2014’, based on the database

<sup>289</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 16

<sup>290</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), pp. 15, 16

<sup>291</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 49; Guardian (The), Reign of terror as serial killings, cult activities hit Akure, 28 June 2017, [url](#)

<sup>292</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 16

<sup>293</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), p. 82-83

<sup>294</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 48

<sup>295</sup> Nigeria Watch, Seventh report on violence in Nigeria, 2017, [url](#), p.

<sup>296</sup> Nigeria, NAPTIP, NAPTIP, British and Spanish Operatives Burst EIYE Confraternity Human Trafficking Gang ... Rescues 39 Victims of Sex Exploitation in Spain, 24 March 2018, [url](#); BBC, The world of Nigeria's sex-trafficking 'Air Lords', 27 January 2016, [url](#)

<sup>297</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 49; France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 14

<sup>298</sup> Daily Nigerian, Army arrests 23 suspected cultists, 15 pipeline vandals, 21 April 2018, [url](#); Daily Nigerian, Nigerian Army kills notorious cultist, recovers arms, 23 May 2017, [url](#); Chronicle, Nigerian Army arrests Eiyee cultists conducting training for new recruits, 28 April 2018, [url](#)

<sup>299</sup> Global Security, Movement for the Emancipation of the Niger Delta (MEND), page last modified 6 May 2016, [url](#)

of Nigeria Watch.<sup>300</sup> A total of 1 863 deaths recorded between June 2006 and 2014 could be connected to cults; the highest numbers (nearly 600) in Rivers State.<sup>301</sup>

### 2.3.4 Recruitment and initiation

Very little is known about the modes of recruitment and the initiation rites of cults, which are kept secret. IRB cites the researcher Ezeonu, who states that initiation rituals of new members of the Eiye confraternity are very violent with ‘brutal and humiliating form of hazing in their initiation ceremonies’. The source adds that ‘after initiation, new recruits are often required to undertake criminal acts such as "obligatory rapes" of women affiliated with rival gang members, armed robbery or physical attacks of faculty members’.<sup>302</sup>

Several motivations are given to join a cult: people are promised to receive respect, recognition and protection on the one hand; on the other hand to gain money and better professional opportunities. It is rare that these promises are kept, once the person has joined the cult. Core elements of initiation are pledges of confidentiality and absolute loyalty to the group and the leader. The cults organise ideological and physical training of new recruits, initiation (usually at the beginning of the university year), hold regular meetings of members, and exercise retaliation measures against persons regarded as enemies.<sup>303</sup>

There are media reports mentioning forced recruitment (or rather strong peer pressure) by cults. This involves kidnapping or bringing persons under false pretexts to a secret meeting, some blood is taken and/or they get some potion to drink, after which they are a member of the cult and told they cannot leave the group anymore.<sup>304</sup>

A recent trend is that an increasing number of young primary or secondary school pupils is involved in cults. When they are caught by the police and confess they are cult members, a common story how they were recruited by the cults is that they were blindfolded, taken to the initiation site against their will, one of their thumbs was pierced and some blood collected for the initiation rite.<sup>305</sup> Cult activities are increasingly taking place at secondary schools, ‘although not as pronounced as in the higher institutions’, according to the researchers Ukoji Vitus Nwankwo and Okolie-Osemene James. They note: ‘Cultism is rampant among teenagers and young adolescent youths. Casualties of cultism cut across innocent civilians, gang members and security personnel.’<sup>306</sup>

David Pratten, Associate Professor in the Social Anthropology of Africa; Fellow of St Antony’s College, University of Oxford, speaking at an EASO Practical Cooperation meeting (June 2017), similarly noted:

‘Young men (in particular, though not exclusively) join cults for protection and because of peer pressure – just like gangs. First year students are targeted – reports point to voluntary and forced conscription. With enrolment in higher education being so high – and cults operating

<sup>300</sup> Nigeria Watch is a research project which ‘monitors lethal violence, conflicts, and human security in Nigeria’ since 2006. Nigeria Watch, About us, n.d. [url](#)

<sup>301</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), pp. 82-83

<sup>302</sup> Canada, IRB, Nigeria: The Eiye confraternity (2014-March 2016), 8 April 2016, NGA105490.E, [source: Ifeanyi Ezeonu, Violent Fraternities and Public Security Challenges in Nigerian Universities: a Study of the 'University of the South', 19 September 2013], [url](#)

<sup>303</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 15

<sup>304</sup> Vanguard, I was kidnapped to join cult —Suspect, 30 October 2015, [url](#); Vanguard, The increasing menace cultism: How I was forced into Eiye Confraternity, 24 September 2016, [url](#); Vanguard, My horrifying Eiye confraternity initiation, 23 April 2017, [url](#); Canada, IRB, Nigeria: The Black Axe confraternity, also known as the Neo-Black Movement of Africa (2009-November 2012) NGA104208.E, 3 December 2012, [url](#)

<sup>305</sup> Daily Post, JSS1 student, 56 others arrested during cult initiation, 27 February 2018, [url](#); Guardian (The), Worrisome, rising cases of street cultism, 15 July 2017, [url](#)

<sup>306</sup> Ukoji Vitus Nwankwo, Okolie-Osemene James, Prevalence of Lethal and Non-lethal Crimes in Nigeria, 2016, [url](#), p. 17

in secondary schools, polytechnics, state, private and federal universities young people in education are very likely to be exposed to them. Cults tend to recruit across ethnic boundaries.<sup>307</sup>

One interlocutor of the 2016 OFPRA fact-finding mission indicated that ‘many traffickers are cultists’, adding that girls who are initiated into a cult, have to undergo a group rape by 6-10 young men as part of the initiation. Others point at the supernatural elements in the initiation of new recruits such as swearing allegiance to the group and the use of human blood (in particular in Yoruba area).<sup>308</sup>

Some sources report that it is ‘extremely difficult’ to leave a cult after being initiated. Persons who quit the confraternities or cults can be persecuted and killed, out of fear of revealing the cult’s secrets.<sup>309</sup> The researcher David Pratten said: ‘Once a person has been initiated – which usually involves a violent beating (with many reports of rape) – it is very hard for them to leave or to talk about their experience beyond the group.’<sup>310</sup>

However, a representative of the National Human Rights Commission (NHRC) noted that the power of the cults is not as strong as before anymore and a recent conflict with a cult has been solved without consequences.<sup>311</sup>

For a more detailed description of the background and major features of cults in Nigeria, reference is made to [EASO COI Report Nigeria, Country Focus](#), June 2017, Chapter 7.<sup>312</sup>

## 2.4 Traffickers

Trafficking in human beings [THB] is defined in the EU Anti—Trafficking Directive as:

‘The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.’<sup>313</sup>

Exploitation includes ‘as a minimum, exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.’ The victims’ consent is irrelevant for the prosecution of suspects of THB. In the case of child victims, the crime is ‘a punishable offence of THB’ even if none of the means above is used.<sup>314</sup>

The crime of trafficking in human beings is defined by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children [known as the Palermo Protocol]<sup>315</sup> and, at the

<sup>307</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 80

<sup>308</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 49

<sup>309</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 13

<sup>310</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#)

<sup>311</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), pp. 48-49

<sup>312</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#)

<sup>313</sup> EC, EU Anti-trafficking Directive 2011/36/EU, 5 April 2011, [url](#), art. 2 (1)

<sup>314</sup> EC, EU Anti-trafficking Directive 2011/36/EU, 5 April 2011, [url](#), artt. 2 (3, 4). UN, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, article 3, 15 November 2000, [url](#)

<sup>315</sup> Adopted by the UN General Assembly resolution 55/25 on 15 November 2000, entered into force 25 December 2003. UN, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 15 November 2000, [url](#)

European Union's (EU) level, by the EU Directive 2011/36/EU on Preventing and Combating Trafficking in Human Beings and Protecting its Victims.<sup>316</sup>

Nigeria ratified the UN Protocol on 28 June 2001<sup>317</sup> and the existing legislation in the country 'covers all forms of trafficking indicated in the UN Trafficking in Persons Protocol'.<sup>318</sup>

The 2017 US Department of State (US DoS) Trafficking in Persons report similarly acknowledges the existence of sufficient anti-trafficking legislation; however, it states that enforcement remained 'ineffective in many parts of the country, and while officials made efforts to address trafficking cases, insufficient resources and jurisdictional problems between state and federal governments hampered efforts'.<sup>319</sup>

The Nigerian National Agency for Prohibition of Trafficking in Persons's (NAPTIP) Director General, Julie Okah-Donli has identified funding as a major challenge for the agency.<sup>320</sup> The US DoS trafficking report points out the significant budget cuts to NAPTIP from 2015 to 2016, together with the fact that although NAPTIP was mandated to deal specifically with trafficked victims, the government often referred victims of other crimes to the agency, thus reducing their capacity to actually respond to the needs of the first.<sup>321</sup>

On 16 May 2018, the Nigerian Senate passed the annual budget, six months after it was presented to the National Assembly.<sup>322</sup> No information was found on the budget allocation for NAPTIP.

NAPTIP reported that during 2016, 519 suspects of trafficking were arrested – 257 males and 262 females. The majority of the arrests referred to the crime of employment of a child as a domestic worker and inflicting grievous harm (154), followed by exportation of persons for prostitution (86) and procurement of persons for sexual exploitation (73).<sup>323</sup>

In 2017, NAPTIP received 876 complaints of human trafficking, having fully investigated 148 cases and arrested 641 suspects – 363 male and 278 females. Foreign travels which promote prostitution (139) and employment of children as domestic workers and inflicting grievous harm (100) were the main categories of offenses registered.<sup>324</sup>

During the same reporting period, NAPTIP took 70 cases to court, with a total of 113 suspects (57-male, 56-female). The main crimes involved were procurement of persons for sexual exploitation (22) and foreign travel which promotes prostitution or sexual exploitation (8). In 2017, 26 persons were convicted (18-male, 8-female), in 21 court cases. In total, the agency reports having brought to justice and convicted 282 cases (337 persons charged and convicted).<sup>325</sup>

## 2.4.1 Structure

The 2016 UNODC Global Report on Trafficking in Persons ties the increased risk of being trafficked to the existence of transnational organised crime in the country of origin (inter alia). Although many victims are trafficked by people in their close proximity (family members, partners), the study

<sup>316</sup> EC, EU Anti-trafficking Directive 2011/36/EU, 5 April 2011, [url](#). The EU Directive has applied since 15 April 2011 and had to become law in the EU countries by 6 April 2013. EUR-Lex, Preventing and combating trafficking in human beings, last update 16 January 2018, [url](#)

<sup>317</sup> UN, Status of Treaties, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, n.d., [url](#)

<sup>318</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, Sub-Saharan Africa, Nigeria, December 2016, [url](#)

<sup>319</sup> US DoS, 2017 Trafficking in Persons Report, June 2017, [url](#)

<sup>320</sup> This Day, NAPTIP Beggars for Improved Funding from Government, Corporate Organisations, 2 August 2017, [url](#)

<sup>321</sup> US DoS, 2017 Trafficking in Persons Report, June 2017, [url](#)

<sup>322</sup> Chronicle, Senate Passes 2018 Budget of N9.12 Trillion, 16 May 2018, [url](#)

<sup>323</sup> Nigeria, NAPTIP, 2016 Data Analysis, [2017], [url](#)

<sup>324</sup> Research and Programme Development Department, 2017 Data Analysis Report, [2018], [url](#)

<sup>325</sup> Research and Programme Development Department, 2017 Data Analysis Report, [2018], [url](#)

indicates that sustainable cross-border trafficking depends on the existence of a structured organisation.<sup>326</sup> Most THB criminal groups control the process from recruitment to reinvestment of proceeds<sup>327</sup>, and in the Nigerian case, they do not take part in other types of crime.<sup>328</sup>

Where in most organisations traffickers are male, in the Nigerian criminal networks the central role belongs to women.<sup>329</sup> EASO's COI Report on Sex Trafficking in Nigeria, quoting various sources, highlights the role of the madam (or *maman*) as 'the most important person in Nigerian sex trafficking and often also the sponsor financing the journey. Madams order the girls and sometimes recruit them. They often lead the trafficking organisations and monitor the trafficking process closely, from recruitment to exploitation'<sup>330</sup>, sometimes with the support of men in low-ranking tasks (drivers, wardens). Madams were often victims of trafficking themselves.<sup>331</sup>

EASO's report provides an overview of the structure of traffickers in Nigeria:

'Nigerian groups, organisations or networks active in human trafficking vary considerably in type, size and structure. The size and degree of organisation of networks depends on the size of the operation and the number of women being trafficked, the financial strength of the groups and how well connected they are with officials. Some groups operate a loose network using mostly family members to recruit victims. A loose and flexible structure often makes the network very effective and, at the same time, more difficult for the police to disperse. Other groups are well structured and employ a variety of actors; from recruiters and travel agents to law enforcement agencies, professional forgers, financiers and exploiters'.<sup>332</sup>

The cellular structure of the Nigerian networks allows them to 'operate independently while using an extensive network of personal contacts across the EU'.<sup>333</sup>

ACCORD, quoting a Hellasfrappe's study in Greece, indicates there are three types of THB criminal structures in Nigeria:

- Pyramid or hierarchy – headed by a 'crime baron', linked to criminal activities worldwide, composed of members of the elite and government, who are able to launder money resulting from THB proceeds;
- Flexible network – smaller and looser networks; resulting from family, tribal, or personal ties. Provides 'support, structure and potential connections';
- Self-contained cell – very small, with individual and specific responsibilities. They are independent and initiate/exploit 'criminal opportunities'.<sup>334</sup>

For more details on Nigerian trafficking structures, see [EASO COI Report Nigeria, Sex trafficking](#), 2015, Chapter 2.1.<sup>335</sup>

## 2.4.2 Objectives

As the definition of trafficking, mentioned above, implies,

'The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or

<sup>326</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, Sub-Saharan Africa, Nigeria, December 2016, [url](#)

<sup>327</sup> EUROPOL, Situation Report, Trafficking in Human Beings in the EU, Key Findings, February 2016, [url](#)

<sup>328</sup> EUROPOL, Situation Report, Trafficking in Human Beings in the EU, February 2016, section 3.3, [url](#)

<sup>329</sup> EUROPOL, Situation Report, Trafficking in Human Beings in the EU, Key Findings, February 2016, [url](#)

<sup>330</sup> EASO, Country of Origin Information report, Nigeria Sex Trafficking of Women, October 2015, [url](#), section 2.1.1

<sup>331</sup> EUROPOL, Situation Report, Trafficking in Human Beings in the EU, February 2016, section 3.3, [url](#)

<sup>332</sup> EASO, Country of Origin Information report, Nigeria Sex Trafficking of Women, October 2015, [url](#)

<sup>333</sup> EUROPOL, Situation Report, Trafficking in Human Beings in the EU, February 2016, section 3.3, [url](#)

<sup>334</sup> ACCORD, Nigeria: COI Compilation on Human Trafficking, December 2017, [url](#)

<sup>335</sup> EASO, Country of Origin Information report, Nigeria Sex Trafficking of Women, October 2015, [url](#)

other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.’<sup>336</sup>

### 2.4.3 Modus operandi – including recruitment

Recruitment is mainly conducted in Nigeria by national criminal groups who traffic victims of the same nationality. These groups continue to exploit their victims at the destination country, with the occasional support of local traffickers. Victims are recruited with promises of safe travel and entry into destination countries.<sup>337</sup> Recruitment also occurs within the victim’s family (close or extended); traffickers take advantage of those trust relations, and often women and girls are encouraged to leave by their family members.<sup>338</sup>

The recruitment of victims of trafficking occurs throughout Nigeria. Sources consulted by OFPRA in 2016 during a mission to the country specify that Benin City is a hub for most victims that travel to Europe.<sup>339</sup> According to Omoregie Pat Iziengbe, researcher on THB at the University of Ibadan, Benin City has been the centre of international prostitution and trafficking since the 1980s.<sup>340</sup>

According to UNODC, Nigerian traffickers lure victims to Europe providing ‘an irregular migration package to Europe for about 50-70,000 Nigerian naira (roughly 250 euros)’ that includes ‘land, sea or air transportation, making use of counterfeit documents or other means’; upon arrival, ‘the debt is converted into 50-70,000 euros to be paid by forced prostitution for a period that could last up to three years or longer’.<sup>341</sup>

Deception is one of the main tools used by traffickers to persuade their victims (and families) to travel: they will say that sex work is legal and regulated in Europe; victims have limited information of trafficking in human beings or the risks associated with their journey to Europe.<sup>342</sup> In the Nigerian context, women play a decisive role throughout the THB process, both recruiting in the country of origin, as well as managers, or ‘madams’ in the destination countries.<sup>343</sup>

Part of the modus operandi of Nigerian traffickers is the use of *juju*, the Nigerian popular term for ‘traditional’ medicine and charms. The *juju* ceremony takes place at a religious shrine in order to seal and confirm the contract (the ritual oath) between the trafficker and the trafficked person. The oath is seen as binding and when breaking it, it is believed that it would evoke punishment by the god involved, leading to misfortune, illness or worse.<sup>344</sup> The 2015 EASO report showed that *juju* is used as a tool to control the victims’ and only has relative importance. ‘Not every woman participating in juju rituals necessarily believes in juju, nor is she a voodoo worshipper. Many consider it a mere contract ritual with no magic powers and perceive the oath as a sealing of agreements.’<sup>345</sup>

On 9 March 2018, the Oba (king) of Benin ‘placed a curse on perpetrators of human trafficking in Edo State as well as native doctors who administer oath of secrecy on victims, asserting that the gods of Benin Kingdom would destroy those involved in the illicit trade.’ The Oba ‘nullified all the oaths of

<sup>336</sup> EC, EU Anti-trafficking Directive 2011/36/EU, 5 April 2011, [url](#), art. 2 (1); UN, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, article 3, 15 November 2000, [url](#)

<sup>337</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), p. 60

<sup>338</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016, December 2016, [url](#), section 4.2.1

<sup>339</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016, December 2016, [url](#), ch. 4

<sup>340</sup> Iziengbe, Omoregie P., The Economy Of International Prostitution In Benin And The Place Of “Purray Boys”, [2017], [url](#)

<sup>341</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), p. 60

<sup>342</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016, [December 2016], [url](#), section 4.2.1

<sup>343</sup> EUROPOL, Situation Report, Trafficking in Human Beings in the EU, section 3.1, February 2016, [url](#)

<sup>344</sup> EASO, Country of Origin Information report, Nigeria Sex Trafficking of Women, October 2015, [url](#), pp. 26-29

<sup>345</sup> EASO, Country of Origin Information report, Nigeria Sex Trafficking of Women, October 2015, [url](#), p. 28

secrecy administered on all victims of human trafficking and urged them to speak out and seek assistance.<sup>346</sup>

The findings of OFPRA's 2016 mission to Nigeria indicate that in the past traffickers would attract victims with offers of jobs like hairdressing, dressmaking or babysitting - only to be aware of the sexual exploitation when in the country of destination -, today's victims are often aware they will become prostitutes in European countries. This 'voluntarism' of the victims, however, is the result of poverty, the role of the eldest daughter in the Edo culture, as well as the social perception of economic success associated with trafficking.<sup>347</sup>

The 2016 UNODC establishes a parallel between migration flows and human trafficking; the profile of migrants – low income and education, difficult access to legal entry in desired countries of destination – makes them more vulnerable to traffickers, who will promise to organise the travelling and entry in countries of destination, take the victim, 'and then deceive them into exploitative situations'.<sup>348</sup>

Traffickers used the 2015 migration crisis to increase their activities, targeting the most vulnerable. To that purpose, they often abuse the asylum system in the EU.<sup>349</sup> IOM reported a surge of Nigerian women leaving Libya, 80 % of which are believed to be victims of trafficking and at risk of sexual exploitation.<sup>350</sup>

Nigerian criminal networks master the use of fraudulent documentation – including passports and visas -, to have their victims reach the EU. Upon arrival, victims are also guided into applying for residence permits or international protection, as a means to continue travelling and acquire mobility within the EU.<sup>351</sup>

UNODC reports that 'traffickers may use corruption as an enabler for moving victims across international borders', both in obtaining travelling documents or avoiding detailed border control.<sup>352</sup>

The European Commission (EC) reports a growing approach by traffickers, moving from the 'visible' forms of sexual exploitation (street or window prostitution), to less visible ones (in hotels and private homes), together with the use of the 'self-employed' status in EU+ countries where sex work is legal and regulated.<sup>353</sup>

More detailed information on the modus operandi of traffickers can be found in the 2015 [EASO COI Report Nigeria, Sex trafficking](#), where the topic has been extensively covered.

## 2.5 State or state-affiliated actors

The Nigerian Constitution clearly forbids torture or any inhuman or degrading treatment in the country [Section 34]. Until recently [29 December 2017], no legislation in Nigeria specifically and

<sup>346</sup> Vanguard, "Our gods will destroy you"; Oba of Benin curse human traffickers. 10 March 2018, [url](#)

<sup>347</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016, December 2016, [url](#), section 4.2.1

<sup>348</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), p. 60

<sup>349</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#)

<sup>350</sup> IOM, Mediterranean Arrivals Near Record 600,000, [13 October 2015], [url](#)

<sup>351</sup> EUROPOL, Situation Report, Trafficking in Human Beings in the EU, February 2016, section 3.3, [url](#); UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016 [url](#), p. 60

<sup>352</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), p. 61

<sup>353</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#); Commission Staff Working Document Accompanying the document Report From The Commission To The European Parliament And The Council Report on the progress made in the fight against trafficking in human beings (2016), COM(2016) 267 final, 19 May 2016, [url](#); EC, Study on the gender dimension of trafficking in human beings, Final report, Executive Summary, 2016, [url](#)

clearly prohibited and punished the use of torture and other forms of cruel, inhuman or degrading treatment.<sup>354</sup>

Nigeria signed and ratified the United Nations Convention Against Torture Convention and Other Cruel, Inhuman or Degrading Treatment or Punishment<sup>355</sup>, but it has still to be domesticated, thus leaving a legislative gap to hold 'Nigeria accountable for torture and other cruel, inhuman and degrading treatment being perpetrated by its police force'.<sup>356</sup>

In December 2017, after years of discussions, the Anti-Torture Act 2017<sup>357</sup> was approved in the National Assembly and ratified by President Buhari.<sup>358</sup> No information was found on the enforcement of said legislation.

## 2.5.1 Nigerian armed forces

The Nigerian armed forces comprise three branches: the Nigerian army, the Nigerian navy, and the Nigerian air force.<sup>359</sup> Reliable data on the strength of the armed forces is scarce. According to DefenceWeb, the total force strength of the Nigerian Armed Forces was 210 000 (army 100 000, air force 13 000, navy 15 000 and paramilitary 82 000) as of October 2013.<sup>360</sup> The World Bank Group assessed the total armed forces personnel at 200 000 in 2016.<sup>361</sup> According to Global Firepower data, the total military personnel is 181 000 (124 000 are qualified as active personnel and 57 000 as reserve personnel).<sup>362</sup>

For more information on structure, modus operandi and recruitment in the Nigerian Armed Forces, see [EASO COI report Nigeria, Security situation](#) and [EASO COI report Nigeria, State Actors of Protection](#), both of November 2018.

### 2.5.1.1 Conduct

The Nigerian Army has several times been accused of human rights violations in the past. On 17 January 2017, the Nigerian Air Force mistakenly attacked a settlement camp for IDPs in Rann (Borno State), killing between 170<sup>363</sup> and 236 civilians, and leaving hundreds injured.<sup>364</sup> According to a Nigerian military senior official, 'faulty information' indicated that area was populated by insurgents associated with Boko Haram.<sup>365</sup>

During the investigations that followed, allegations were made that the 'theatre commanders [...] on suspicion of perceived enemies or infiltration of Boko Haram terrorists in the camp, ordered the NAF pilots [...] to drop bombs'.<sup>366</sup> However, government investigations concluded the bombing occurred due to poor referencing of the campsite as a 'humanitarian site', causing the Nigerian Air Force pilots

<sup>354</sup> Babatunde, Elkanah, Torture by the Nigerian Police Force, January 2017, [url](#)

<sup>355</sup> UN Treaty Collection, Status of Treaties, Convention Against Torture Convention and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984, status at 9 August 2018, [url](#)

<sup>356</sup> Babatunde, Elkanah, Torture by the Nigerian Police Force, January 2017, [url](#), p. 185

<sup>357</sup> Nigeria, Law Nigeria, Anti-Torture Act 2017, 29 December 2017, [url](#)

<sup>358</sup> Vanguard, Anti-Torture Act 2017: Issues, implication for police officers, 31 May 2018, [url](#)

<sup>359</sup> Martin, G., Kruger, A., Nigerian Armed Forces, DefenceWeb, 7 October 2013, [url](#)

<sup>360</sup> Martin, G., Kruger, A., Nigerian Armed Forces, DefenceWeb, 7 October 2013, [url](#)

<sup>361</sup> World Bank, Armed forces personnel, total, n.d., World Bank, [url](#)

<sup>362</sup> Global Fire Power, 2018 Nigeria Military Strength, n.d., [url](#)

<sup>363</sup> Reuters, Nigerian refugee camp hit by air strike was not marked on maps: military, 21 July 2017, [url](#); MSF, Death Toll rising in Rann attack, 19 January 2017, [url](#)

<sup>364</sup> New York Times (The), Nigerian Jet Mistakenly Bombs Refugee Camp, Killing Scores, 17 January 2017, [url](#); VOA, Death Toll in Nigeria IDP Camp Bombing Climbs to 236, 24 January 2017, [url](#)

<sup>365</sup> VOA, Nigeria: 'Wrong Coordinates' Cause of Deadly Rann Bombing, 6 March 2017, [url](#)

<sup>366</sup> Vanguard, Rann IDPs bombing: Fear of sack, prosecution grips military officers as panel submits report, 18 April 2017, [url](#)

to wrongly assume it was a Boko Haram settlement.<sup>367</sup> Human Rights Watch reports that at the time of the bombings the camp was 'run by the military'.<sup>368</sup>

On 12 December 2015 in Zaria (Kaduna State), the Nigerian Army killed more than 350 men, women and children supporters of the Islamic Movement in Nigeria (IMN), a Shia Muslim minority group in predominately Sunni northern Nigeria.<sup>369</sup> According to the Kaduna State Judicial Commission of Inquiry, the army's response was "disproportionate".<sup>370</sup> The International Criminal Court (ICC) assessed the incident in December 2017 and 'has reached preliminary findings and will seek further clarifications from the Nigerian authorities'.<sup>371</sup>

On 6 February 2015, Amnesty International released a comprehensive report on 'war crimes committed by the Nigerian military' while fighting Boko Haram in the north-east of the country (see also Section 2.1 on Boko Haram). The reported crimes include extrajudicial executions, mass deaths in custody, torture, fumigation, unlawful detention and arrest and starvation of over 8 000 people. The organisation claims the high level military commanders 'knew or should have known about the nature and scale of the crimes being committed', and shared this information with the International Criminal Court.<sup>372</sup>

The Special Board of Inquiry (SBI) established by the Nigerian authorities to investigate the allegations against the military found no evidence of arbitrary arrests or extra judicial executions of detainees, or 'of the allegations by AI against individual senior military officers'.<sup>373</sup>

The ICC reported having identified two cases of crimes against humanity and war crimes involving the Nigerian security forces: the case of IMN in Zaria in December 2015 and actions against 'pro-Biafra protesters in the course of 2017'.<sup>374</sup> The ICC is currently assessing both claims.<sup>375</sup>

### **Special focus: Army conduct with regard to pro-Biafra separatists**

The Nigerian army has been accused of extrajudicial killings of pro-Biafra activists (aiming at an independent Biafra). According to Amnesty International, the Nigerian military killed at least '150 peaceful pro-Biafra activists' in a number of violent incidents within one year (August 2015-August 2016). At one single incident, during the celebrations of the Biafra Remembrance Day on 30 May 2016, security forces in Onitsha (Anambra State) raided homes the night before the event, and shot at a crowd of around 1 000 people, killing 'at least' 60 persons.<sup>376</sup>

The military Special Board, set up to investigate the events of 30 May 2016, did not find any wrongdoing by the army, reporting only on the arrest of 14 persons during the demonstrations on those days.<sup>377</sup> In August 2017, after numerous protests and calls for investigation from both national

<sup>367</sup> Reuters, Nigerian refugee camp hit by air strike was not marked on maps: military, 21 July 2017, [url](#)

<sup>368</sup> Human Rights Watch, World Report 2018 – Nigeria, 18 January 2018, [url](#)

<sup>369</sup> AI, Nigeria: Unearthing the truth: Unlawful killings and mass cover-up in Zaria, 22 April 2016, [url](#); Human Rights Watch, World Report 2018 – Nigeria, Conduct of Security Forces, 18 January 2018, [url](#)

<sup>370</sup> Human Rights Watch, Dispatches: Nigerian Military Used Excessive Force Against Shia Group, 1 August 2016, [url](#)

<sup>371</sup> ICC, The Office of the Prosecutor, report on Preliminary Examination Activities (2017) – Nigeria, 4 December 2017, [url](#), p. 47.

<sup>372</sup> AI, Stars On Their Shoulders. Blood On Their Hands: War Crimes Committed By The Nigerian Military, 6 February 2015, [url](#); Guardian (The), Nigeria's army behind countless acts of torture and 8,000 deaths, Amnesty says, 3 June 2015, [url](#)

<sup>373</sup> International Criminal Court, The Office of the Prosecutor, report on Preliminary Examination Activities (2017) – Nigeria, 4 December 2017, [url](#), pp. 48-49

<sup>374</sup> For more information on the pro-Biafra organisations MASSOB and IPOB, see section 3.3

<sup>375</sup> Human Rights Watch, World Report 2018 – Nigeria, 18 January 2018, [url](#); ICC, The Office of the Prosecutor, report on Preliminary Examination Activities (2017) – Nigeria, 4 December 2017, [url](#), p. 47

<sup>376</sup> AI, Nigeria: At least 150 peaceful pro-Biafra activists killed in chilling crackdown, 24 November 2016, [url](#)

<sup>377</sup> Premium Times, Nigerian Army's own panel clears it of wrongdoings in treatment of IPOB, Boko Haram members, 15 June 2017, [url](#)

and international organisations, the Governor of Anambra State apologised to IPOB members for the events of 30 May 2016.<sup>378</sup>

Another major clash between the armed forces and the pro-Biafra activists occurred in October 2015 when the IPOB-leader Kanu was arrested on charges of treason and ethnic incitement. A wave of street protests and arrests followed.<sup>379</sup> Kanu was released on 25 April 2017.<sup>380</sup> However, on 22 September 2017, soldiers attacked the house where Kanu was staying and killed 28 people in the surroundings. The government denied the claim.<sup>381</sup>

On 18-19 May 2017, a group of women supporters of the IPOB reported being harassed, stripped and arrested by the Nigerian Army, during a rally in Abiriba, Abia State.<sup>382</sup>

For more information on the pro-Biafra organisations MASSOB and IPOB, see section [3.3](#).

## 2.5.2 Nigeria Police Force

The Nigeria Police Force (NPF) is the principal law enforcement agency in the country. The Nigerian constitution prohibits state and local governments from forming their own forces.<sup>383</sup> However, state governors may direct federal police for local emergency actions.<sup>384</sup> According to Interpol, the strength of the NPF is more than 350 000 men and women.<sup>385</sup> Another source reported 371 800 officers<sup>386</sup>, while the Inspector General of Police (IGP) himself, Ibrahim Idris, mentioned the number of 300 000 when he was addressing commanders of Police Mobile Force (PMF), Special Protection Unit (SPU) and Counter Terrorism Unit (CTU) at a meeting in Abuja in March 2018.<sup>387</sup> The same IGP had earlier revealed that the NPF was overstretched and far below the United Nations' 1:400 police-population ratio.<sup>388</sup> According to the Australian Department of Foreign Affairs and Trade (DFAT), 'the NPF suffers from low capacity and insufficient training. In addition, the centrally controlled nature of the NPF ensures resources and changes in operating procedures are slow to reach all corners of the country'.<sup>389</sup>

The NPF was initially overseen by three government agencies: the Nigerian Police Council, the Police Service Commission (PSC), and the Ministry of Police Affairs.<sup>390</sup> However, the latter was scrapped, following the Buhari administration's reorganisation of the federal executive in 2015.<sup>391</sup>

In July 2017, the Speaker of House of Representatives, Yakubu Dogara, stated that Nigeria is permanently in a state of emergency, having the armed forces deployed in 28 states of the federation. According to him, the armed forces have virtually taken over the routine police work in peacetime.<sup>392</sup>

<sup>378</sup> Vanguard, Obiano Apologizes to IPOB over May 30 2016 killing of members in Onitsha, 9 August 2017, [url](#)

<sup>379</sup> BBC, Biafran leader Nnamdi Kanu: The man behind Nigeria's separatists, 5 May 2017, [url](#); Daily Post, DSS reportedly arrests Radio Biafra Director, Nnamdi Kanu in Lagos, 18 October 2015, [url](#); Newsweek, President Buhari Calls Pro-Biafra Nnamdi Kanu's Acts 'Treasonable', 21 December 2015, [url](#); Vanguard, Police arrest Biafra supporters in Anambra, 21 October 2015, [url](#); Vanguard, Photos: See how supporters of Radio Biafra boss, Nnamdi Kanu grounded PH, 20 October 2015, [url](#); Vanguard, Nnamdi Kanu: IPOB takes protest to Amnesty Int'l, 21 October 2015, [url](#)

<sup>380</sup> Sahara Reporters, Biafran Agitator, Nnamdi Kanu, Released After Two-Year Detention, 28 April 2017, [url](#)

<sup>381</sup> Daily Post, Court issues ruling on trial of IPOB leader, Nnamdi Kanu, 20 February 2018, [url](#); Vanguard, Pro-Biafran leader, Nnamdi Kanu missing on eve of treason trial, 16 October 2017, [url](#)

<sup>382</sup> Premium Times, How soldiers treated semi-nude pro-Biafra women – Army, 20 May 2017, [url](#)

<sup>383</sup> Australian Government, DFAT Country Information Report Nigeria, 9 March 2018, [url](#), p. 29.

<sup>384</sup> ACAPS, Nigeria Country Profile – Security Forces, 2 May 2018, [url](#)

<sup>385</sup> Interpol, the Nigeria Police Force, n.d., [url](#)

<sup>386</sup> Australian Government, DFAT Country Information Report Nigeria, 9 March 2018, [url](#), p. 29

<sup>387</sup> Sahara Reporters, Police IGPs And The Politics Of Withdrawal Of Police Personnel From VIPs, Politicians, 20 March 2018, [url](#)

<sup>388</sup> Daily Trust, Despite Buhari's order, police still attached to dignitaries, 23 April 2017, [url](#)

<sup>389</sup> Australia, DFAT Country Information Report Nigeria, 9 March 2018, [url](#), p. 29

<sup>390</sup> Australia, DFAT Country Information Report Nigeria, 9 March 2018, p. 30 [url](#)

<sup>391</sup> The Eagle Online, Buhari to name 25 substantive ministers, scrap five ministries, 10 November 2015, [url](#)

<sup>392</sup> This Day, Nigeria in State of Emergency, Says Dogara, 4 July 2017, [url](#)

For more information on structure, modus operandi and recruitment in the Nigerian Police Force, see [EASO COI report Nigeria, Security situation](#), November 2018 and [EASO COI report Nigeria, State Actors of Protection](#), November 2018.

### 2.5.2.1 Conduct

EASO's 2015 Country of Origin Information Report on Nigeria, quoting different sources, indicates:

'Nigerian Police force has been criticised for corruption and human rights abuses by researchers and organisations over the years. [...] The Nigerian Police Force is widely perceived by the public as the most corrupt violent institution in Nigeria. In 2010 Human Rights Watch (HRW) concluded that the police was not only extorting money of ordinary civilians, but also that criminal suspects with money could simply bribe the police to find their way out. HRW also reported that at least 100 000 police officers were hired as personal guards by the wealthy, at the expense of the majority'.<sup>393</sup>

During a public hearing on police abuse held in Lagos late October 2017, victims of police abuse testified on their experiences before a panel of National Human Rights Commission and Human Rights Law Services. The victims reported on acts of extortion, beatings, unlawful detention and sexual harassment perpetrated by police officials in several states around Nigeria.<sup>394</sup>

Amnesty International (AI) has reported that the 'Special Anti-Robbery Squad (SARS), a special branch of the Nigeria police created to fight violent crime, is responsible for widespread torture and other cruel, inhuman or degrading treatment or punishment (other ill-treatment) of detainees in their custody'. According to the AI research, SARS arrests and tortures detainees until they 'confess' or pay a bribe to be released. The report indicates that SARS holds detainees in various locations, including Abuja (in a facility known as the 'Abattoir').<sup>395</sup>

A social media campaign asking for the ending of the police branch (#EndSARS) followed, with numerous stories, videos and photos being shared on social media. The Nigeria Chief of Police denied all accusations, but declared that SARS will be 'restructured'. The Senate also approved the opening of an investigation into the allegations.<sup>396</sup>

On 14 August 2018 Amnesty International reported that acting President Osinbajo has 'ordered an immediate overhaul of the country's Special Anti-Robbery Squad (SARS) police unit'.<sup>397</sup>

On 11 July 2018, the Nigerian Senate passed a motion urging the government to respect the rule of law, in a moment where 'allegations of human rights violations are on the rise', including by the police.<sup>398</sup>

In November 2016, the Nigeria Police Force set up the Complaints Response Unit (CRU), dedicated to receiving complaints from the public regarding police misconduct. According to the Assistant Commissioner of Police Abayomi Shogunle, the main challenge was to gain citizen's trust and encourage them to file complaints.<sup>399</sup>

In August 2017, the Nigerian National Bureau of Statistics (NBS) released the results of a survey that found the Police as the 'most corruption-ridden Nigerian federal agency'.<sup>400</sup> In May 2018, the NPF

<sup>393</sup> EASO, COI Report Nigeria Country Focus, June 2017, [url](#)

<sup>394</sup> Premium Times, How Nigeria police officers tortured, extorted, harassed us – Victims, 1 November 2017, [url](#)

<sup>395</sup> AI, 'You Have Signed Your Death Warrant', 21 September 2016, [url](#)

<sup>396</sup> Reuters, Nigerian police official defends unit against brutality accusations, 6 December 2017, [url](#)

<sup>397</sup> AI, Nigeria: SARS overhaul is positive step but reforms must be robust, 18 August 2018, [url](#)

<sup>398</sup> Bloomberg, Nigeria Senate Sees Alarming Rise of Human Rights Violations, 11 July 2018, [url](#)

<sup>399</sup> BBC, Who's policing Nigeria's police?, 17 November 2016, [url](#)

<sup>400</sup> UNODC/NBS, Corruption in Nigeria, Bribery: public experience and response, July 2017, [url](#); Sahara Reporters, Nigerians Mock Police Complaints Response Unit Boss On Twitter For Rejecting NBS Corruption Survey, 21 August 2017, [url](#)

reported the arrest of one SARS-Lagos police officer on suspicion of extortion. Internal investigations began following a citizen's complaint to the CRU.<sup>401</sup> From July to September 2017, the NPF sanctioned 16 staff members for professional misconduct, and suspended one assistant superintendent on corruption charges.<sup>402</sup>

### **Special focus: Police conduct regarding Lesbian, Gay, Bisexual, and Transgender persons (LGBT)**

According to Olumide Makuanjola, long-time advocate for LGBT rights in Nigeria and former Executive Director of The Initiative for Equal Rights (TIERs)<sup>403</sup>, 'the record in the last three years has shown that human rights violations based on sexuality and gender exists and continues to increase with validation from Nigeria police force and other government agencies'.<sup>404</sup> Data from the 2017 TIERs shows that in the course of 2017, 247 LGBT persons in Nigeria reported some sort of violation of their fundamental rights. Of those, 42 were committed by state actors, including the police.<sup>405</sup>

The reported abuses range from rape, to blackmail/extortion, arbitrary arrest and unlawful detention (with reported prolonged periods of detention without presenting the detainee to court), and also invasion of privacy (including targeting, body search, mobile phone search).<sup>406</sup>

Although the Nigerian legislation guarantees its citizens the possibility of availing themselves of the judicial system, LGBT persons are often reluctant to take legal actions against police actions due to stigma and discrimination.<sup>407</sup>

## **2.5.3 Islamic Police (*hisbah*)**

### **2.5.3.1 Meaning of *hisbah***

In Arabic, *hisbah* means 'an act which is performed for the common good, or with the intention of seeking a reward from God'. It originates from Qur'anic verses and *Hadith*, and is compulsory to every Muslim.<sup>408</sup> Individuals belonging to a *hisbah* are called *Muhtasib*.<sup>409</sup>

In general, the *Muhtasib* are young men recruited at local level, with low formal education, 'no training in law, law enforcement or procedures of arrest, investigation or gathering of evidence'.<sup>410</sup>

*Hisbah* organisations exist at government or local level in Sharia implementing states. According to the late Abdul Raufu Mustapha, Associate Professor of African Politics at the University of Oxford, 'no two *hisbah* organizations are the same'. The scholar further explains:

'Institutionally, at one extreme are the *hisbah* in Kano and Zamfara states, with a legally sanctioned board or commission with state-wide powers, and employing thousands of people paid for by the state government. At the other extreme are the *hisbah* in Borno (existing only

<sup>401</sup> Nation (The), Extortion: Police arrest SARS operative in Lagos, 18 May 2018, [url](#)

<sup>402</sup> Nation (The), Police sanction 16 personnel for professional misconduct, 6 November 2017, [url](#)

<sup>403</sup> TIERs is a Nigerian NGO working in the protection and promotion of human rights of sexual minorities. For more information, see the TIERs website: [url](#).

<sup>404</sup> Guardian (The), 761 is not just a number, 30 January 2018, [url](#)

<sup>405</sup> TIERs, 2017 Report on Human Rights Violations based on Real or Perceived Sexual orientation and Gender Identity in Nigeria, [2018], [url](#)

<sup>406</sup> TIERs, 2017 Report on Human Rights Violations based on Real or Perceived Sexual orientation and Gender Identity in Nigeria, [2018], [url](#), pp. 9-13

<sup>407</sup> TIERs, 2017 Report on Human Rights Violations based on Real or Perceived Sexual orientation and Gender Identity in Nigeria, [2018], [url](#), p. 12

<sup>408</sup> Human Rights Watch, "Political Shari'a"? Human Rights and Islamic Law in Northern Nigeria, VIII. The enforcement of Shari'a and the role of the *hisbah*, September 2014, [url](#)

<sup>409</sup> Giade, Sabo Karabi, 'The Bauchi State Criminal Justice System Does Not Empowered *Hisbah* to File a Criminal Complaint against Offenders', April 2016, [url](#), pp. 24-28

<sup>410</sup> Human Rights Watch, "Political Shari'a"? Human Rights and Islamic Law in Northern Nigeria, September 2004, [url](#)

on paper) and Gombe (completely formed by volunteers, lacks any supporting legislation, has no state funding, and the volunteers sometimes have to contribute financially to the running of the organization). In between these two extremes are the states like Bauchi, where Hisbah is just a department under the Sharia Commission and is effectively organized at the emirate level instead of the state level, and the hisbah in Kaduna and Katsina which are completely private run, very similar to the Gombe model'.<sup>411</sup>

According to Professor Mustapha, the main tasks of the *hisbah* are:

- 'Social Service functions: dispute resolution; marriage counselling; match-making; drug control; traffic control; helping the needy; and running refresher courses for pre-degree science students. They are social welfare institutions, not just religious ones;
- Religious functions: evangelism through sermons; conversion of people to Islam; repair of Mosques; protection of people at religious functions; and First Aid services during festivals;
- Coercive Disciplinary Functions: forcibly preventing the mixing of the sexes on public transport system; enforcing a dress code, especially on women in educational institutions; preventing the performance of music and films; seizing and destroying alcoholic drinks; and putting pressure on 'deviant' youth, prostitutes, homosexuals, and lesbians'.<sup>412</sup>

There is however, a debate on whether the Hisbah is legally entitled to enforce criminal law in the 12 northern Nigerian states.<sup>413</sup> According to researcher Enyinna S. Nwauche of the University of Botswana, 'the Nigerian police force (NPF) is responsible by the tenor of the provisions of the 1999 Constitution of the Federal Republic of Nigeria [...] for the enforcement of criminal law in Nigeria, whether they are religiously inspired or not'. The scholar further argues that 'accordingly, NPF has a constitutional responsibility to enforce the Islamic penal codes'.<sup>414</sup>

Under the Nigerian Constitution, legislating on public safety and order are the responsibility of both federal and state governments, which includes the Criminal Code and the Penal Code.<sup>415</sup>

According to Nwauche, Nigerian academics share the opinion that the 'Islamic penal codes are subject to constitutional scrutiny' and are therefore 'subject to the Constitution of the Federal Republic of Nigeria'.<sup>416</sup> Furthermore, the Penal Code promulgated in 1960 already incorporates 'many offences that reflect Islamic norms' (e.g. seduction and enticement, s. 389; insulting the modesty of any woman, s. 400; or drunkenness, s. 401-402) and therefore, 'the fact that the Islamic penal codes are more *Islamic* in no way diminishes the responsibility of the Nigerian police force to enforce them'.<sup>417</sup>

On the enforcement of said codes: the Nigerian Constitution foresees that there is a single police force in Nigeria - the Nigerian Police Force -, and 'no other police force shall be established for the Federation or any part thereof'.<sup>418</sup> Nwauche states that despite the constitutional provisions, 'the activities of the hisbah in the northern states of the Federation have been conducted with the knowledge and in presence of the NPF', in a relation that is both of cooperation and of defiance.<sup>419</sup>

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<sup>411</sup> Mustapha, Abdul Raufu, Sharia Implementation in Northern Nigeria Over 15 Years, October 2016, [url](#), p.5

<sup>412</sup> Mustapha, Abdul Raufu, Sharia Implementation in Northern Nigeria Over 15 Years, October 2016, [url](#), p.5

<sup>413</sup> The 12 northern States that apply Sharia Law are: Zamfara, Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, and Yobe

<sup>414</sup> Nwauche, Enyinna S., 'The Nigerian police force and the enforcement of religious criminal law', 2014, [url](#), pp. 203-216

<sup>415</sup> Nigeria, Constitution of the Federal Republic of Nigeria 1999, section 11, 1999, available at: [url](#)

<sup>416</sup> Nwauche, Enyinna S., 'The Nigerian police force and the enforcement of religious criminal law', 2014, [url](#), p. 211; Okemuyiwa, Adedeji Akeem Z., 'Shariah Enforcement By Hisbah: A Constitutional Derogation', October 2016, [url](#), pp. 234-240

<sup>417</sup> Nwauche, Enyinna S., 'The Nigerian police force and the enforcement of religious criminal law', 2014, [url](#), pp. 205-206

<sup>418</sup> Nigeria, Constitution of the Federal Republic of Nigeria 1999, section 214 (1), 1999, available at: [url](#)

<sup>419</sup> Nwauche, Enyinna S., 'The Nigerian police force and the enforcement of religious criminal law', 2014, [url](#), pp. 210-211

Professor Mustapha explains that despite *hisbahs* being referred to as ‘Islamic police’, their powers and capacity vary from state to state. Although they all share Islamic values, the extent to which they actually incorporate them varies as well, and ‘only the Zamfara hisbah law specifically connects the definition of hisbah to Sharia implementation, with about 80 % of its functions directly connected to Sharia implementation. In the Jigawa law, only five out of eight items in the functions of the Committee are directly connected to Sharia implementation, while in the Kano law, no section directly talks of Sharia implementation’.<sup>420</sup>

### 2.5.3.2 Conduct

#### ***Hisbah* conduct regarding Lesbian, Gay, Bisexual, and Transgender persons (LGBT)**

Same sex-activities are criminalised in the 12 northern Sharia states and under the Sharia Penal codes, the maximum punishment for acts between men is the death penalty, and between women is ‘whipping and/or imprisonment’.<sup>421</sup> Other penalties include lashings or jail terms.<sup>422</sup> Sources indicate that ‘convictions are rare’ and ‘no actual executions for homosexual activity have been verified’.<sup>423</sup>

The Canadian IRB, quoting different sources, indicates that religious leaders preach vehemently against homosexuality, and the Hisbah actively pursues alleged LGBT persons.<sup>424</sup>

One source states that ‘the situation for LGBTI people in northern Nigeria is more difficult than for those living in the south, with at least 114 gay men and women having been arrested’ between January and October 2017. The *Hisbah* is very active and alert to any rumours of gay gatherings and performs arrest and reportedly tortures them.<sup>425</sup>

On 16 July 2018, the Kano state’s *hisbah* issued a communication that two women previously accused of lesbianism had been absolved. The person behind the accusation was imprisoned and ‘will be punished accordingly’.<sup>426</sup>

The representative of a human rights organisation in Kano State, quoted by Human Rights Watch, stated continuous ‘serious concerns for personal safety and security’ for both LGBT persons and for those working/advocating for LGBT rights. According to the source, ‘LGBT individuals in northern Nigeria face triple discrimination: on the basis of the SSMPA [Same-Sex Marriage (Prohibition) Act], the Penal Code, as well as Sharia Law’. As an LGBT rights worker himself, the source stated he has been arrested, beaten and asked to provide information on ‘other gay people in the [Kano] state’ by the Hisbah.<sup>427</sup>

Another LGBT defender in Zamfara State mentioned that after the SSMPA came into force, workers were ‘forced’ to dim down attention to themselves, to avoid being targeted by the *Hisbah*, including making sure ‘to have access to an exit door in case we have to run from the Hisbah’.<sup>428</sup>

<sup>420</sup> Mustapha, Abdul Raufu, Sharia Implementation in Northern Nigeria Over 15 Years, October 2016, [url](#), p.5

<sup>421</sup> ILGA, State-Sponsored Homophobia 2017: A world survey of sexual orientation laws, May 2017, [url](#), Human Rights Watch, “Tell Me Where I Can Be Safe”, 20 October 2016, [url](#)

<sup>422</sup> ABC News, ‘I didn’t want my mum to know’, updated 22 October 2017, [url](#)

<sup>423</sup> Erasing 76 crimes, Anti-LGBTI laws: Nigeria, n.d., [url](#); ABC News, ‘I didn’t want my mum to know’, updated 22 October 2017, [url](#)

<sup>424</sup> Canada, IRB, Nigeria: Information on how bisexuality is understood and perceived in Nigeria (2014-June 2015) NGA105219.E, 9 September 2015, [url](#)

<sup>425</sup> ABC News, ‘I didn’t want my mum to know’, updated 22 October 2017, [url](#)

<sup>426</sup> National Helm, Two Ladies Exonerated By Moral Police After Being Accused Of Lesbianism, 16 July 2018 [url](#)

<sup>427</sup> Human Rights Watch, “Tell Me Where I Can Be Safe”, 20 October 2016, [url](#), p. 63

<sup>428</sup> Human Rights Watch, “Tell Me Where I Can Be Safe”, 20 October 2016 [url](#), p. 63

On 2 September 2017, the Kano Hisbah Corps (Kano State) arrested 70 minors after accusations that they were planning to organise a gay party.<sup>429</sup> No further reports on this case could be found.

The Canadian IRB, quoting various sources, reports that in 'January 2015, 12 men were arrested in northern Kano state by the Islamic law enforcement agency [*Hisbah, hispa*] for allegedly organizing a gay marriage ceremony [...]. According to Reuters, the Sharia law spokesman stated that the men were screened because "'they really looked gay and the way they behaved was gay"'.<sup>430</sup>

For further information on human rights violations by the *Hisbah* against LGBT persons, see Section [3.12](#).

### ***Hisbah* conduct regarding women**

As mentioned, one of the key functions of the *hisbah* in the 12 northern Nigerian states is to enforce disciplinary measures, including to women, by 'forcibly preventing the mixing of the sexes on public transport system' and 'enforcing a dress code, especially on women in educational institutions'. The same source notes that 'these "moral" campaigns have led to a hostile backlash against *hisbah* from artistes, women's groups, youth, and residents in largely Christian neighbourhoods'.<sup>431</sup>

On 2 July 2018, the Kano *Hisbah* Board arrested five women between the ages of 18 and 20 in the Gwale LGA, for alleged immorality; no details on the meaning of 'immorality' were provided.<sup>432</sup>

In October 2016, the Kano *Hisbah* Board brought 11 women before a Sharia court for prosecution for 'immoral acts', after being arrested in the Fagge LGA. The women, aged between 21 and 24, were arrested after being found 'drinking alcohol, smoking cannabis and romancing with men other than their husbands or close relations, which is contrary to the Sharia legal system'.<sup>433</sup> No further information on the outcome of this incident was found.

In March 2016, the Kano *Hisbah* Board announced the arrest of 31 women – mostly teenagers -, for 'alleged involvement in immoral acts'. The girl's parents were brought to the hisbah station and advised to 'ensure proper upbringing of their children'. Those found to be first-time offenders were released immediately on bail, whereas the 'habitual offenders were referred to the legal department for further legal action'. The *Hisbah* Board stated that girls who are not claimed by their parents should 'be taken to court for proper prosecution'.<sup>434</sup>

In October 2015, the Kano State *Hisbah* Board announced preparations for the mass wedding of around 2 000 widows and divorcees in the state, 'in view of its mass benefits to the society'. The source adds that since 2012, around 5 000 have been married through the Kano State sponsored mass-marriage programme.<sup>435</sup> There are reports of mass-weddings in Sokoto, Jigawa and Zamfara states.<sup>436</sup>

Mass-marriage programs 'have been created to wed unattached women to men in Kano and Zamfara [...]. In Kano, VOWAN [Voice of Widows, Divorcée and Orphans of Nigeria] and the *Hisbah* board, also

<sup>429</sup> Erasing 76 crimes, Report: Muslim police arrest 70 Nigerian youths for 'gay' party, 2 September 2017, [url](#)

<sup>430</sup> Canada, IRB, Nigeria: Treatment of sexual minorities, including legislation, state protection, and support services; the safety of sexual minorities living in Lagos and Abuja (February 2012-October 2015), 13 November 2015, [url](#)

<sup>431</sup> Mustapha, Abdul Raufu, Sharia Implementation in Northern Nigeria Over 15 Years, Policy Brief No.2, The Case of Hisbah, October 2016, [url](#), p. 5

<sup>432</sup> Vanguard, Kano Hisbah Board arrests 5 ladies over alleged immorality, 2 July 2018, [url](#)

<sup>433</sup> Daily Trust, Hisbah commences prosecution of 11 women for alleged immoral acts, 31 October 2016, [url](#)

<sup>434</sup> Vanguard, Kano State Hisbah Board arrests 31 girls for immoral acts', 25 march 2016, [url](#)

<sup>435</sup> Premium Times, Kano plans mass wedding for 2,000 widows, divorcees, 27 October 2015, [url](#)

<sup>436</sup> Nation online (The), Mass marriage, 16 August 2017, [url](#)

known as the "Islamic police", have been matching men with widows and divorcees [...], sometimes in a "mass wedding".<sup>437</sup>

Activists have reportedly 'expressed concerns that women, some of whom are victims of domestic violence from their first marriage, are being pressured into "potentially dangerous new relationships"'. Local Kano officials 'say that women participate voluntarily'.<sup>438</sup> No further information was found regarding the role of the *Hisbah* in mass-weddings.

For more information on the situation of women and girls, see Section [3.13](#).

### ***Hisbah* conduct regarding Christians**

The 'morality campaigns' led by the *hisbah* in northern Nigeria 'have led to a hostile backlash against hisbah from artistes, women's groups, youth, and residents in largely Christian neighbourhoods', leading to 'anxiety within the Christian communities of the Sharia implementing states'.<sup>439</sup>

In his findings, Professor Mustapha indicates that while most Christians want *hisbah* to continue (as they provide a social service), the Christian community also wishes the *hisbah* to be 'more respectful of religious differences and human rights'.<sup>440</sup>

The US DoS reports that 'Christian groups said [*hisbah*] enforced sharia inconsistently and sporadically, sometimes targeting Christians or residents of other states'. Residents in Christian areas indicate that the *hisbah* is more permissive in those areas, although they are also raided.<sup>441</sup>

The NGO Christian Solidarity Worldwide (CSW) reports the case of a Christian teenager abducted by 'two neighbours accompanied by members of the *Hisba*' in Sokoto State, in August 2015; the minor was reportedly taken to Bauchi State, 'forced to convert to Islam and marry'. The Sokoto Criminal Investigation Department had arrested three suspects.<sup>442</sup> No further information was found regarding this incident.

A 14-years old Christian girl from Katsina State was reportedly abducted when returning home from school, converted to Islam and married. Her father complained to the authorities. The suspect was identified and investigated, but absolved. According to the police commissioner, there was no kidnapping, as the minor voluntarily left and went to 'the house of the Chairman of *Hisbah* [...], who took her to their village head and later to the district head of Kankara'.<sup>443</sup>

No recent information was found on the conviction or enforcement of the penalties foreseen in the Islamic penal codes in force in the 12 states in northern Nigeria.

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<sup>437</sup> Canada, IRB, Nigeria: Whether women who head their own households, without male or family support, can obtain housing and employment, 19 November 2012, [url](#)

<sup>438</sup> Canada, IRB, Nigeria: Whether women who head their own households, without male or family support, can obtain housing and employment, 19 November 2012, [url](#)

<sup>439</sup> Mustapha, Abdul Raufu, Sharia Implementation in Northern Nigeria Over 15 Years, October 2016, [url](#), pp. 6-7

<sup>440</sup> Mustapha, Abdul Raufu, Sharia Implementation in Northern Nigeria Over 15 Years, October 2016, [url](#), pp. 6-7

<sup>441</sup> US DoS, 2016 Report on International Religious Freedom, 15 August 2017, [url](#)

<sup>442</sup> CSW, Nigeria: another abducted girl rescued, 8 March 2016, 1 August 2014, [url](#)

<sup>443</sup> World Watch Monitor, Child marriage becoming a 'cloud of crisis', 15 November 2016, [url](#)

## 2.5.4 Civilian Joint Task Force (CJTF)

### 2.5.4.1 Structure

The Civilian Joint Task Force (CJTF) (also known as *yan gora*)<sup>444</sup> was formed in 2013<sup>445</sup>. Its structure is inspired by the military model, with districts corresponding to the army's zonal commands<sup>446</sup>. Each northern state has its own commander; there are 10 district commands, to whom community units report.<sup>447</sup>

In Maiduguri, the CJTF is organised into ten sectors within two major segments: the Maiduguri Municipal Council (MMC) and the Jere Local Government Area. The MMC segment 'is mobile and not limited to Maiduguri, with deployments outside of its mobilization area as far as Lagos State in south-western Nigeria'.<sup>448</sup>

One source indicates that 2 000 members of the CJTF had "'formal" paramilitary training', and another 750 received 'special forces' training; the CJTF has an intelligence unit of 100 officers, spread across the country.<sup>449</sup>

### 2.5.4.2 Objectives

The Civilian Joint Task Force (CJTF) objective is providing security for the local populations and IDP camps from Boko Haram's attacks.<sup>450</sup>

The setting up of the CJTF came from both 'the frustration of youths and other civilians in Borno State over the lack of state capacity to prevent the incessant violence carried out by Boko Haram', as well as the insecurity caused by the 'incompetence of the military response'.<sup>451</sup> The formation of CJTF occurred in May 2013, after a trader from Maiduguri chased down and captured a Boko Haram member armed solely with a stick. He then handed the gunmen over to the Joint Task Force (JTF).<sup>452</sup>

One source indicates that CJTF's members are 'mainly young male civilians' over 18 years of age<sup>453</sup>, where another states members are 'largely [...] teenagers without basic education'.<sup>454</sup> Initially armed with only sticks and machetes, they got together to identify and bring to the security forces elements of Boko Haram found in their communities.<sup>455</sup>

As a reaction to the increased use of women in Boko Haram's attacks, there are also women in CJTF's ranks, organised in a women's wing; their tasks include conducting 'pat-downs of women in churches, mosques, and other public places; patrol towns and villages; gather intelligence; and arrest suspected female insurgents'.<sup>456</sup>

<sup>444</sup> In Hausa language, *yan gora* [or *yan kato ta gora*], literally means 'men with sticks' [or 'big men with bamboo canes']. Agbibo, Daniel, Resistance to Boko Haram: Civilian Joint Task Forces in North-Eastern Nigeria, 2015, 2015, [url](#), pp. 3-22

<sup>445</sup> The Irish Times, Sally Hayden, Nigeria's Boko Haram-fighting vigilantes losing heart, 7 August 2017, [url](#)

<sup>446</sup> IRIN News, Nigeria wakes up to its growing vigilante problem, 9 May 2017, [url](#)

<sup>447</sup> Hassan, Idayat and Pieri, Zacharias, The Rise and Risks of Nigeria's Civilian Joint Task Force, May 2018, [url](#), p. 77

<sup>448</sup> Hassan, Idayat and Pieri, Zacharias, The Rise and Risks of Nigeria's Civilian Joint Task Force, May 2018, [url](#), p. 76

<sup>449</sup> Hassan, Idayat and Pieri, Zacharias, The Rise and Risks of Nigeria's Civilian Joint Task Force, May 2018, [url](#), p. 76

<sup>450</sup> UNICEF, Civilian Joint Task Force in Northeast Nigeria Signs Action Plan to End Recruitment of Children, 15 September 2017, [url](#); Belgium, CGRS, COI Focus, Nigeria, Situation sécuritaire liée à Boko Haram, 28 March 2018, [url](#)

<sup>451</sup> Hassan, Idayat and Pieri, Zacharias, The Rise and Risks of Nigeria's Civilian Joint Task Force, May 2018, [url](#), p. 76

<sup>452</sup> The trader was Baba Lawan Jafar, who later become the overall chairman of the CJTF. Hassan, Idayat and Pieri, Zacharias, The Rise and Risks of Nigeria's Civilian Joint Task Force, May 2018, [url](#), p. 76

<sup>453</sup> Al Jazeera, Can Nigerian youth destroy Boko Haram's caliphate?, 31 August 2014, [url](#)

<sup>454</sup> Dan-Azumi, David J., The Intervention of the Civilian Joint Task Force (CJTF) In the War against Boko Haram in North East Nigeria, 30 June 2018, [url](#), p. 45

<sup>455</sup> Al Jazeera, Can Nigerian youth destroy Boko Haram's caliphate?, 31 August 2014, [url](#)

<sup>456</sup> Hassan, Idayat and Pieri, Zacharias, The Rise and Risks of Nigeria's Civilian Joint Task Force, May 2018, [url](#), p. 78

The CJTF collaborates with the Nigerian military<sup>457</sup>, although only a few units receive a regular salary from the state government.<sup>458</sup> In 2014, Al Jazeera reported most CTJF members in Borno state were receiving ‘\$113 per month from the government’.<sup>459</sup>

The number of CTJF members is unclear, as resources vary and recruitments takes place on an irregular basis.<sup>460</sup> According to the International Crisis Group the CTJF claimed to have approximately 26 000 members in Borno State alone<sup>461</sup>, where they are present in 22 LGAs out of the 27 LGAs<sup>462</sup>. One source, quoting Baba Lawan Jafar (Chairman of the CJTF in Borno State) indicates 15 541 members, divided between Adamawa State (10 000), Bauchi State (1 200), Borno State (1 800), Gombe (715), Taraba (1 156), and Yobe (670).<sup>463</sup> According to an article from the Irish Times from 2017, ‘many’ CJTF volunteers have left the group.<sup>464</sup>

Several sources indicate that the CJTF has committed ‘grave and serious human rights violations<sup>465</sup> in extrajudicial killings, arbitrary arrest and acts of torture.’<sup>466</sup>

### 2.5.4.3 Financing

The main sources of the CJTF funding is the Borno State government that provides vehicles and monthly stipends. Private companies and individuals also contribute funds and ‘operational tools such as daggers, machetes, clubs and hunting rifles’<sup>467</sup>, together with sponsorship from the North East Regional Initiative (NERI), which provided training on Disarmament, Demobilization, and Reintegration (DDR). The CJTF also received financial support from the Borno Youths Empowerment Scheme (BOYES) and from Every Nigerian Do Something Foundation (ENDS).<sup>468</sup>

### 2.5.4.4 Modus operandi

The CJTF use their knowledge of local languages and the area to support the Nigerian security forces in their effort to fight Boko Haram. They were also a privileged link between security forces and the local police; according to the source, ‘affiliation with the CJTF can also protect its members from the army and police’.<sup>469</sup>

The CJTF was often present at checkpoints, managing them together with the military, working in close proximity with the Nigerian security forces, the police and the military.<sup>470</sup>

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<sup>457</sup> Cropley, E., ‘On Boko Haram front line, Nigerian vigilantes amass victories and power’, Reuters, 15 June 2017, [url](#); International Crisis Group, Watchmen of Lake Chad: Vigilante Groups Fighting Boko Haram, 23 February 2017, [url](#)

<sup>458</sup> IRIN News, Nigeria wakes up to its growing vigilante problem, 9 May 2017, [url](#)

<sup>459</sup> Al Jazeera, Can Nigerian youth destroy Boko Haram's caliphate?, 31 August 2014 [url](#)

<sup>460</sup> International Crisis Group, Double-edged Sword: Vigilantes in African Counter-insurgencies, 7 September 2017, [url](#), p.19

<sup>461</sup> International Crisis Group, Watchmen of Lake Chad: Vigilante Groups Fighting Boko Haram 23 February 2017, [url](#), p. ii

<sup>462</sup> Mahmood, O.S. & Ani, N.C., Responses to Boko Haram in the Lake Chad Region, July 2018, [url](#), p. 18

<sup>463</sup> Reuters, Kieran Guilbert, Nigeria's anti-Boko Haram vigilantes vow to stop using children, 16 September 2018, [url](#); Combatting Terrorism Center at West Point, Boko Haram Beyond headlines: analyses of Africa's enduring insurgency, May 2018, [url](#)

<sup>464</sup> The Irish Times, Sally Hayden, Nigeria's Boko Haram-fighting vigilantes losing heart, 7 August 2017, [url](#)

<sup>465</sup> CDD, The role of women in Countering Violence Extremism: the Nigerian experience with Boko Haram, [20 March 2017], [url](#)

<sup>466</sup> Al, Nigeria: Gruesome footage implicates military in war crimes, 5 August 2014, [url](#); Vice News, Nigeria's Self-Styled Warriors: Meet the Vigilante Army Taking on the World's Deadliest Terror Group, 28 April 2016 [url](#)

<sup>467</sup> Kazir, Kapeh K. A., Vigilantes in Counterinsurgencies: Nigerian Civilian Joint Task Force in Perspective, 2017, [url](#); US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

<sup>468</sup> Hassan, Idayat and Pieri, Zacharias, The Rise and Risks of Nigeria's Civilian Joint Task Force, May 2018, [url](#), p. 76.

<sup>469</sup> International Crisis Group, Double-edged Sword: Vigilantes in African Counter-insurgencies, 23 February 2017, [url](#)

<sup>470</sup> IRIN, Nigeria wakes up to its growing vigilante problem, 9 May 2017, [url](#); New York Times (The), Inside the Vigilante Fight Against Boko Haram, 9 November 2014, [url](#)

The CJTF relies on information from local residents and uses their knowledge to try to identify Boko Haram members.<sup>471</sup> Volunteers in local neighbourhoods check who comes and leaves the area; they pick suspects up and bring them to the security forces.<sup>472</sup>

The role of women in the CJTF includes ‘conducting pat-downs of women in churches, mosques and other public places, gathering intelligence, and arresting suspected female insurgents’, in order to avoid cultural challenges of having men identifying women, but also since Boko Haram has more frequently used women as fighters and suicide bombers.<sup>473</sup>

Quoting Vincent Foucher, political sciences researcher, the March 2018 COI focus report by the Belgian Commissioner General for Refugees and Stateless Persons (CGRS) indicates that the surveillance committees had very accurate expertise of the local areas, which can explain their ‘relative success’, namely their role in the detection of suicide bombers. The researcher adds that they played a decisive role in stabilising the security situation in Maiduguri<sup>474</sup>, a city of one million inhabitants, and where an estimated one million IDPs settled.<sup>475</sup>

Several sources indicate that the CJTF has committed ‘grave and serious human rights violations’<sup>476</sup> in extrajudicial killings, arbitrary arrest and acts of torture.<sup>477</sup>

On 12 May 2013, the ‘CJTF set fire to the house of the Chairman of the ruling party in Borno State, Alhaji Othman on allegations that he was a Boko Haram sympathizer.’ On another occasion, a man suspected of being a member of Boko Haram was burned alive on the street in Maiduguri. The source states that in 2013, 99 members of the CJTF were arrested for violence against suspected members of Boko Haram, and between January and April 2014, ‘21 CJTF members were arrested for unlawfully executing suspected Boko Haram members in their custody.’<sup>478</sup>

#### 2.5.4.5 Recruitment of child soldiers by CJTF

Sources have reported the recruitment of children by the CJTF, sometimes by force, and their use as trackers, messengers and spies.<sup>479</sup> One source, interviewing CJTF members, states that the latter confirmed that children are used for different tasks, including operating checkpoints, collecting information or accompanying adult CJTF members in offensives.<sup>480</sup>

In 2016, the UN reported the recruitment of 53 children by the Civilian Joint Task Force, and their use in checkpoints’ controls, as messengers and spies.<sup>481</sup>

According to the UN, although ‘the oral code of conduct of the Civilian Joint Task Force indicated that 15 years was the minimum age of recruitment’, there were reports of children 9 years old being used

<sup>471</sup> New York Times (The), Inside the Vigilante Fight Against Boko Haram, [url](#)

<sup>472</sup> RFI, Nigeria: à Maiduguri, des civils volontaires traquent Boko Haram, 19 April 2016, [url](#)

<sup>473</sup> CDD, The role of women in Countering Violence Extremism: the Nigerian experience with Boko Haram, [20 March 2017], [url](#)

<sup>474</sup> Belgium, CGRS, COI Focus, Nigeria, Situation sécuritaire liée à Boko Haram, 28 March 2018, [url](#), p. 13

<sup>475</sup> Vice News, Nigeria's Self-Styled Warriors: Meet the Vigilante Army Taking on the World's Deadliest Terror Group, 28 April 2016, [url](#)

<sup>476</sup> CDD, The role of women in Countering Violence Extremism: the Nigerian experience with Boko Haram, [20 March 2017], [url](#)

<sup>477</sup> Al, Nigeria: Gruesome footage implicates military in war crimes, 5 August 2014, [url](#); Vice News, Nigeria's Self-Styled Warriors: Meet the Vigilante Army Taking on the World's Deadliest Terror Group, 28 April 2016, [url](#)

<sup>478</sup> Kazir, Kapeh K. A., Vigilantes in Counterinsurgencies: Nigerian Civilian Joint Task Force in Perspective, 2017 [url](#)

<sup>479</sup> UNICEF, Civilian Joint Task Force in Northeast Nigeria Signs Action Plan to End Recruitment of Children, 15 September 2017, [url](#); Al, Nigeria: Gruesome footage implicates military in war crimes, 5 August 2014, [url](#); ICC, The office of the Prosecutor, report on preliminary Examination Activities (2015), 12 November 2015, [url](#); US DoS, Country reports on Human Rights Practices for 2016 – Nigeria, [url](#)

<sup>480</sup> Irish Times (The), Sally Hayden, Nigeria's Boko Haram-fighting vigilantes losing heart, 7 August 2017, [url](#)

<sup>481</sup> UN General Assembly Security Council, Children and armed conflict, 20 April 2016, [url](#), p. 31

by the CJTF. The report adds that in January 2017 children associated with the CJTF had been observed providing security in military-run IDP camps in Borno State.<sup>482</sup>

Later in the year, the CJTF pledged to stop children from 'joining or fighting for the group, and to identify and release any members who are under the age of 18'.<sup>483</sup>

#### 2.5.4.6 CJTF as targets by Boko Haram

Boko Haram has reacted violently to the CJTF's surveillance activities.<sup>484</sup> Between 2014 and mid-2017, 680 CJTF members were killed.<sup>485</sup>

According to Amnesty International, members of the CJTF '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'.<sup>486</sup>

One source indicates that dismantling CJTF might become a problem, as its members and civilians who supported it are now Boko Haram's targets.<sup>487</sup>

## 2.6 Death penalty

The Nigerian legal system is characterised by its pluralism, where English common law, Islamic law (in 12 northern states)<sup>488</sup>, and customary law coexist.<sup>489</sup> Under this framework, the death penalty in Nigeria is also applied in different manners, depending on whether the states apply secular or Islamic law.<sup>490</sup>

The capital punishment is generically foreseen in Article 33 of the Federal Constitution of Nigeria:

'Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.'<sup>491</sup>

Other statutes regulate the application of the death penalty in Nigeria, namely the Criminal Code Act 1990; the Robbery and Firearms Decree 1984; the Armed Forces Act of 1993; and the Sharia Penal Code.<sup>492</sup>

The following offences are punishable by death under the provisions of the Criminal and Penal Code of Nigeria:

- murder;
- treason;
- conspiracy to treason;
- treachery;

<sup>482</sup> UN Security Council, Report of the Secretary-General on children and armed conflict in Nigeria, 10 April 2017, [url](#)

<sup>483</sup> Reuters, Nigeria's anti-Boko Haram vigilantes vow to stop using children, 16 September 2018, [url](#)

<sup>484</sup> Belgium, CGRS, COI Focus, Nigeria, Situation sécuritaire liée à Boko Haram, 28 March 2018, [url](#), p. 13

<sup>485</sup> International Crisis Group, Double-edged Sword: Vigilantes in African Counter-insurgencies, 23 February 2017, [url](#), p. 18

<sup>486</sup> Al, Stars on Their Shoulders. Blood on Their Hands. War Crimes Committed by the Nigerian Military, 2015, [url](#), p. 25

<sup>487</sup> Torbjörnsson, D. et al, Boko Haram. On the verge of defeat or a long term threat?, 12 December 2017, in: [url](#)

<sup>488</sup> The 12 northern States that apply Sharia Law are: Zamfara, Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, and Yobe

<sup>489</sup> EASO COI Report, Nigeria, Country Focus, June 2017, [url](#)

<sup>490</sup> Training and Resources in Research Ethics Evaluation (TRREE), Legal Basis For Research Ethics Governance In Nigeria, 5 March 2014, [url](#)

<sup>491</sup> Nigeria, Federal Ministry of Justice, Constitution of the Federal Republic of Nigeria, 1999, [url](#), art. 33

<sup>492</sup> HURILAWS, Basic Country Report Nigeria, n.d., available at: [url](#).

- fabricating false evidence leading to the conviction to death of an innocent person;
- aiding suicide of a child or lunatic;
- armed robbery (under the Robbery and Firearms Decree 1984).<sup>493</sup>

Under the Nigerian Criminal Procedure Act, the age to be tried as an adult is 17 years or over<sup>494</sup>; if the person convicted for murder and sentenced to death has ‘in the opinion of the court (...) not attained the age of seventeen years at the time the offence was committed has been found guilty of murder such offender shall not be sentenced to death but shall be ordered to be detained during the pleasure of the President.’<sup>495</sup>

Death sentences can be executed either by hanging<sup>496</sup> or shooting (firing squad).<sup>497</sup>

### Examples

In September 2017, the Nigerian Senate approved a bill that applies capital punishment for kidnapping if it results in the death of the victim.<sup>498</sup>

Amnesty International reported that in July 2017, ‘state governors agreed to either sign execution warrants or commute death sentences as a way of addressing overcrowding in prisons’. The source reported that in August 2017, ‘the Ogun state government announced that it would no longer maintain an informal commitment to refrain from authorizing executions’.<sup>499</sup>

According to Amnesty International, in 2016 Nigeria executed three persons by hanging in Benin Prison (Edo State). It registered 527 death sentences, representing a huge surge when compared to previous years, bringing the total number of people sentenced to death in the country to 1 979. The authorities pardoned 33 prisoners, exonerated another 32 and commuted a total of 105 death sentences.<sup>500</sup>

In December 2014, 54 Nigerian soldiers were convicted to death by shooting, after a military court found them guilty of mutiny.<sup>501</sup> In September 2014, 12 soldiers were also sentenced to death by court-martial in Abuja, for mutiny and attempted murder of a commanding officer in Maiduguri.<sup>502</sup>

In 2013, Nigeria executed four persons who had been sentenced to death.<sup>503</sup>

## 2.6.1 Sharia penal code and the death penalty

Under the various Sharia penal laws applicable to the 12 northern Nigeria states, death penalty is applicable when convicted by one of the following offences:

- *zina* (adultery);
- rape;
- sodomy;
- incest;

<sup>493</sup> HURILAWS, Basic Country Report Nigeria, n.d., available at: [url](#).

<sup>494</sup> Nigeria, Criminal Procedures Act, art. 2, 1990, [url](#)

<sup>495</sup> Nigeria, Nigeria Criminal Code Act, art. 319 (2), 1990, available at: [url](#)

<sup>496</sup> Nigeria, Criminal Procedures Act, art. 367 (1), 1990, [url](#)

<sup>497</sup> Nigeria, Robbery and Firearms Decree 1984, available at: [url](#)

<sup>498</sup> Daily Trust, Death penalty for kidnappers, 20 January 2017, [url](#); AI, Amnesty International Report 2017/18, Nigeria, 24 February 2018, [url](#)

<sup>499</sup> AI, Amnesty International Report 2017/18, Nigeria, 24 February 2018, [url](#)

<sup>500</sup> AI, Death Sentences and Executions in 2016, 11 April 2017, [url](#)

<sup>501</sup> BBC, Nigerian soldiers given death penalty for mutiny, 17 December 2014, [url](#)

<sup>502</sup> BBC, Twelve Nigerian soldiers sentenced to death for mutiny, 16 September 2014, [url](#)

<sup>503</sup> Economist (The), Politics this week, 29 June 2013, [url](#)

- witchcraft and *juju* offences.<sup>504</sup>

According to Hurilaws, under Sharia law, children under 18 years old can be sentenced to death. The age of adulthood is flexible: ‘the age at which a person becomes responsible for his or her acts, often taken at the age of puberty [*taklif*].<sup>505</sup> Children under 18 are therefore possibly subject to death penalty.<sup>506</sup> Similarly, another source indicates that ‘no sentence of *hudud*<sup>507</sup> or *qisas*<sup>508</sup> shall be imposed on a person who is under the age of *taklif*.<sup>509</sup>

The execution of death sentences under Sharia law include hanging, stoning (*rajm*) and crucifixion (*salb*). The latter two are applicable only to Muslims. Stoning is applicable in cases of *zina* (adultery), rape (if the offender is married), incest (if the offender is married) and homosexual sodomy, whereas crucifixion (*salb*) is the punishment for armed robbery (*hirabah*) resulting in death when property is actually taken.<sup>510</sup>

Abdul Raufu Mustapha, associate professor of African Politics at the Oxford Department of International Development published a study titled ‘Exploring 15 years of Sharia implementation in northern Nigeria’, where it is found that the ‘Islamic criminal law was not being imposed on non-Muslims against their will, and serious punishments such as amputations and stoning to death were rarely being imposed – and where they were imposed, were not being executed’. The study also indicates that the record keeping of court sentences is very poor and information is lacking.<sup>511</sup>

According to Elizabeth Peiffer, attorney and author of a study on death penalty and its interpretation under traditional Islamic law in Nigeria, although the 12 northern states adopted Shari'a's penal code and criminal law, the ‘rigidity’ of its application ‘varies greatly from state to state’. Shari'a law applies only to Muslim citizens, and non-Muslims in the northern states are tried by common law courts or customary courts.<sup>512</sup>

As most Nigerian Muslims are Sunni<sup>513</sup>, they follow the Maliki school of jurisprudence, which is considered to be ‘fairly flexible’ due to the sources of it uses: *urf*, the useful public practice, and *maslaha*, the public good. According to Peiffer, ‘Shari'a courts decide cases on a case-by-case basis, without the use of precedent’ and, contrary to secular law, the ‘Maliki school of jurisprudence provides that a person is presumed guilty until innocence is proven’.<sup>514</sup>

## 2.6.2 Offences subjected to death penalty in the Sharia law

Peiffer indicates that the implementation of Sharia law in northern states ‘has resulted in harsher punishments and less discretion for judges’; Zina (adultery), for example, ‘previously punishable by flogging, now carries a mandatory death sentence, by stoning’.<sup>515</sup>

<sup>504</sup> HURILAWS, Basic Country Report Nigeria, n.d., available at: [url](#)

<sup>505</sup> *Taklif* means the age of puberty of a person, [url](#)

<sup>506</sup> HURILAWS, Basic Country Report Nigeria, n.d., available at: [url](#)

<sup>507</sup> *Hudud* [plural of *hadd*] means offences or punishments that are fixed under the Sharia and includes offences or punishments in Section 57 of Sharia Penal Code, [url](#). The concepts of Hadd and Hudud can be seen here: Brown, Jonathan A.C., Stoning and Hand Cutting—Understanding the Hudud and the Shari'ah in Islam, 12 January 2017, [url](#)

<sup>508</sup> *Qisas* means punishments inflicted upon the offenders by way of retaliation for causing death of or injuries to a person [url](#)

<sup>509</sup> CILS, Harmonised Sharia Criminal Procedure Code, 2007, [url](#)

<sup>510</sup> Cornell Law School, Cornell center on the Death Penalty Worldwide, info current as of 19 June 2014, [url](#)

<sup>511</sup> Mustapha, Abdul Raufu, Exploring 15 years of Sharia implementation in northern Nigeria, October 2016, [url](#), p. 5

<sup>512</sup> Peiffer, Elizabeth, The Death Penalty, 2005, available at: [url](#)

<sup>513</sup> Harvard University, Harvard Divinity School, Religious Literacy Project, Islam in Nigeria, n.d., [url](#)

<sup>514</sup> Peiffer, Elizabeth, The Death Penalty, 2005, available at: [url](#)

<sup>515</sup> Peiffer, Elizabeth, The Death Penalty, 2005, available at: [url](#)

According to the author, ‘apostasy, a *hadd*<sup>516</sup> offense for which the penalty is death, is not included in the Shari’a penal codes, probably due to the diversity of religion in Nigeria’.<sup>517</sup> Contrarily, other sources indicate that indeed apostasy is a crime with a mandatory death sentence in the northern states in Nigeria, although there are no recent reports of its actual execution.<sup>518</sup> One source indicates that ‘conversion to Judaism or Christianity is explicitly permitted’.<sup>519</sup>

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<sup>516</sup> Singular of *Hudud*. The concepts of *Hadd* and *Hudud* can be seen here: Brown, Jonathan A.C., *Stoning and Hand Cutting—Understanding the Hudud and the Shariah in Islam*, 12 January 2017, available at: [url](#)

<sup>517</sup> Peiffer, Elizabeth, *The Death Penalty*, 2005, available at: [url](#)

<sup>518</sup> Cornell Law School, *Death Penalty Database, Nigeria*, last updated 19 June 2014, [url](#); *Chicago Tribune*, *Leaving Islam is not a capital crime*, 2 April 2006, [url](#); *Premium Times*, *Dons disagree on abolition of death penalty in Nigeria*, n.d., [url](#)

<sup>519</sup> Cornell Law School, *Death Penalty Database, Nigeria*, last updated 19 June 2014, [url](#)

## 3. Targeted individuals

### 3.1 Persons targeted by Boko Haram

#### 3.1.1 General

Boko Haram is a group of Salafi-jihadist ideology<sup>520</sup>, that defends the replacement of the secular Nigerian state by an Islamic one with strict compliance to Sharia law, throughout the country<sup>521</sup>. The establishment of such state (caliphate) can be achieved through violence<sup>522</sup> against westerners and ‘unbelievers’<sup>523</sup>, a broad category that includes all who defy the groups’ religious and political beliefs, including Muslims seen as *kuffir* (non-believers)<sup>524</sup>. For more information on Boko Haram, see Section [2.1](#).

Sources argue that the organisation started as a ‘religiously inspired societal transformation’<sup>525</sup>, but gave way - after Yusuf’s killing by the Nigerian security forces in 2009 -, to a violent organisation led by Abubakar Shekau<sup>526</sup> with the main objective of creating an Islamic state in northern Nigeria.<sup>527</sup>

Researcher Alexander Thurston argues that Yusuf’s Boko Haram had already been involved in a violent ‘uprising in December 2003 in rural northeastern Nigeria’.<sup>528</sup>

Under the early days of Shekau’s rule in 2009, violence mainly targeted the Nigerian security forces; it gradually shifted into a wider range of targets, or just anyone who opposed, or was perceived as opposing the group, including Muslims who did not follow Boko Haram’s interpretation of the Sharia.<sup>529</sup>

Shekau’s Boko Haram expanded its targets to ‘Christians, critical Muslim clerics, traditional leaders, suspected collaborators, UN agencies, bars and schools’, and ‘neighbourhood chiefs who it believes helped troops identify members and Muslim clerics who opposed their ideology. They also started killing Borno State ANPP politicians, who they claim reneged on promises.’<sup>530</sup>

In 2011 Boko Haram intensified its attacks on Christian churches; the deadliest attack took place on Christmas eve, when over 40 persons were killed in the bombing of St Theresa Catholic Church in Madalla (outside Abuja). International Crisis Groups reports that on 20 January 2012, the group ‘killed at least 185 people, mostly Muslim civilians, in coordinated bombings and shootings targeting state security agencies in Kano’.<sup>531</sup>

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<sup>520</sup> Counter Extremism Project, Boko Haram, [2017], [url](#)

<sup>521</sup> USIP, Why Do Youth Join Boko Haram?, June 2014, [url](#)

<sup>522</sup> Avi Melamed [blog], What is Salafi Jihadi Ideology?, 16 July 2017, [url](#); Portal (The), “Boko Haram”... the Salafi jihadism cancer in Nigeria, 3 June 2018, [url](#)

<sup>523</sup> Counter Extremism Project, Boko Haram, [2017], [url](#), pp. 2-3; Portal (The), “Boko Haram”... the Salafi jihadism cancer in Nigeria, 3 June 2018, [url](#)

<sup>524</sup> Al, 'Our Job Is To Shoot, Slaughter And Kill', Boko Haram's Reign Of Terror In North-East Nigeria, 2015, [url](#), p. 13.

<sup>525</sup> Mahmood, O.S. & Ani, N.C., Factional Dynamics within Boko Haram, 6 July 2018, [url](#), p.6

<sup>526</sup> Mahmood, O.S. & Ani, N.C., Factional Dynamics within Boko Haram, 6 July 2018, [url](#), p.6

<sup>527</sup> National Geographic Heidi Schultz, Nigeria's Boko Haram: Who Are They and What Do They Want?, 8 May 2014, [url](#); Australian Government, Australian National Security, Boko Haram, [url](#)

<sup>528</sup> Thurston, Alex, Five Myths About Boko Haram, in: Lawfare [blog], 14 January 2018, [url](#)

<sup>529</sup> ISS, How Boko Haram specifically targets displaced people, 6 December 2017, [url](#)

<sup>530</sup> International Crisis Group, Curbing Violence in Nigeria (II): The Boko Haram Insurgency, 3 April 2014, [url](#), p. 14.

<sup>531</sup> International Crisis Group, Curbing Violence in Nigeria (II): The Boko Haram Insurgency, 3 April 2014, [url](#)

### 3.1.2 People perceived as government supporters

Government workers, including politicians, local government officials (or perceived government officials), traditional leaders (given their connection to the secular authority), and civil servants, but also civilians associated with the government, including [CJTF members](#), all fall into the above-mentioned category of ‘unbelievers’ or *kuffirs*, that are systematically targeted. Amnesty International reports that Boko Haram performed searches on civilians for government-issued ID cards, as those are considered proof of association with the government. Boko Haram refers to ‘all those living in Maiduguri (Borno State) as unbelievers’.<sup>532</sup>

In a video released in December 2014, Abubakar Shekau directly threatened local vigilantes, stating that Boko Haram will fight all who have prevented the group from thriving in North East Nigeria.<sup>533</sup>

### 3.1.3 Persons rejecting Sharia law / ‘Infidels’

Religious Islam leaders who disagreed with the terrorist group’s methods were said not to be true Muslims (unbelievers or ‘infidels’) and therefore targets of Boko Haram’s violence<sup>534</sup>; they were ‘often among the first targets for assassination when Boko Haram raided a town or village’.<sup>535</sup>

In May 2014, Boko Haram killed the Emir of Gwoza (Borno State) after he voiced his disapproval of the group’s methods; he was one of the 336 people killed in that single incident.<sup>536</sup> In September of the same year, the group executed ‘the most senior Muslim cleric in Gamboru-Ngala’.<sup>537</sup>

AI reports of Christians and Muslims offered ‘conversion’ and joining Boko Haram, in exchange for sparing their lives. If they do not join the group, they ‘may be killed or forced to leave their homes’.<sup>538</sup>

In November 2017, at least 50 worshippers were killed in a suicide bomb attack in a mosque in Unguwar Shuwa, Mubi (Adamawa State).<sup>539</sup> Early January 2018, another suicide attack in a mosque was attributed to Boko Haram, killing 11 people.<sup>540</sup>

Boko Haram attacked and destroyed numerous mosques in North East Nigeria. In April 2018, two suicide bombers attacked a mosque in Bama (Borno State), killing four worshippers. The town had been totally destroyed in Boko Haram attacks in 2014; people had started to return and rebuild the site.<sup>541</sup>

### 3.1.4 Christians

Scholar Pérouse de Montclos argues that the changes in Boko Haram’s structure also translated into a shift of targets. Before 2009, Boko Haram hardly targeted any Christians. For example, the coordinated attacks on police stations in Yobe on 24 December 2003 (Christmas eve) had no

<sup>532</sup> AI, ‘Our Job Is To Shoot, Slaughter And Kill’, 2015, [url](#), p. 13; ISS, How Boko Haram specifically targets displaced people, 6 December 2017, [url](#)

<sup>533</sup> Sahara Reporters, Boko Haram Leader, Shekau, Releases New Video; Vows To Attack Emir Sanusi Of Kano, 17 December 2014, [url](#)

<sup>534</sup> Sahara Reporters, Boko Haram Leader, Shekau, Releases New Video; Vows To Attack Emir Sanusi Of Kano, 17 December 2014, [url](#); AI, ‘Our Job Is To Shoot, Slaughter And Kill’, Boko Haram’s Reign Of Terror In North-East Nigeria, 2015, [url](#), p. 13

<sup>535</sup> AI, ‘Our Job Is To Shoot, Slaughter And Kill’, Boko Haram’s Reign Of Terror In North-East Nigeria, 2015, [url](#), p. 13

<sup>536</sup> NBC news, Bloody Toll: Boko Haram Behind Deadliest Killing Spree Since 9/11, 13 June 2014 [url](#)

<sup>537</sup> Pham, J. Peter, How Boko Haram Became the Islamic State’s West Africa Province, Winter 2016, [url](#)

<sup>538</sup> AI, ‘Our Job Is To Shoot, Slaughter And Kill’, 2015, [url](#), p. 13

<sup>539</sup> Mail Online, Boko Haram jihadist slaughters 50 worshippers after blowing himself up during morning prayers inside a Nigerian mosque, 21 November 2017, [url](#)

<sup>540</sup> Al Jazeera, Suicide attack on Nigeria mosque causes multiple deaths, 3 January 2018, [url](#)

<sup>541</sup> Japan Times, Two suicide bombers kill four in north Nigeria mosque in town ravaged by Boko Haram, 23 April 2018, [url](#)

connection with the symbolism of the date to Christians, but rather with the fact that the holiday period facilitated the actions.<sup>542</sup>

Only after the extrajudicial killing of Yusuf in 2009 the group shifted targets; Pérouse de Montclos refers to it as the process of moving ‘from insurgency to terrorism’, where the targeting of the ‘Christian communities has testified to the radicalisation and professionalisation of the sect’.<sup>543</sup>

The reasoning behind this shift could be explained by the need of ‘international audience’ and exposure, as, in the wordings of Pérouse de Montclos, in the ‘Western media, first, it pays more to attack Christians rather than Muslims – hence a better chance to publicise the local struggle of an Islamist sect. Moreover, Boko Haram can now claim to be part of a global holy war [...] when it pretends to defend Muslims against Christian aggressors’ and therefore raising ‘external support from organisations based in Arab countries’. Lastly, the author indicates that to some extent, ‘attacking Christians is a way to force Nigerian Muslims to take sides’.<sup>544</sup>

On 17 June 2012, International Crisis Group reported that ‘coordinated attacks on three churches in Kaduna drew reprisals by Christian youths, sparking three days of fighting that left over 70 dead and at least 130 severely wounded. The president of the Christian Association of Nigeria (CAN), Bishop Ayo Oritsejafor, said, “Boko Haram has declared war on Christians and Christianity in Nigeria”’.<sup>545</sup>

According to data by the Nigeria Security Tracker (Council on Foreign Relations - CFR), ‘through 2014, Boko Haram targeted churches more often than mosques’; the CFR states that the explanation resided in the fact that ‘the group has closely linked Christianity with the West, Nigeria’s secular government, and ethnic groups from other parts of Nigeria that are often perceived as rivals for local influence’. The same source indicates that from 2015, the group has attacked more mosques than churches, despite no clarity on the reasoning behind that change.<sup>546</sup>

In February 2014, Boko Haram killed 106 Christians in Izghe (close to Cameroon border); according to the source, the terrorist group separated Muslims and Christians, killing the latter immediately.<sup>547</sup>

On 29 July 2014 two suicide bombings by Boko Haram in Yobe State killed at least 13 people; the first was aimed at the Izala society worship place, the second at a mosque in Potiskum. The previous day, Boko Haram killed eight people in Katarko in Yobe State and abducted a ‘Muslim cleric Sheriff Ali, his wife and two other people’.<sup>548</sup> The NGO CSW, based on local sources, reported the destruction of five Christian churches on 30 July 2014 in Hawul Local Government Area (LGA) (Borno State).<sup>549</sup>

During the takeover of Gwoza (Borno State) in 2014, Boko Haram is said to have beheaded those Christian men who refused to convert and married off the women to Boko Haram fighters.<sup>550</sup>

On 4 August 2016, Abu Musab al-Barnawi, portrayed as ‘the new Boko Haram leader’ – or leader of the ISAWP Boko Haram faction<sup>551</sup>) vowed to target Christians and churches specifically, ‘while ending attacks on mosques and markets used by ordinary Muslims’. This, according to the New York Post, indicated a major shift in strategy for the Nigerian extremists, who have killed many more Muslims than Christians in attacks on mosques with suicide bombers and gunmen.<sup>552</sup>

<sup>542</sup> Pérouse de Montclos, Marc-Antoine, Boko Haram and politics: From insurgency to terrorism, 2014, [url](#), pp. 135-139

<sup>543</sup> Pérouse de Montclos, Marc-Antoine, Boko Haram and politics: From insurgency to terrorism, 2014, [url](#), pp. 137-139

<sup>544</sup> Pérouse de Montclos, Marc-Antoine, Boko Haram and politics: From insurgency to terrorism, 2014, [url](#), pp. 137-139

<sup>545</sup> International Crisis Group, Curbing Violence in Nigeria (II): The Boko Haram Insurgency, 3 April 2014, [url](#)

<sup>546</sup> CFR, Boko Haram’s Deadly Impact, 20 August 2018, [url](#)

<sup>547</sup> Open Doors, Boko Haram Kill More Than 100 In Northern Nigeria, 23 February 2014 [url](#)

<sup>548</sup> CSW, Nigeria: Boko Haram destroys churches, bombs mosques, 1 August 2014, [url](#)

<sup>549</sup> CSW, Nigeria: Boko Haram destroys churches, bombs mosques, 1 August 2014, [url](#)

<sup>550</sup> Cable (The), Boko Haram ‘beheading’ Christians in Gwoza, 28 August 2014, [url](#)

<sup>551</sup> CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>552</sup> New York Post, New Boko Haram leader vows war on Christians, 4 August 2016, [url](#)

According to the International Society for Civil Liberties & the Rule of Law, quoted in the Vanguard, 250 Christians had been killed by Boko Haram in the first six months of 2018, and more than 2 450 in the period June 2015-June 2018.<sup>553</sup> These numbers could not be corroborated by other sources.

No more recent information on Boko Haram attacks on Christians could be found in the consulted sources within the time frame of writing this report. For attacks on Christians by other actors, see Section [3.8.3.2](#).

### 3.1.5 Teachers / education

Students, teachers and the education system in North East Nigeria have been targeted by Boko Haram due to the group's opposition to Western education.<sup>554</sup>

As a result, according to UNICEF, Boko Haram's actions in North East Nigeria since 2009 have killed 2 259 teachers and displaced 19 000 others, leaving 'almost 1,400 schools [...] destroyed'. In Borno, the worst hit state, 57 % of all schools have been destroyed.<sup>555</sup>

The Global Coalition to Protect Education from Attack (GCPEA) estimates that in the north-east of the country over 1 500 schools have been destroyed by Boko Haram or have been used by Nigerian security forces for military purposes.<sup>556</sup>

Mausi Segun, Executive Director of Human Rights Watch's Africa division and former Senior Researcher on Nigeria, stated during a Chatham House meeting on Boko Haram's impact on education in Nigeria:

'By February 2016, 910 schools had been destroyed and a further 1,400 forced to close. Over 600 teachers have been killed and 19,000 forced to flee. In total, almost a million children have been displaced, including 600,000 who have lost all access to education. The most infamous of these attacks was the Chibok school abduction, just one of the 219 kidnapped girls has been found in the last two years.'<sup>557</sup>

As a reaction to the destruction of the education system in North East Nigeria - but also in other areas affected by criminal and other forms of attacks - the country has endorsed the Safe Schools Declaration (SSD) on 29 May 2015<sup>558</sup>, focused on:

- 'Prevent schools, universities, students, teachers, academics and other education staff from being attacked;
- It encourages the investigation, prosecution and punishment of the perpetrators of attacks; sharing knowledge about effective responses;
- and helping those who have been attacked to recover and rebuild their lives.<sup>559</sup>

To that end, the Education in Emergencies Working Group Nigeria (EiEWGN) was established and it acts as the national coordinating entity providing a national response to the education sector. It is

<sup>553</sup> Vanguard, Nigeria: Herdsmen, Boko Haram Killed 1,750 Christians in First Six Months of 2018, 3 July 2018, [url](#)

<sup>554</sup> BBC, Nigeria's Boko Haram 'forces one million out of school', 22 December 2015, [url](#)

<sup>555</sup> UNICEF, More than half of all schools remain closed in Borno State, epicentre of the Boko Haram crisis in northeast Nigeria, 29 September 2017, [url](#)

<sup>556</sup> Global Coalition to Protect Education from Attack, Education under attack 2018, [2018] [url](#), p. 31

<sup>557</sup> Chatham House, Boko Haram Impacts on Education in North East Nigeria, 26 May 2016 [url](#)

<sup>558</sup> Norway, Foreign Affairs, States that have endorsed the Safe Schools Declaration, last updated 24 July 2018, [url](#); Nigeria was among the first 37 states that endorsed the SSD on 29 May 2015. On 8 March 2018 Nigeria signed the official letter of endorsement

<sup>559</sup> EiEWGN (Education in Emergencies Working Group Nigeria), Safe Schools Declaration in Nigeria, Advocacy Brief, n.d., available at: [url](#)

chaired by the Federal Ministry of Education (FMoE) and co-chaired by UNICEF and Save the Children.<sup>560</sup>

In August 2018, the EiEWGN has gathered the scattered national legal framework and proposed to develop a unified set of legislation to protect students, schools and the education system in Nigeria.<sup>561</sup>

Some of the attacks by Boko Haram (or perceived members of the Boko Haram) on Nigeria's education system between 2009 and 2018 were listed by the EiEWGN:

- '2009 – Success International Private School, Maiduguri: six classrooms and a school office destroyed;
- 2010 – Yerwa Primary School, Maiduguri: 36 classrooms set ablaze;
- 2012– Government Senior Secondary School, Daura, Yobe: two blocks of six classrooms, principal's office, books, and certificates set on fire;
- 2013 – College of Agriculture in Gujba: 40 students killed;
- 2014 – Federal Government College Buni Yadi, Yobe State: 59 students killed;
- 2014 – Government Science Secondary School, Potiskum: 33 students killed;
- 2014 – Government Secondary School, Chibok: 279 girls were abducted, 57 escaped, 103 were released following negotiations, four escaped /were found, and 112 remain in captivity at the time of writing;
- 2015 – College of Administrative and Business Studies, Potiskum: suicide bomb detonated, students killed and injured;
- 2018 – Government Girls Science and Technical College, Dapchi: 110 girls abducted. 105 released and two non-school girls;
- The University of Maiduguri has been repeatedly targeted.<sup>562</sup>

The Education under Attack 2018 report found that there was a surge in school attacks since 2013, when Boko Haram started targeting students and teachers.<sup>563</sup> In July 2013, Abubakar Shekau had publicly approved school attacks and stated that non-Islamic schools should be burnt down.<sup>564</sup>

In 2014 alone, 750 individuals were victims of Boko Haram. Two mass events are noticeable: on 14 April 2014, 276 secondary school girls were abducted by the terrorist group from Chibok, Borno State. On 14 November that year Boko Haram kidnapped more than 300 boys and girls from a primary school in Damasak (Borno State).<sup>565</sup>

In July 2013, Abubakar Shekau stated on video that he would kill all school teachers teaching Western education. From January to September that year, 30 teachers were reported shot dead, some while teaching. In September 2013, gunmen killed 50 students while sleeping in a college in Yobe state.<sup>566</sup>

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<sup>560</sup> Education in Emergencies Working Group Nigeria (EiEWGN), Terms of Reference, May 2013, available at: [url](#)

<sup>561</sup> Education in Emergencies Working Group Nigeria (EiEWGN), Review of Legal Framework for the Protection of Education Institutions from Attack in Nigeria, 3 August 2018, available at: [url](#)

<sup>562</sup> Education in Emergencies Working Group Nigeria (EiEWGN), Review of Legal Framework for the Protection of Education Institutions from Attack in Nigeria, 3 August 2018, available at: [url](#)

<sup>563</sup> Global Coalition to Protect Education from Attack, Education under attack 2018, [2018], [url](#), p. 37

<sup>564</sup> Global Coalition to Protect Education from Attack, Education under attack 2014, [2014], [url](#), p. 7

<sup>565</sup> Global Coalition to Protect Education from Attack, Education under attack 2018, [2018], [url](#), p. 37

<sup>566</sup> Global Coalition to Protect Education from Attack, Education under attack 2014, [2014], [url](#), p. 21

Boko Haram has also attacked universities, including the Maiduguri University<sup>567</sup>, where at least 10 attacks have occurred on the campus and wider university community.<sup>568</sup>

On 30 July 2014, an 18-year-old girl detonated a bomb at the Islamic Legal Studies College in Kano State Polytechnic, killing 16 students.<sup>569</sup>

### 3.1.6 Health workers

Boko Haram has openly condemned the use of Western medicine.<sup>570</sup> A former US diplomat in Nigeria stated that 'Boko Haram is intrinsically opposed to Western science and to Western medicine. It does not even recognise the existence of germs or viruses, because they are not mentioned in the Koran.'<sup>571</sup>

According to information provided in May 2017 by the Assessment Capacities Project (ACAPS), Boko Haram 'targeted and killed medical personnel, and looted and destroyed health facilities.'<sup>572</sup> Although stressing that getting reliable data is a challenge, WHO indicates that since the beginning of the conflict '72 % of health centres have been damaged or destroyed in Yobe and 60 % in Borno'<sup>573</sup>; in the latter, 12 out of 27 LGAs do not provide healthcare.<sup>574</sup>

A 2017 interview with two researchers on health issues indicates that in Borno State, 48 health workers have been killed and over 250 injured as a result of Boko Haram's violent actions. As a consequence, between 2015 and 2017, Borno lost 35 % of their doctors because they moved to other states.<sup>575</sup>

The Borno State health commissioner said that health workers were 'targets of the Boko Haram insurgents', and 'many [...] were killed' while others fled.<sup>576</sup>

According to a study on health services in Yobe State, health workers, especially those involved in immunisation campaigns, were direct targets for Boko Haram. Community members would alert health workers to stop their activities if insurgents were in the vicinity.<sup>577</sup> Already in 2003, northern Nigeria's Muslim leaders opposed polio vaccinations, as they were convinced they were a 'Western plot' to sterilize Muslim girls and that they caused AIDS.<sup>578</sup>

The same study revealed that although freedom of movement increased when health workers were provided with ID cards to cross checkpoints, it made them fearful of using them as it 'exposed their identity to potential insurgents who on occasions targeted killings of government personnel.'<sup>579</sup> According to the same study, Yobe health infrastructure has been targeted by Boko Haram since 2012.<sup>580</sup>

<sup>567</sup> The first incident took place in 2017. The University is owned by the Federal Government of Nigeria.

<sup>568</sup> BBC, 10 April 2018, Why Boko Haram targets Maiduguri university, [url](#); CSW, Nigeria: Boko Haram destroys churches, bombs mosques, 1 August 2014, [url](#)

<sup>569</sup> World Watch Monitor, Boko Haram overruns town, kills 100, 11 August 2014, [url](#)

<sup>570</sup> Reuters, Gunmen kill nine polio health workers in Nigeria, 8 February 2013, [url](#)

<sup>571</sup> Express, 'Intrinsically opposed to medicine' Boko Haram threaten bid to contain Ebola virus, 10 August 2014, [url](#)

<sup>572</sup> ACAPS, ACAPS Briefing Note: Health in Northeast Nigeria, 24 May 2017, [url](#)

<sup>573</sup> WHO, Nigeria Humanitarian Response Plan 2016, [2016], [url](#)

<sup>574</sup> ACAPS, ACAPS Briefing Note: Health in Northeast Nigeria, 24 May 2017, [url](#)

<sup>575</sup> Conversation (The), How Boko Haram is devastating health services in North-East Nigeria, 3 May 2017, [url](#)

<sup>576</sup> Premium Times, Boko Haram destroyed 267 hospitals, clinics in Borno – Commissioner, 10 August 2017, [url](#)

<sup>577</sup> Ager, Alistair K. et al, Health service resilience in Yobe state, 5 October 2015, [url](#)

<sup>578</sup> Reuters, Gunmen kill nine polio health workers in Nigeria, 8 February 2013, [url](#); New York Times (The), Gunmen Kill Nigerian Polio Vaccine Workers in Echo of Pakistan Attacks, 8 February 2013, [url](#)

<sup>579</sup> Ager, Alistair K. et al, Health service resilience in Yobe state, 5 October 2015, [url](#)

<sup>580</sup> Ager, Alistair K. et al, Health service resilience in Yobe state, 5 October 2015, [url](#)

In March 2018 Boko Haram attacked a military base in Rann (Borno State) and killed 11 people, including eight military staff, two aid workers and one medical doctor working for UNICEF. The camp hosts 55 000 IDPs.<sup>581</sup>

In February 2013, gunmen in Kano killed nine immunisation health workers. Although Boko Haram did not claim the attack, sources indicate that the terrorist group had been hitting security forces in the city in the past weeks.<sup>582</sup>

### 3.1.7 Women and children

On 19 February 2018, a faction of Boko Haram<sup>583</sup> abducted 110 children from a public secondary school in Dapchi (Yobe State). On 21 March, the Nigerian government announced 106 (104 schoolgirls, a girl who did not attend school, and a boy) had been released. Five girls died; survivors stated they were not killed by Boko Haram, but died of 'stress and trauma that made them tired and weak'.<sup>584</sup> A Christian girl who refused to convert to Islam is still in captivity to date.<sup>585</sup>

A 27 July 2018 report by the United Nations states that the Nigerian Federal government paid a 'large ransom' to Boko Haram to release the students.<sup>586</sup> The government denied any payment and stated the girls' were released after negotiations done with the help of 'friends of the country'.<sup>587</sup>

Boko Haram attracted international attention with the abduction of 276 girls from their school in Chibok (Borno State) on 14 April 2014<sup>588</sup>, and its leader's video recording where Abubakar Shekau stated the girls would be married to members of the Islamist group or sold in the market as war booty.<sup>589</sup> This was the largest kidnapping led by Boko Haram, and triggered the 'Bring Back our Girls'<sup>590</sup> international campaign.<sup>591</sup>

Boko Haram has abducted around 2 000 women and girls since 2009, 'subjecting them to rape, forced labor and marriage'.<sup>592</sup>

From interviews conducted with rescued female victims of Boko Haram, Human Rights Watch found that women and girls that refused to convert to Islam were subjected to:

'[...] physical and psychological abuse; forced labor; forced participation in military operations, including carrying ammunition or luring men into ambush; forced marriage to their captors; and sexual abuse, including rape. In addition, they were made to cook, clean, and perform other household chores. Others served as porters, carrying the loot stolen by the insurgents from villages and towns they had attacked. While some of the women and girls seemed to

<sup>581</sup> News 24, 3 UN workers among 11 killed in Boko Haram attack in Nigeria, 2 March 2018, [url](#)

<sup>582</sup> Reuters, Gunmen kill nine polio health workers in Nigeria, 8 February 2013, [url](#)

<sup>583</sup> According to human rights activist Aisha Wakil, the al-Barnawi faction confirmed they were behind the abduction. BBC, Dapchi girls: Freed Nigerian girls tell of kidnap ordeal, 22 March 2018, [url](#)

<sup>584</sup> BBC, Dapchi girls: Freed Nigerian girls tell of kidnap ordeal, 22 March 2018, [url](#)

<sup>585</sup> Guardian (The), Boko Haram kept one Dapchi girl who refused to deny her Christianity, 24 March 2018, [url](#); ACLJ, Christian Teen Girl Held Captive 8 Months by Jihadist Army Boko Haram Sends Heartbreaking Recording Asking for Help and Prayer, 24 September 2018, [url](#)

<sup>586</sup> UN, Twenty-second report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities, 27 July 2018, [url](#), p. 13.

<sup>587</sup> Sahara Reporters, Lai Mohammed Lied — UN Report Reveals FG Made 'Large Ransom Payment' To Boko Haram For Dapchi Girls, 16 August 2018, [url](#)

<sup>588</sup> BBC, Chibok abductions in Nigeria: 'More than 230 seized', 21 April 2014, [url](#); BBC, Chibok abduction: The Nigerian town that lost its girls, 14 April 2016, [url](#)

<sup>589</sup> National Geographic, Nigeria's Boko Haram: Who Are They and What Do They Want?, 8 May 2014, [url](#); CNN, Boko Haram Fast Facts, updated 8 May 2018, [url](#)

<sup>590</sup> Bring Back our Girls Campaign, n.d. [url](#)

<sup>591</sup> Al Jazeera, Anatomy of Boko Haram: The Rise and Decline of a Violent Group in Nigeria, 22 April 2018, [url](#)

<sup>592</sup> DW, The women of Boko Haram: Driven to extremism, 7 March 2017, [url](#)

have been taken arbitrarily, the majority appeared to have been targeted for abduction because they were students, Christians, or both.<sup>593</sup>

On the role of women in Boko Haram, see Section 2.1.7.

The Mercy Corps 2016 report finds that although abduction by Boko Haram happens to both young men and women, the latter ‘were more likely to join through the forced rather than the voluntary end of the spectrum’.<sup>594</sup>

Amnesty International reports that during their raids, Boko Haram separated single women and girls; some escaped, others were freed after families paid ransom. Those who stayed were forced to marry Boko Haram members, perform house chores and were raped. Amnesty refers that ‘a bride price was paid to family members or to the woman or girl herself, although the circumstances show that the marriage was forced’.<sup>595</sup>

According to Sherrie Russel-Brown, a researcher and international lawyer focusing on armed conflict, gender, security, international justice, and humanitarian law in sub-Saharan Africa, no member of Boko Haram has yet been prosecuted for sexual violence.<sup>596</sup>

According to Human Rights Watch, ‘attacks on education disproportionately affect girls, who are sometimes the focus of targeted attacks and are more likely to be kept out of school due to security concerns’.<sup>597</sup>

When returning to their communities, some women faced different challenges: some women did not have a community to go back to, as their villages had been destroyed, or their relatives were no longer traceable. Others faced mental health issues, with traumas acquired by their experiences in captivity or due to violent actions by Boko Haram.<sup>598</sup> Other women and girls did not report any challenges. According to the Mercy Corps, women perceived as not aligning with the insurgents would be welcomed into their former communities.<sup>599</sup>

### 3.1.8 IDPs

Medicins Sans Frontieres, quoting the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in January 2018 state that ‘more than 1.7 million people have been internally displaced by fighting in the northeastern states of Borno, Adamawa, and Yobe. Of these, 78 percent are in Borno’.<sup>600</sup>

International Organization for Migration (IOM) data show a total of 1 926 748 displaced individuals in the six states most affected by the conflict in North East Nigeria as of 24 August 2018. This implies an increase by 8 240 IDPs compared to the situation in June 2018.<sup>601</sup>

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<sup>593</sup> Human Rights Watch, “Those Terrible Weeks in Their Camp”, Boko Haram Violence against Women and Girls in Northeast Nigeria, 27 October 2014, [url](#)

<sup>594</sup> Mercy Corps, Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth, April 2016, [url](#), p. 11

<sup>595</sup> AI, ‘Our Job is to Shoot, Slaughter and Kill’, Boko Haram’s Reign of Terror in North-East Nigeria, 2015, [url](#)

<sup>596</sup> Russel-Brown, Sherrie, Boko Haram’s Violence Against Women and Girls Demands Justice, 11 May 2018, available at: [url](#)

<sup>597</sup> Human Rights Watch, Submission by Human Rights Watch to the Committee on the Elimination of Discrimination Against Women, November 2016, [url](#), p. 2

<sup>598</sup> News Deeply, Starved and Beaten: The Cost of Refusing to Be a Boko Haram Bomber, 28 November 2017, [url](#)

<sup>599</sup> Mercy Corps, Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth, April 2016, [url](#), p. 16

<sup>600</sup> MSF, Nigeria: Providing Much-Needed Care in Isolated Enclaves, 17 January 2018, [url](#)

<sup>601</sup> IOM, Nigeria — Displacement Report 24 (August 2018), 5 September 2018, [url](#)

**Number of IDPs in North East Nigeria as of 24 August 2018**

State	Number of IDP individuals	Change compared to June 2018
<b>ADAMAWA</b>	183 570	4 593
<b>BAUCHI</b>	62 687	1 422
<b>BORNO</b>	1 441 635	1 682
<b>GOMBE</b>	34 057	-483
<b>TARABA</b>	67 211	100
<b>YOBE</b>	137 588	926
<b>Total</b>	<b>1 926 748</b>	<b>8 240</b>

Source: IOM<sup>602</sup>

The largest IDP populations are located in Borno (about 1.4 million, constituting 75 % of all IDPs), Adamawa (about 9 %) and Yobe (about 7 %). The increase in IDP numbers is due to arrivals of people from inaccessible locations, fleeing military operations as well as refugees returning from Cameroon.<sup>603</sup>

About 94 % of the displacements were due to insurgency, followed by community clashes (6 %). 79 % of the IDPs are women and children. 54 % are female, 46 % are male. 27% of the IDP population are children under 5 years. 60 % of IDPs live in host communities and 40 % in camps, with the exception of Borno, which has an almost equal share of IDPs living in camps and host communities.<sup>604</sup>

As of 24 August 2018, IOM reported that a total of 1 580 093 returnees (nearly all former IDPs) were recorded in the three states Adamawa, Borno and Yobe. This is an increase by more than 30 000 or 2% since June 2018.<sup>605</sup>

According to the Institute for Security Studies (ISS), evidence exists indicating that Boko Haram directly targets IDP and refugee populations.<sup>606</sup> OCHA, on the other hand, states that there is no clear indication that refugees and IDPs are targeted as a separate group, although the number of refugees and IDPs attacked in recent years has increased.<sup>607</sup> This fact, according to OCHA raises ‘fears that Boko Haram has adopted new tactics that directly target IDP or refugee sites, and threaten the safety of both displaced people and aid workers’.<sup>608</sup>

After the apparent split of Boko Haram, Shekau’s faction has launched more indiscriminate strikes, being ‘responsible for the majority of attacks on displaced people’, while the faction led by al-Barnawi has a stronger focus on attacking security forces.<sup>609</sup>

<sup>602</sup> IOM, Nigeria — Displacement Report 24 (August 2018), 5 September 2018, [url](#)

<sup>603</sup> IOM, Nigeria — Displacement Report 24 (August 2018), 5 September 2018, [url](#)

<sup>604</sup> IOM, Nigeria — Displacement Report 24 (August 2018), 5 September 2018, [url](#)

<sup>605</sup> IOM, Nigeria — Displacement Report 24 (August 2018), 5 September 2018, [url](#)

<sup>606</sup> ISS, How Boko Haram specifically targets displaced people, 6 December 2017, [url](#)

<sup>607</sup> OCHA, Lake Chad Basin crisis update no. 19, 18 September 2017, [url](#)

<sup>608</sup> OCHA, Lake Chad Basin crisis update no. 19, 18 September 2017, [url](#); ISS, How Boko Haram specifically targets displaced people, 6 December 2017, [url](#)

<sup>609</sup> ISS, How Boko Haram specifically targets displaced people, 6 December 2017, [url](#)

In March 2018 Boko Haram attacked a military base in Rann (Borno State) where 55 000 IDPs are hosted. During the attack, 11 people were killed, including eight military staff, two aid workers and one medical doctor working for UNICEF.<sup>610</sup>

In September 2017, at least 11 people were killed and another two wounded in an attack to an IDP camp in Banki (Borno State). The attackers also stole food rations given to IDPs. In January 2017, a 10 years old girl died in a 'botched suicide attack' when the explosives she was carrying detonated outside the camp. In April 2016, seven people were killed in the same camp, in a suicide bombing led by two women.<sup>611</sup>

### 3.1.9 Journalists

Nigerian media outlets reporting on Boko Haram have been attacked and threatened by Boko Haram<sup>612</sup> and had to increase physical security measures to protect both buildings and journalists. Protecting journalists is however, challenging, as most media outlets in Nigeria face budgetary constraints that limit their capacity to provide adequate training or protection equipment. In practice, media outlets do not send reporters to cover news in areas controlled by Boko Haram, unless journalists volunteer. Journalists are encouraged to inform the Nigerian Armed Forces when covering news in those areas, but state that 'Nigerian security forces are not necessarily able to help'.<sup>613</sup>

Eniola Bello, Director of ThisDay - the newspaper whose offices were attacked in 2012 by Boko Haram -, stated in 2015 that his paper's journalists withdrew from areas where they received threats. Kabiru Yusuf, Chairman of Media Trust Ltd (owner of several nationwide media outlets) declared 'our main weapon is avoidance' and 'we try not to be heroic'.<sup>614</sup>

Early in 2018, Boko Haram threatened to attack media outlets in Nigeria, in retaliation to what the terrorist organisation considers to be 'misinforming the publics about their operation, lies, dishonouring their prophet, Mohammad'.<sup>615</sup>

After publishing an article titled 'Why Boko Haram don't deserve our amnesty' on 7 May 2015 - written after a field trip to Adamawa State to report on the consequences of the presence of Boko Haram in the area -, journalist Adeola Akinremi received death threats from the terrorist organisation.<sup>616</sup> Since then, Akinremi avoided writing about Boko Haram.<sup>617</sup>

On 26 April 2012, Boko Haram attacked the offices of the daily newspaper ThisDay in Abuja and Kaduna, killing seven people. The terrorist group claimed authorship of the attacks, stating the newspaper's article connecting the Miss World beauty contest and Prophet Muhammad were blasphemous. The group threatened to continue attacking national and international media for 'attacks against Islam'.<sup>618</sup>

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<sup>610</sup> News 24, 3 UN workers among 11 killed in Boko Haram attack in Nigeria, 2 March 2018, [url](#)

<sup>611</sup> Al Jazeera, At least 11 civilians killed in Boko Haram attack, 2 September 2017, [url](#)

<sup>612</sup> Freedom House, Freedom in The World 2018, Nigeria, 16 January 2018, [url](#)

<sup>613</sup> IPI, Nigerian media seek to cope with Boko Haram threat, 28 July 2015, [url](#)

<sup>614</sup> IPI, Nigerian media seek to cope with Boko Haram threat, 28 July 2015, [url](#)

<sup>615</sup> Vanguard, Nigeria: Boko Haram Threatens to Attack Media Houses in Nigeria, 3 January 2018, available at: [url](#)

<sup>616</sup> IPI, Nigerian media seek to cope with Boko Haram threat, 28 July 2015 [url](#); Cable (The), Why Boko Haram don't deserve our amnesty, 7 May 2015, [url](#)

<sup>617</sup> CPJ, Boko Haram threatens to kill Nigerian journalist, [url](#)

<sup>618</sup> BBC, Nigeria's Boko Haram militants claim ThisDay attacks, 2 May 2012, [url](#); BBC, Nigeria's ThisDay newspaper hit by Abuja and Kaduna blasts, 26 April 2012, [url](#)

Enenche Akogwu, reporter for Channels televisions, was killed on 20 January 2012 in Kano while reporting on the multiple bomb attacks to government buildings in the city. Boko Haram claimed authorship of the blasts that killed at least seven people.<sup>619</sup>

Alhaji Zakariya Isa, a cameraman working for the Nigerian Television Authority was murdered by Boko Haram in Maiduguri (Borno State) on [22] October 2011, for being ‘an informant for the security services’.<sup>620</sup>

## 3.2 Persons involved in militant groups in the Niger Delta

### 3.2.1 Definition of profile

Militants in the Niger Delta can have two profiles: as targeting actors, for example by kidnapping and attacking oil installations and pipelines, and they can be targeted themselves by state and non-state actors. The first profile has been discussed in Chapter 2.2, including their structure and modus operandi, and the state response.

The current chapter discusses the second profile of targeted members or supporters of Niger Delta militants. The most active and well-known militant groups in the Niger Delta are the Niger Delta Avengers, and to a lesser extent MEND. However, many more less-known militant groups are active, and in news reports often no specific group is mentioned. Therefore, unless specified otherwise, the following description of human rights violations, possibility to relocate and means to redress relate to militant groups active in the Delta area in general.

### 3.2.2 Attitude by authorities and human rights violations

#### 3.2.2.1 State reaction

In April 2016, President Buhari said that ‘saboteurs and vandals of the oil and gas installations in the Niger Delta region would be given the Boko Haram treatment should they continue with their nefarious acts.’ This ‘threat to treat secular Delta militants in the same fashion as Boko Haram’s Islamist fighters’ is considered by an analyst of the Jamestown Foundation as a sign that the federal government has to act quickly to prevent an economic crisis.<sup>621</sup> The above-mentioned military operation, Operation Crocodile Smile, was launched on 29 August 2016, in addition to the ongoing military Operation Delta Safe, led by the Joint Task Force (JTF) and aimed at ‘ending bunkering and other forms of crude oil theft’.<sup>622</sup>

JTF personnel have been accused in 2016 of ‘demolishing homes, beating up residents and stealing speedboats in Ijaw communities’.<sup>623</sup>

Between 6 and 31 October 2017, Operation Crocodile Smile II was launched in the Niger Delta to stop ‘illegal oil bunkering, militancy, kidnapping, cultism and pipeline vandalism’.<sup>624</sup> In February 2018, Operation Crocodile Smile III was launched.<sup>625</sup>

<sup>619</sup> Channelstv, Channels Television Reporter Enenche Akogwu Killed in Kano Blasts, 21 January 2012, [url](#); Thenet, Channels TV Reporter Enenche Akogwu, Killed In Kano Blasts, 21 January 2012, [url](#);

<sup>620</sup> Reuters, Nigerian sect says killed journalist for spying, 25 October 2011, [url](#); IPI, NTA cameraman killed in Nigeria, Islamist terror group Boko Haram believed to be responsible, 24 October 2011, [url](#); BBC News, Nigerian reporter death blamed on Islamists Boko Haram, 23 October 2011, [url](#)

<sup>621</sup> Vanguard (The), Again, Buhari threatens to give militants Boko Haram treatment if..., 28 August 2016, [url](#); Jamestown Foundation, ‘Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta’, 16 September 2016, [url](#), pp.7-11

<sup>622</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>623</sup> Jamestown Foundation, Nigeria Expands Its ‘War on Terrorism’ to the Niger Delta, 16 September 2016, [url](#)

<sup>624</sup> Daily Trust, Operations Crocodile Smile II successful – Buratai, 31 October 2017, [url](#)

<sup>625</sup> Vanguard (The), Operation Python Dance III, others will soon come up – Buratai, 2 February 2018, [url](#)

According to the UN Security Council report of 26 December 2017, '[t]he level of armed violence in the Delta area remained low owing to the reinstated amnesty programme, new deployments of troops in six Delta states and peace initiatives by local, regional, and national leaders.'<sup>626</sup>

### 3.2.2.2 Arrests

The 2017 US DoS report notes: 'There were reports of warrantless arrests of young men in the Niger Delta region on suspicion of having links with militant groups.'<sup>627</sup>

On 10 December 2017, the Ijaw Youth Council (IYC), a sociocultural group of the largest ethnic group in the region, sent a petition to several international human rights organisations to ask for attention for 'the continued detention of people of Niger Delta origin by the Directorate of State Security (DSS)<sup>628</sup> and other security agencies.' According to the IYC, more than 50 people from the Niger Delta area are detained without trial by the DSS, 'in relation to their agitation for a better Niger Delta'. Most of the people have been detained for more than a year, including persons whose freedom has been ordered by court.<sup>629</sup>

In 2018, several Niger Delta militants were arrested:

On 12 January 2018, a notorious Niger Delta warlord, nicknamed Karewei, was arrested by the JTF and been shot dead in a gun fight with his group members who tried to rescue him. Karewei was found responsible for kidnapping and killing a British missionary in October 2017.<sup>630</sup>

In Rivers, two principal members of the Amalgamated NDA demanding ransom from an oil company to prevent the abduction of their workers were arrested on 12 April 2018.<sup>631</sup> The JTF in Bayelsa State on 3 May 2018 announced that in the last 15 months 'it has recovered massive high-calibre weapons used by militants and suspected oil thieves in the Niger Delta'. A total of 1 843 persons involved in criminal acts were arrested and a large percentage transferred to prosecuting authorities.<sup>632</sup>

On 3 May 2018, the Joint Military Taskforce, under Operation Delta Safe, announced it had 'neutralised' or rather 'killed' four top Niger Delta militants and dismantled militant camps from the nine states of the Niger Delta region. Troops acting under Operation Restore Hope had recovered 1 389 heavy arms and a large amount of ammunition.<sup>633</sup>

Objections against the military operations were, amongst others, that 'the Niger Delta militants could not be called terrorists "in the real sense of the word"', and included local military challenges such as dangerous, highly inflammable terrain in a densely populated region. Local Ijaw representatives called the operations unjustly targeting and demolishing their communities.<sup>634</sup>

## 3.3 Members and adherents of separatist movements

The wish for an independent state among the Igbo people of South East Nigeria dates back to the colonial times. A coup attempt by Igbo officers, resulting in the killing of 30 000 Igbos in the north

<sup>626</sup> UN Security Council, Report of the Secretary-General on the activities of the United Nations Office for West Africa and the Sahel (S/2017/1104), 26 December 2017, [url](#), p. 4

<sup>627</sup> US DoS, 2017 Country Report on Human Rights Practices, Nigeria, 20 April 2018, [url](#)

<sup>628</sup> Officially, DSS means Department of State Services, see its website [url](#)

<sup>629</sup> Sahara Reporters, Detention Of Niger Delta Activists, 11 December 2017, [url](#)

<sup>630</sup> Daily Post, Army kill arrested militant, Karowei, others, 12 January 2018, [url](#); Sahara Reporters, Nigerian Troops Kill Arrested Militant Warlord And His Gang Members Who Kidnapped And Murdered British Missionary In Delta, 12 January 2018, [url](#)

<sup>631</sup> Sahara Reporters, Police Arrest 2 Alleged Members Of Niger Delta Avengers In Rivers, 12 April 2018, [url](#)

<sup>632</sup> This Day, Military Recovers High-calibre Arms in N'Delta, Arrests 1,846 Suspects, 3 May 2018, [url](#)

<sup>633</sup> Sahara Reporters, Troops 'Kill' Four Top Niger Delta Militants, 3 May 2018, [url](#)

<sup>634</sup> Jamestown Foundation, Nigeria Expands Its 'War on Terrorism' to the Niger Delta, 16 September 2016, [url](#)

deepened the existing ethnic tensions, and culminated in the creation of the Republic of Biafra on 30 May 1967. Nearly 3 years of civil war with the Nigerian army followed. The violence resulted in approximately 1 million people dying in fighting and from famine.<sup>635</sup>

The two main groups aiming for secession are currently the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and the Indigenous People of Biafra (IPOB). There are several other pro-Biafra groups in the south-east but, according to Chatham House, ‘internal disputes have so far prevented them from presenting a unified front’.<sup>636</sup>

### 3.3.1 MASSOB members and adherents

By the end of 1999, a new movement for an independent Biafra, MASSOB, was founded by Ralph Uwazuruike.<sup>637</sup> A report for Chatham House analysed the motivation for joining MASSOB: ‘The desire for independence among the Igbo people of South East Nigeria is fuelled by a feeling of marginalisation, and historical grievances against a state that they say doesn’t represent them.’<sup>638</sup>

MASSOB was banned in 2001.<sup>639</sup> Particularly in the first years of the twenty first century, MASSOB was actively pursuing independence, by organising rallies and protests, hoisting Biafran flags and using its own currency, identity cards, etc. The group defined itself as non-violent and peaceful.<sup>640</sup> However, as International Crisis Group notes, ‘its members, alleging provocation, clashed with police repeatedly, resulting in several members killed.’<sup>641</sup> Its leader Uwazuruike was jailed in 2005 on treason charges and released two years later.<sup>642</sup>

In recent years, MASSOB has fractured into several factions and splinter groups, such as in 2010 the Biafra Zionist Movement or Biafra Zionist Front, and in 2012 IPOB.<sup>643</sup> MASSOB leadership was contested in 2015 and 2016 between Uwazuruike and Uchenna Madu, whose factions expelled each other from the movement. Madu is reportedly more sympathetic to Kanu’s IPOB. In December 2015 Uwazuruike changed the name of MASSOB (or a faction thereof) into Biafra Independent Movement (BIM).<sup>644</sup>

The Nigerian authorities accused MASSOB members of being ‘violent criminals’ and ‘armed robbers’.<sup>645</sup> In May 2013, President Goodluck Jonathan marked MASSOB as one of the three ‘extremist groups threatening the national security’, together with Boko Haram and the Yoruba group Oodua People’s Congress (OPC).<sup>646</sup> The latter conducted violent actions in the South West Zone mainly between 2000 and 2002.<sup>647</sup>

<sup>635</sup> BBC, Biafra: Thirty years on, 13 January 2000, [url](#). For background information on Biafra, see Nnamdi Obasi, Nigeria’s Biafra Separatist Upsurge, 4 December 2015, [url](#), and African Arguments, Nigeria: How to solve a problem like Biafra, 29 May 2017, [url](#)

<sup>636</sup> Chatham House, Calls for Biafran Independence Return to South East Nigeria, 9 November 2017, [url](#)

<sup>637</sup> Canada, IRB, Nigeria: The date the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) was formed, 6 August 2002, NGA39324.E, available at: [url](#)

<sup>638</sup> Chatham House, Calls for Biafran Independence Return to South East Nigeria, 9 November 2017, [url](#)

<sup>639</sup> Canada, IRB, Nigeria: Treatment of members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) (June 2002-July 2004), 13 July 2004, NGA42750.FE, available at: [url](#)

<sup>640</sup> BBC, Reopening Nigeria’s civil war wounds, 30 May 2007, [url](#)

<sup>641</sup> Nnamdi Obasi, Nigeria’s Biafran Separatist Upsurge, 4 December 2015, [url](#)

<sup>642</sup> BBC, Biafran leader Nnamdi Kanu: The man behind Nigeria’s separatists, 5 May 2017, [url](#),

<sup>643</sup> Nnamdi Obasi, Nigeria’s Biafran Separatist Upsurge, 4 December 2015, [url](#)

<sup>644</sup> Canada, IRB, Nigeria: Situation and treatment of members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) (2013-July 2016), 20 July 2016, NGA105577.E, [url](#)

<sup>645</sup> BBC, Reopening Nigeria’s civil war wounds, 30 May 2007, [url](#)

<sup>646</sup> Nnamdi Obasi, Nigeria: How To Solve A Problem Like Biafra, African Arguments, 29 May 2017, [url](#); Nnamdi Obasi, Nigeria’s Biafran Separatist Upsurge, 4 December 2015, [url](#)

<sup>647</sup> HRW, Nigeria - The O’odua People’s Congress: Fighting Violence with Violence, February 2003, [url](#)

Over the years, police and security agencies have clashed hard with MASSOB members, arresting and killing many, during manifestations and rallies.<sup>648</sup> The use of a Biafra flag or currency is considered unlawful and anyone caught in possession of such items will be arrested and can even be accused of sedition or treason.<sup>649</sup>

In March 2016, MASSOB and IPOB issued a statement together that all Fulani herdsmen should retreat to northern Nigeria, as ‘their safety [could] no longer be guaranteed’, because MASSOB and IPOB ‘can no longer tolerate the systematic killing of our people and invasion of our land in the name of cattle grazing’.<sup>650</sup>

### 3.3.2 IPOB members

IPOB grew out of MASSOB. Its leader Nwannekaenyi ‘Nnamdi’ Kanu is the director of the London-based Radio Biafra who parted from MASSOB.<sup>651</sup> He founded the IPOB in 2014.<sup>652</sup> The internal structure consists of state chapters governed by coordinators, under the leadership of Kanu and Uche Mefor as deputy leader; also a Biafra Security Service has been established.<sup>653</sup> A Customary Government of Indigenous People of Biafra is in place as well.<sup>654</sup>

IPOB’s activities include ‘distribution of flyers, awareness-raising amongst the population, meetings, marches, and other gatherings (such as prayer meetings).’<sup>655</sup> Like MASSOB, IPOB claims to be a non-violent organisation – which the government contests.<sup>656</sup>

However, IPOB’s leader Nnamdi Kanu has repeatedly expressed ‘inflammatory statements’ about President Muhammadu Buhari (describing him as ‘terrorist-in-chief’), and the need to arm the movement: at the World Igbo Congress in 2015, he told the audience: ‘we need guns and we need bullets’.<sup>657</sup> International Crisis Group also notes: ‘repudiating MASSOB’s pledge for non-violence, Kanu has strongly endorsed violence as an instrument for resuscitating Biafra.’<sup>658</sup>

March 2016, MASSOB and IPOB issued a statement together that all Fulani herdsmen should retreat to northern Nigeria, as ‘their safety [could] no longer be guaranteed’, because MASSOB and IPOB ‘can no longer tolerate the systematic killing of our people and invasion of our land in the name of cattle grazing’.<sup>659</sup>

In April 2016, the Nigerian secret police accused IPOB of abducting and killing 5 Hausa-Fulani residents, whose bodies were found buried in a forest in Abia State together with 50 other unidentified bodies.

<sup>648</sup> Nnamdi Obasi, Nigeria: How To Solve A Problem Like Biafra, African Arguments, 29 May 2017, [url](#); Canada, IRB, Nigeria: Situation and treatment of members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), including arrest and prosecution; (2013-July 2016), , NGA105577.E, 20 July 2016 [url](#)

<sup>649</sup>; Vanguard, Anybody found with Biafra flag ‘ll be arrested – Abia CP, 16 September 2018, [url](#); BBC, Can Nigeria and Cameroon learn any lessons from Catalonia?, 17 October 2017, [url](#); Denmark, DIS, Report on human rights issues in Nigeria, 18 March 2005, [url](#), p. 11

<sup>650</sup> Vanguard, Biafra: IPOB replies Buhari, says ‘we would also not tolerate Nigeria’, 7 March 2016, [url](#)

<sup>651</sup> Chatham House, Calls for Biafran Independence Return to South East Nigeria, 9 November 2017, [url](#); see also Sweden, Migrationsverket, Lifos, Temarapport Nigeria – Indigenous People of Biafra (IPOB), 19 December 2017, [url](#); Canada, IRB, Nigeria: Situation and treatment of members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), (2013-July 2016), 20 July 2016, NGA105577.E [url](#) and Canada, IRB, Nigeria: The Indigenous People of Biafra (IPOB), (2014-October 2016), NGA105658.E, 10 November 2016, [url](#)

<sup>652</sup> BBC, Biafran leader Nnamdi Kanu: The man behind Nigeria’s separatists, 5 May 2017, [url](#)

<sup>653</sup> Sweden, Lifos, Temarapport Nigeria – Indigenous People of Biafra (IPOB), 19 December 2017, [url](#), p. 5

<sup>654</sup> IPOB Government, Welcome to IPOB Government, n.d., [url](#)

<sup>655</sup> Economist (The), Who are the Niger Delta Avengers?, 1 July 2016, [url](#); IB Times, Niger Delta militants vow to shut oil and gas plants unless Nnamdi Kanu, Sambo Dasuki released, 19 May 2016, [url](#)

<sup>656</sup> Newsweek, Nigeria Declares Biafra Group a ‘Terrorist’ Organization as Civil War Fears Grow, 15 September 2017, [url](#)

<sup>657</sup> IRIN, Nigeria fails to come to grips with separatist ‘New Biafra’, 16 December 2016, [url](#)

<sup>658</sup> International Crisis Group, Nigeria’s Biafran Separatist Upsurge, 4 December 2015, [url](#)

<sup>659</sup> Vanguard, Biafra: IPOB replies Buhari, says ‘we would also not tolerate Nigeria’, 7 March 2016, [url](#)

The allegations were denied by MASSOB, stating that ‘IPOB and MASSOB are non-violent organizations’.<sup>660</sup>

Lifos, the COI unit of the Swedish Migration Agency (Migrationsverket), notes on IPOB’s non-violence claim:

‘IPOB has occasionally resorted to violent rhetorics, not least through the transmissions of Radio Biafra. The occurrence of clashes between security forces and activists, some resulting in casualties on both sides, has also been reported during IPOB arrangements. Nevertheless, the movement appears to have aspired to a non-violent approach with the realisation of a secession through referendum [...] Lifos has not been able to identify information signaling that incidents of violence committed during IPOB manifestations have been endorsed by leaders of the movement.’<sup>661</sup>

IPOB gained importance after the new president Buhari took office in 2015. According to an article for Chatham House, Buhari’s tone towards the people of South East Nigeria was ‘perceived as at best dismissive, and at times hostile’, and he was accused of favouring northerners. IPOB made use of the growing anti-Buhari and pro-Igbo nationalism feelings to ‘reactivate the demand for secession.’<sup>662</sup>

Kanu was arrested by the Nigerian authorities in October 2015.<sup>663</sup> He was released on bail on 28 April 2017, but disappeared in September 2017 after his house was raided by Nigerian army.<sup>664</sup>

Between August 2015 and August 2016, Nigerian security forces led by the army conducted a repressive campaign, extrajudicially killing at least 150 pro-Biafra agitators.<sup>665</sup> In September 2017, security forces cracked down on and arrested over 100 IPOB members in Abia State.<sup>666</sup> About 15 people were reportedly killed as the army invaded the home of the IPOB leader.<sup>667</sup> Amidst the army’s invasion of their residence, the IPOB leader, Nnamdi Kanu and his parents disappeared and their whereabouts remained unknown for more than a year. On 22 October 2018 he ‘resurfaced’ in Israel.<sup>668</sup>

After the crackdown in which the army killed and arrested an unknown number of IPOB members, the military, endorsed by the federal government, banned IPOB and declared it a terrorist organisation.<sup>669</sup> This declaration was not supported by many Nigerians and international observers such as the EU and the US, as the Chatham House article noted. It was stated that ‘IPOB supporters are not known to be violent and that the protests have been largely peaceful’.<sup>670</sup>

In March 2018, an article in the World Politics Review reports that, ‘since the launch of Operation Python Dance II, the southeast has effectively become a police state. Igbos who live elsewhere in the country and who returned for Christmas celebrations last year reported being detained and harassed for hours by Nigerian soldiers conducting stop-and-search operations.’<sup>671</sup>

<sup>660</sup> Vanguard, DSS blames Biafra group after dozens found in shallow graves, 10 April 2016, [url](#)

<sup>661</sup> Sweden, Lifos, Temarapport Nigeria – Indigenous People of Biafra (IPOB), 19 December 2017, [url](#), p. 5

<sup>662</sup> Chatham House, Calls for Biafran Independence Return to South East Nigeria, 9 November 2017, [url](#)

<sup>663</sup> VOA, Nigeria Protesters Demand Release of Jailed Radio Biafra Director 11 November 2015, [url](#)

<sup>664</sup> Chatham House, Calls for Biafran Independence Return to South East Nigeria, 9 November 2017, [url](#)

<sup>665</sup> Al, Nigeria: At least 150 peaceful pro-Biafra activists killed in chilling crackdown, 24 November 2016, [url](#)

<sup>666</sup> UN Security Council, Report of the Secretary-General on the activities of the United Nations Office for West Africa and the Sahel (S/2017/1104), 26 December 2017, [url](#), p. 4. For detailed information on MASSOB and IPOB, see EASO COI report Nigeria, Targeting of individuals, November 2018, [url](#). For IPOB organisation and treatment of members, see Canada, IRB, Nigeria: The Indigenous People of Biafra (IPOB), (2014-October 2016), NGA105658.E, 10 November 2016, [url](#)

<sup>667</sup> Guardian (The), Many feared killed as soldiers lay siege to Nnamdi Kanu’s home, 13 September 2017, [url](#)

<sup>668</sup> BBC, Nnamdi Kanu, Nigerian separatist leader, resurfaces in Israel, 22 October 2018, [url](#)

<sup>669</sup> Newsweek, Nigeria Declares Biafra Group a ‘Terrorist’ Organization as Civil War Fears Grow, 15 September 2017, [url](#)

<sup>670</sup> Chatham House, Calls for Biafran Independence Return to South East Nigeria, 9 November 2017, [url](#)

<sup>671</sup> World Politics Review, Their Leader Is Missing, but Nigeria’s Biafran Separatists Aren’t Backing Down, 6 March 2018, [url](#)

Several sources report support by IPOB for the NDA<sup>672</sup> and vice versa.<sup>673</sup> The NDA criticised President Buhari for the detention of Kanu in October 2015 and threatened to attack oil plants unless he was released.<sup>674</sup>

### 3.3.3 Attitude by authorities

As MASSOB and IPOB have the same aim, are often taken together in media reports, and the authorities tend to react in the same way on rallies, demonstrations and members/supporters of both groups, they are discussed together in this section on human rights violations.

AI reports that IPOB rallies were initially allowed by the authorities, but from September 2015 on, IPOB was declared a threat to Nigeria's security, 'despite the fact that the IPOB protests and gatherings documented by Amnesty International were largely non-violent'. Since Kanu's arrest in October 2015 until November 2016, the DSS has arrested at least eight IPOB leaders, according to AI.<sup>675</sup>

The Nigerian federal authorities consider IPOB's activism as a threat to the national security, 'even if the support for an independent Biafra does not appear to be strong, even not among the Igbo', as Lifos notes. The ban on IPOB in September 2017 implies that all activities were declared illegal; even possession of IPOB material can lead to arrest and prosecution. Several members<sup>676</sup> have been charged with treason which is punishable with the death penalty in Nigeria.<sup>677</sup>

Lifos analyses that 'the vulnerability of arrested persons suspected of IPOB affiliation may have been enhanced following the government's decision to brand IPOB a terror organisation.'<sup>678</sup>

### 3.3.4 Human rights violations - incidents

AI reported that between August 2015 and August 2016, in seven major incidents, 'the security forces have killed at least 150 members and supporters of the pro-Biafran organization IPOB (Indigenous People of Biafra) and injured hundreds during non-violent meetings, marches and other gatherings. Hundreds were also arbitrarily [and randomly] arrested.'<sup>679</sup>

The database NigeriaWatch also reports that at least 146 people were killed during clashes between security forces and IPOB/ MASSOB in 2016. The clashes occurred primarily in the Anambra State (76 deaths), Abia (61 deaths) and Delta (9 deaths). In addition, hundreds of members and supporters have been arrested.<sup>680</sup> In 2017, the highest number of fatalities due to political violence was recorded in Abia State, the headquarters of IPOB. The high number was due to military operations and confrontations with the army. The crisis further spread to the states Anambra, Imo, Rivers and Delta.<sup>681</sup>

Lifos reports: 'During 2015 – 2017, the crackdown on IPOB appear to have caused more than 200 fatalities, whereof the great majority civilian casualties. Additionally, there are reports of hundreds of

<sup>672</sup> Canada, IRB, Nigeria: The Indigenous People of Biafra (IPOB), (2014–October 2016), NGA105658.E, 10 November 2016, [url](#)

<sup>673</sup> Economist (The), Who are the Niger Delta Avengers?, 1 July 2016, [url](#); IB Times, Niger Delta militants vow to shut oil and gas plants unless Nnamdi Kanu, Sambo Dasuki released, 19 May 2016, [url](#)

<sup>674</sup> BBC, Nigeria arrests 'Avengers' oil militants, 16 May 2016, [url](#)

<sup>675</sup> AI, Nigeria: 'Bullets were raining everywhere': Deadly repression of pro-Biafra activists, 24 November 2016, [url](#), p. 5.

<sup>676</sup> These were Bright Chimeze, Benjamin Madubugwu, Chidiebere Onwudiwe and David Nwawuisi. IPOB-leader Nnamdi Kanu is also one of the accused but due to his disappearance, his case will be tried separately. Premium Times, Nigeria: Trial of Biafra Members Resumes Without Nnamdi Kanu, 20 March 2018, [url](#)

<sup>677</sup> Sweden, Lifos, Temarapport Nigeria – Indigenous People of Biafra (IPOB), 19 December 2017, [url](#), pp. 5-6

<sup>678</sup> Sweden, Lifos, Temarapport Nigeria – Indigenous People of Biafra (IPOB), 19 December 2017, [url](#), p. 6

<sup>679</sup> Vanguard, Shut-down for 50th anniversary of Biafra declaration, 30 May 2017 [url](#)

<sup>680</sup> Nigeria Watch, Sixth report on violence in Nigeria, 2016, [url](#)

<sup>681</sup> Nigeria Watch, Seventh report on violence in Nigeria, 2017, [url](#), p. 10

arrested IPOB members and supporters. During the operations against IPOB, the security forces are reported to have committed severe human rights violations in an environment of impunity.<sup>682</sup>

The most violent event took place in several places in South East Nigeria on 30 May 2016, Biafra Remembrance Day. Estimations of people killed vary between at least 20 (International Crisis Group), and 60 (AI).<sup>683</sup> The federal government denies the numbers and says that only five IPOB members were killed.<sup>684</sup> On 30 May 2017, the fiftieth Biafra day was commemorated with massive stay-at-home actions in South East Nigeria without violent confrontations.<sup>685</sup>

On the other hand, the DSS, Nigeria's intelligence service, have accused IPOB of killing 55 people, after their bodies were discovered in a forest in the south-east.<sup>686</sup>

From 15 September to 15 October 2017, the Nigerian army launched a military exercise called Operation Python Dance II in South East Nigeria to tackle 'violent agitation and kidnapping'. In February 2018, Operation Python Dance III was announced.<sup>687</sup>

In September 2017, the army clashed with supporters of the IPOB movement in Abia State. Several protesters were reportedly injured and at least one police officer died.<sup>688</sup> According to AI, at least 10 IPOB members were killed and 12 others injured by soldiers.<sup>689</sup> Human rights organisations were concerned on the military reaction to this incident. The NHRC, cited by US DoS, urged the military to 'respect its rules of engagement' and said it would investigate alleged human rights violations.<sup>690</sup>

On 23 May 2018, the Uwazuruike-led MASSOB faction celebrated Biafra Day, commemorating 'the rededication of Biafra' in 2000. The planned 'peaceful marches' were disrupted and more than 100 protesters, hoisting Biafra flags and other insignia, were arrested by security forces. The Madu-led faction maintains 30 May as Biafra Day, marking the fifty first anniversary of the declaration of Biafra.<sup>691</sup> Biafra Day on 30 May 2018 was marked by 'stay-at-home' actions.<sup>692</sup>

In June 2017, the Arewa Youth Consultative Forum, a coalition of youth leaders in northern Nigeria, issued an ultimatum to Igbos to leave northern Nigeria before 1 October 2017, or face 'visible actions'. The group said it was a response to the 'renewed secessionist agitation for an independent Biafra State' by IPOB (see also the joint MASSOB-IPOB statement against Fulani herdsmen on 7 March 2016<sup>693</sup>). After condemnations by government, religious leaders and UN bodies, the ultimatum was withdrawn.<sup>694</sup>

<sup>682</sup> Sweden, Lifos, Tamarapport Nigeria – Indigenous People of Biafra (IPOB), 19 December 2017, [url](#), p. 6

<sup>683</sup> International Crisis Group, CrisisWatch May 2016, [url](#); AI, Nigeria: 'Bullets were raining everywhere': Deadly repression of pro-Biafra activists, 24 November 2016, [url](#), pp. 5, 33

<sup>684</sup> Vanguard, Shut-down for 50th anniversary of Biafra declaration, 30 May 2017 [url](#); AI, Nigeria: 'Bullets were raining everywhere': Deadly repression of pro-Biafra activists, 24 November 2016, [url](#), p. 33

<sup>685</sup> Vanguard, Shut-down for 50th anniversary of Biafra declaration, 30 May 2017 [url](#).

<sup>686</sup> Vanguard, DSS blames Biafra group after dozens found in shallow graves, 10 April 2016, [url](#)

<sup>687</sup> Vanguard (The), Operation Python Dance III, others will soon come up – Buratai, 2 February 2018, [url](#)

<sup>688</sup> US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

<sup>689</sup> AI, The State of the World's Human Rights - Annual report 2017/18 (covering 2017) - Nigeria, 22 February 2018, [url](#)

<sup>690</sup> US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#); UN Security Council, Report of the Secretary-General on the activities of the United Nations Office for West Africa and the Sahel [S/2017/1104], 26 December 2017, [url](#), p. 3

<sup>691</sup> Premium Times, Biafra: Over 100 arrested as security agencies disrupt MASSOB rallies in South-east, 23 May 2018, [url](#)

<sup>692</sup> BBC, Biafra shutdown cripples Nigerian cities, 30 May 2018, [url](#)

<sup>693</sup> Vanguard, Biafra: IPOB replies Buhari, says 'we would also not tolerate Nigeria', 7 March 2016, [url](#)

<sup>694</sup> UN Security Council, Report of the Secretary-General on the activities of the United Nations Office for West Africa and the Sahel [S/2017/1104], 26 December 2017, [url](#), p. 3; Human Rights Watch, World Report 2018 - Nigeria, 18 January 2018, [url](#); Vanguard, Breaking: Arewa Youths withdraw quit notice, accuse Igbos of amassing weapons, 24 August 2017, [url](#); Sahara Reporters, UN Bodies Denounce Threats To Igbo In Northern Nigeria, 29 August 2017, [url](#)

However, tensions and confrontations between Igbo and Hausa-Fulani remain, such as Fulani attacks in the South East and South South<sup>695</sup> as well as in the north where Igbos fear attacks as reprisal of violence against Hausa in the South East.<sup>696</sup> As the International Crisis Group analyses: ‘An older problem, Biafra separatist agitation in the South East, is provoking dangerous domino effects in the north and Niger Delta, while deadly clashes between herders and farmers are escalating across the central belt and spreading southward.’<sup>697</sup>

### 3.3.5 Means of redress

The violent incidents of 2015 and 2016 were investigated by the Nigerian army as part of a broader Board of Inquiry (BOI). However, according to US DoS, as of November 2017, ‘the government had not adequately investigated or held police or military personnel accountable for extrajudicial killings of supporters of IPOB in 2016.’<sup>698</sup>

The Nigerian NHRC, in a press release on 13 September 2017, said it was ‘highly concerned about the alleged invasion of parts of South East and South South geopolitical zones of the country by the Nigerian Military, urging them to respect their rules of engagement’. The NHRC will collaborate with the authorities ‘to ensure a timely and thorough investigation into the allegations with a view to ensuring that informed decisions are made and appropriate steps taken to have culprits punished and victims redressed in accordance with the law’. The Abia State government has reportedly taken steps ‘to remove fear and forestall further breakdown of law and order’.<sup>699</sup>

## 3.4 Members or supporters of political parties

### 3.4.1 Definition of profile

In this profile, the focus is on the People's Democratic Party (PDP) and the All Nigeria Peoples Party (ANPP), being the most frequently mentioned parties as both perpetrators and victims of human rights violations. However, the ANPP merged in February 2013 with the Action Congress of Nigeria (ACN), the All Progressives Grand Alliance (APGA), and the Congress for Progressive Change (CPC) to form the All Progressives Congress (APC). The PDP was the ruling party from 1999 until 2015, after which the APC took over power.<sup>700</sup>

On 16 February 2019, general elections will be held in Nigeria to elect the President and the National Assembly.<sup>701</sup>

According to the US DoS report 2017 ‘there were no reports of political prisoners or detainees’.<sup>702</sup>

### 3.4.2 Human rights violations

#### 3.4.2.1 Numbers

In an assessment of conflict prevention and resolution mechanisms after the 2015 elections, the Centre for Humanitarian Dialogue (CHD) notes:

<sup>695</sup> Punch, MASSOB, IPOB dare herdsmen, deploy 10,000 men, 20 January 2018, [url](#)

<sup>696</sup> Nigerian Bulletin, IPOB Violence: Tension in Northern Nigeria as Igbos Fear Reprisal Attacks, 16 September 2017, [url](#)

<sup>697</sup> International Crisis Group, Nigeria: Growing Insecurity on Multiple Fronts, 20 July 2017, [url](#)

<sup>698</sup> US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

<sup>699</sup> NHRC, Alleged Invasion; NHRC Charges Military On Rules Of Engagement, 13 September 2017, [url](#)

<sup>700</sup> DW, Nigeria: Ruling APC coalition on the brink of collapse? 6 June 2018, [url](#)

<sup>701</sup> INEC, website, n.d. [url](#)

<sup>702</sup> US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

‘According to the National Human Rights Commission (NHRC), election-related violence killed 58 people between December 2014 and February 2015. At least 50 people were also reported killed in nine of the country’s 36 states on election day and the day after [in March-April 2015], and many fights broke out between supporters of the major parties.’<sup>703</sup>

Figures of fatalities during previous elections were much higher. In an overview of violence between and within political parties in Nigeria between 2006 and 2014, the researcher Cohen found a great difference in political violence between the 2007 and 2011 general elections. ‘During the 2007 election, killings occurred mainly within parties or were linked to the campaign. During the 2011 elections, however, most casualties were reported after the announcement of the results.’<sup>704</sup>

The study (based on 275 ‘relevant incidents involving political parties’ leading to more than 2 000 fatalities between 2006 and 2014) also shows that general elections and people’s protests against fraud are not the most violent political events (constituting less than 50 % of all politically related violence). Violence is rather a tool for politicians: ‘certain parties, such as the PDP, are systematically involved in violence, while others are not. Depending on the states where they operate, some party members seem to be more likely to commit violent crimes than others. Furthermore, they often seem to do so in order to trigger ethno-religious clashes which are more deadly.’<sup>705</sup>

The election years 2007 and 2011 saw a significantly higher number of violent incidents and fatalities, according to data from Nigeria Watch (113 incidents and 295 fatalities in 2007, and 66 incidents and 749 fatalities in 2011) than in the years in-between.<sup>706</sup> However, Human Rights Watch recorded more than 800 people dead after the 2011 elections in which the incumbent president Goodluck Jonathan, a southerner, was re-elected. This occurred in three days of rioting in northern Nigeria when it became clear that the opposition candidate, Muhammadu Buhari, a northern Muslim from the Congress for Progressive Change (CPC) had lost.<sup>707</sup>

Intra-party violence accounted for 27 % of the incidents and 18 % of the party-related fatalities. These incidents mostly occurred during primaries and party congresses as political assassinations of rival candidates and skirmishes and riots between opposing factions within a party. In 62 % of the cases, gangs or cult groups were involved, resulting in 274 deaths.<sup>708</sup>

The study shows that the PDP was central in 86 % of the clashes between parties, followed by the ANPP (27 %) and the AC (13 %), while other parties account for less than 10 % of the fatal incidents. The PDP was also involved in 87 % of the total number of fatalities, the CPC 24 % and the ANPP 21 %, while other parties accounted for less than 10 %.<sup>709</sup>

External violence between political parties accounted mainly on the then-ruling PDP which was involved in 97 % of the fatalities resulting from such clashes between 2006 and 2014. The PDP was not the only perpetrator or victim; the CPC and the ANPP were its most violent opponents, according to the study. Most clashes occurred between PDP and ANPP (mainly in Bauchi, Oyo and Kano states) and PDP-CPC (mainly during the 2011 elections in north Nigeria).<sup>710</sup>

<sup>703</sup> CHD, Post-election assessment of conflict prevention and resolution mechanisms in Nigeria, November 2015, [url](#), p. 8

<sup>704</sup> Cohen, Corentin, Violence Between And Within Political Parties In Nigeria (2006-2014), 2015, [url](#), p. 2

<sup>705</sup> Cohen, Corentin, Violence Between And Within Political Parties In Nigeria (2006-2014), 2015, [url](#), p. 5

<sup>706</sup> Cohen, Corentin, Violence Between And Within Political Parties In Nigeria (2006-2014), 2015, [url](#), pp. 10-11

<sup>707</sup> HRW, Nigeria: Post-Election Violence Killed 800, 16 May 2011, [url](#)

<sup>708</sup> Cohen, Corentin, Violence Between And Within Political Parties In Nigeria (2006-2014), 2015, [url](#), p. 16

<sup>709</sup> Cohen, Corentin, Violence Between And Within Political Parties In Nigeria (2006-2014), 2015, [url](#), p. 17

<sup>710</sup> Cohen, Corentin, Violence Between And Within Political Parties In Nigeria (2006-2014), 2015, [url](#), p. 20

In 2016, data from Nigeria Watch on violent incidents show that 3 502 deaths were caused by ‘political issues’ varying from Boko Haram, Shiites versus police, Muslims versus Christians. The 2016 report does not specifically mention political parties.<sup>711</sup>

The 2017 report gives a total of 3 126 fatalities caused by ‘political issues’ but does not specify further either; however, the report mentions forms of political violence such as political assassinations in Anambra, Plateau, Benue, Kogi, Bayelsa and Oyo states. In addition, ‘parties’ primaries, ward and local council elections triggered violence and sometimes involved cult societies in Bayelsa, Osun and Anambra states’.<sup>712</sup>

### 3.4.2.2. Perpetrators

The direct actors in this political violence are reportedly often youth gangs and ‘cultists’. Student cult members (‘cultists’) are often recruited and armed by members of political parties (called ‘militants’) and used as instruments to kill or attack political opponents, according to a French fact-finding report. This occurred mainly in the Niger Delta.<sup>713</sup> In 2011, clashes between the Black Axe and Eiyé cults in Benin city were related to payments by politicians. They were reportedly used by political parties as ‘thugs’ to exercise violence during elections.<sup>714</sup>

The APC and PDP in particular were mentioned by interlocutors of the French fact-finding mission as using cult members against each other’s militants.<sup>715</sup> As noted above, the researcher Cohen also mentions the PDP as the main actor and instigator of political violence: ‘Arguably, violence is a means used by the political elite, rather than the people’s choice to protest against fraud. Levels of violence vary between parties and between states. As the ruling party, the PDP is a central actor, involved in 97 % of the casualties of party clashes.’<sup>716</sup>

In an analysis of political parties, identities and violent conflict in Nigeria, a researcher at Northumbria University concludes that ‘political factors (‘party politics and the politicisation, manipulation and mobilisation of identities in a divided and highly competitive polity with weak institutions) incentivise violent conflict.’ In this report, the PDP is again mentioned as incentivising the increasing violence before and after the 2011 elections.<sup>717</sup>

However, not only the PDP but also opposition parties such as the ANPP, ACN and AD were involved in 2011 in the employment of youth gangs and mentioned as both perpetrators and victims.<sup>718</sup>

The researcher Ebimboere Seiyefa at the Department of International Studies and Social Science, Coventry University, provides many examples of payments and close ties between youth gangs and governmental or political party officials to provide ‘political thuggery services’. He calls this ‘politics by violence’. He also emphasises that in cases of violence, youth gangs are being arrested but not the responsible political party members.<sup>719</sup> For example, in Akwa Ibom State, before the 2011 presidential elections the All Congress of Nigeria (ACN) used ‘thugs’ to attack supporters and members of the PDP. An unknown number of people were killed and PDP buildings destroyed and 51 youth were arrested and identified as hired by the ACN. However, as the researcher notes, despite the clear alliance

<sup>711</sup> Nigeria Watch, Sixth report on violence in Nigeria, 2016, [url](#)

<sup>712</sup> Nigeria Watch, Seventh report on violence in Nigeria, 2017, [url](#)

<sup>713</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 49; France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 14

<sup>714</sup> Canada, IRB, Nigeria: The Black Axe confraternity (NGA104208.E), 3 December 2012, [url](#)

<sup>715</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 49; France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 14

<sup>716</sup> Cohen, Corentin, Violence Between And Within Political Parties In Nigeria (2006-2014), 2015, [url](#), p. 2

<sup>717</sup> Ijere, Thomas, Political Parties, Identities and Violent Conflict in Nigeria, 2015, [url](#), p. 115

<sup>718</sup> AOAV (Action on Armed Violence), The Violent Road, 12 December 2013, [url](#); Ebimboere Seiyefa, Elite Political Culture—A Link to Political Violence, 2017, [url](#), p. 115

<sup>719</sup> Ebimboere Seiyefa, Elite Political Culture—A Link to Political Violence, 2017, [url](#), pp. 115-117

between these youth and the ACN, ‘there was no record of the arrest of ACN members in relation to this violence.’<sup>720</sup>

The CHD report on the 2015 post-election assessment of conflict prevention and resolution mechanisms notes: ‘Politicians had a tendency to mobilise voter support along ethnic lines, and to sometimes personalise their discourse in religious terms. Some interviewees said that the PDP ran a more aggressive (negative) national campaign than the APC, though this seemed less obvious at state level.’ Political assassinations, abductions, clashes between supporters of PDP and APC were most frequently mentioned, for example in Lagos and Rivers states.<sup>721</sup>

Since the APC came into power in 2015 with President Buhari, the political violence has not stopped. The new president was accepted only conditionally in the Niger Delta, which intensified the existing tension between PDP and APC, according to International Crisis Group in 2015.<sup>722</sup> In May 2018, several killings took place in Lagos, Rivers, Delta and Gombe states during APC congresses preparing for ward and local government elections. The political affiliation of victims and perpetrators is not known.<sup>723</sup>

### 3.5 Journalists, bloggers and other media workers

The Nigerian Constitution provides for freedom of expression and the press, establishing that media outlets ‘shall at all times be free to uphold the fundamental objectives contained in this chapter [Fundamental Objectives and Directive Principles of State Policy] and uphold the responsibility and accountability of the Government to the people’.<sup>724</sup>

Nigeria has one of the most active media landscapes in Africa.<sup>725</sup> The World Press Freedom Index 2018 ranked Nigeria 119 out of 180 countries (1 being the highest degree of press freedom, 180 the lowest) with regard to press freedom, based mainly on the ‘climate of permanent violence’, the threats, physical abuse and denial of access to information faced by journalists.<sup>726</sup>

Freedom House 2018 Freedom of the Press report characterises Nigeria’s press as ‘partly free’.<sup>727</sup>

There are limitations to freedom of speech in the 12 Sharia ruled states in the North of Nigeria.<sup>728</sup> One source states that ‘Nigerian journalists do not always have expert knowledge of Islamic criminal law, and most of the print media in Nigeria are based in the south and owned by either the shari’a-hostile federal government or by non-Muslim private owners, most of whom are critical of the “shari’a project of the north”’. According to the source, ‘this is likely to impact on the way they report on cases under Islamic criminal law in the northern states’.<sup>729</sup>

In general, Nigerians express their opinions publicly and freely. However, ‘critical views on political leaders or sensitive subjects like the military, religion, and ethnicity occasionally leads to arrests or violent reprisals’.<sup>730</sup> In early May 2018, Amnesty International Nigeria voiced concerns over the authorities’ ‘trend of intimidating journalists and crack down on peaceful protests’, leading to ‘many

<sup>720</sup> Ebimboere Seiyefa, *Elite Political Culture—A Link to Political Violence: Evidence from Nigeria*, 2017, [url](#), p. 116

<sup>721</sup> CHD, *Post-election assessment of conflict prevention and resolution mechanisms in Nigeria*, November 2015, [url](#), p. 8

<sup>722</sup> International Crisis Group, *Curbing Violence in Nigeria (III): Revisiting the Niger Delta*, 29 September 2015, [url](#); see also CHD, *Post-election assessment of conflict prevention and resolution mechanisms in Nigeria*, November 2015, [url](#), p. 8

<sup>723</sup> Premium Times, *Congresses show APC party of violence – PDP*, May 2018 13, [url](#)

<sup>724</sup> Nigeria, *Constitution of the Federal Republic of Nigeria [amended]*, Chapter II, Art. 22, Chapter IV, Art. 39, 1999, [url](#)

<sup>725</sup> BBC, *Nigeria profile – Media*, 1 August 2017, [url](#)

<sup>726</sup> RSF, *2018 World Press Freedom Index*, date?, [url](#)

<sup>727</sup> RSF, *2018 World Press Freedom Index*, date? [url](#); House, *Freedom in The World 2018*, Nigeria, 16 January 2018, [url](#)

<sup>728</sup> The 12 States that adopted Sharia Law and try criminal cases are: Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe, and Zamfara. HRW, *Human Rights and Islamic Law in Northern Nigeria*, 21 September 2014, [url](#); US DoS, *2017 Country Report on Human Rights Practices, Nigeria*, 20 April 2018, [url](#)

<sup>729</sup> Weimann, G. J., *Islamic criminal law in northern Nigeria: politics, religion, judicial practice*, 2010, [url](#)

<sup>730</sup> Freedom House, *Freedom in The World 2018*, Nigeria, *Freedom of Expression and Belief*, 16 January 2018, [url](#)

Nigerians are becoming increasingly afraid of exercising their rights to freedom of expression and peaceful assembly'.<sup>731</sup>

The 2015 Cybercrimes (Prohibition, Prevention, Etc) Act<sup>732</sup> is said to be used by the government 'in an arbitrary manner'<sup>733</sup> and as a weapon to 'harass and press charges against at least five bloggers who criticized politicians and businessmen online and through social media'.<sup>734</sup>

Journalists struggle in Nigeria to cover stories on politics, terrorism and embezzlement. They face targeted persecution, including from regional governors, who act with impunity.<sup>735</sup> There are also reports of harassment and arrests by government officials when journalists are covering topics like corruption, human rights, separatist movements or communal violence. Government officials are said to threaten journalists with court cases of defamation (a criminal offense, punished with up to two years' imprisonment and fines<sup>736</sup>) or to harass journalists 'in retaliation for negative reporting'.<sup>737</sup>

Bertelsmann Stiftung's Transformation Index 2018 (BTI 2018), states that 'once in a while, individuals and organizations expressing critical views are harassed by state security services and occasionally charged. But in general, the courts decided in favor of the respondent'.<sup>738</sup>

According to journalist Adeola Akinremi (who has received death threats from Boko Haram), journalists 'do not turn to self-censorship' and 'most journalists write without harbouring fear of any kind in their minds'.<sup>739</sup>

The US DoS reports, however, that 'journalists practiced self-censorship', among claims by NGOs that 'security services intimidated newspaper editors and owners into censoring reports of killings and other human rights abuses'.<sup>740</sup> In May 2018, Amnesty International, cited in the Daily Trust, also stated that the Nigerian authorities have been intimidating and harassing journalists and bloggers, in an attempt to 'suppress the rights of freedom of expression and peaceful assembly in Nigeria'.<sup>741</sup>

According to various sources, 'brown envelope journalism' is widespread in Nigeria.<sup>742</sup> This practice translates into 'a situation where journalists are given cash (mostly in brown envelopes, hence the name), expect to be given cash or even demand cash after a press conference, media events, interviews [...] by the person or company they are covering or reporting'.<sup>743</sup> The practice reportedly affects 'all types of publications [...], including blogs [...], magazines and newspapers, [...] broadcast news outlets'.<sup>744</sup>

In August 2017, the Nigerian government, through the Director of Defense Information announced the monitoring of social media to identify and deal with 'hate speech, anti-government and anti-

<sup>731</sup> Daily Trust, Amnesty berates security agencies over journalists' intimidation, 3 May 2018, [url](#)

<sup>732</sup> Nigeria, Cybercrimes (Prohibition, Prevention, Etc) Act, 2015, [2015], [url](#)

<sup>733</sup> RSF, 2018 World Press Freedom Index, [2018], [url](#)

<sup>734</sup> Sahara Reporters, How Nigeria's Cybercrime Law Is Being Used To Try To Muzzle The Press, 22 September 2017, [url](#)

<sup>735</sup> RSF, 2018 World Press Freedom Index, [2018], [url](#)

<sup>736</sup> Nigeria, Criminal Code Act, Chapter 33, Artt. 373-375, [url](#)

<sup>737</sup> US DoS, 2017 Country Report on Human Rights Practices, Nigeria, 20 April 2018, [url](#)

<sup>738</sup> Bertelsmann Stiftung, Nigeria Country Report, 2018, [url](#)

<sup>739</sup> IPI, Nigerian media seek to cope with Boko Haram threat, 28 July 2015, [url](#)

<sup>740</sup> US DoS, 2017 Country Report on Human Rights Practices, Nigeria, 20 April 2018, [url](#)

<sup>741</sup> Daily Trust, Amnesty berates security agencies over journalists' intimidation, 3 May 2018, [url](#)

<sup>742</sup> Bertelsmann Stiftung, Nigeria Country Report, 2018, [url](#); IRB, Nigeria: Brown envelope journalism, including types of publications that are affected (2015-November 2017), NGA106001.E, 3 November 2017, [url](#); BBC News, Nigeria's 'brown envelope' journalism, 5 March 2015 [url](#)

<sup>743</sup> Canada, IRB, Nigeria: Brown envelope journalism, including types of publications that are affected (2015-November 2017), NGA106001.E, 3 November 2017, [url](#)

<sup>744</sup> Canada, IRB, Nigeria: Brown envelope journalism, including types of publications that are affected; efforts to combat the phenomenon (2015-November 2017), NGA106001.E, 3 November 2017, [url](#)

security information'.<sup>745</sup> Advocacy groups like the Socio-Economic Rights and Accountability Project (SERAP) expressed their concerns over the announcement, considering it to be 'incompatible and inconsistent with constitutional guarantees and Nigeria's international human rights obligations and commitments'.<sup>746</sup>

### Examples of repression

Tony Ezimakor, Abuja bureau chief of the Daily Independent newspaper was detained by the DSS on 28 February 2018 as he refused to reveal his sources in an article that connected the payment of a ransom to the release of the Chibok girls [kidnapped and held by Boko Haram], and 'the roles played by a Swiss negotiator as well as his Nigerian collaborators' in this event.<sup>747</sup> The Nigerian administration always denied having paid any ransom in this matter. The DSS released Ezimakor unconditionally on 6 March 2018.<sup>748</sup>

On 12 September 2017, soldiers attacked the office of the Nigerian Union for Journalists (NUJ) in Umuahia, beating and intimidating journalists and destroying property. The journalists had been covering a military exercise in the streets of Umuahia, seen as a display of force by the Nigerian Army following 'clashes between soldiers and members of the Indigenous People of Biafra' the previous week.<sup>749</sup>

In August 2017, Segun Salami, a reporter for Channels TV on duty in Kogi State was heavily beaten by police officers at the Government House in Lokoja. Later, the state's governor, Yahaya Bello apologised for the 'misconduct of the police personnel'.<sup>750</sup>

Journalists Ikechukwu Onubogu (Awka State), Lawrence Okojie (Edo State) and Famous Giobaro (Bayelsa State), were shot and killed during 2017 by unknown attackers. The Media Foundation for West Africa stated that the attacks on journalists and the impunity of the perpetrators 'have the potential to intimidate journalists'.<sup>751</sup>

For the situation of journalists targeted by Boko Haram, see Section [3.1.9](#).<sup>752</sup>

## 3.6 Human rights defenders

There is a large number of civil society organisations (CSOs) in Nigeria operating in numerous areas, including human rights advocacy.<sup>753</sup> Notwithstanding the rising numbers of active non-governmental organisations (NGOs), funding is an issue for most; many are also 'one-man shows', thus having limited impact in the country's political system.<sup>754</sup>

<sup>745</sup> Channels Television, We Now Monitor Social Media For Anti-Government And Anti-Military Information – Military, 23 August 2017, [url](#); Nigeria Communications Week, FG Orders Military to Monitor Nigerians on Social Media, 24 August 2017, [url](#)

<sup>746</sup> SERAP, SERAP to Buhari: End monitoring of Nigerians on social media by military authorities, [August 2017], [url](#)

<sup>747</sup> Sahara Reporters, Nigeria Secret Police Unconditionally Frees Abuja Bureau Chief Of Daily Independent Tony Ezimakor, 6 March 2018, [url](#)

<sup>748</sup> Guardian (The), DSS releases Daily Independent's Abuja Bureau Chief, Tony Ezimakor, 8 March 2018, [url](#)

<sup>749</sup> RSF, Soldiers beat journalists in Abia State press centre, 14 September 2017, [url](#); IFJ, Nigeria : Soldiers break in NUJ press centre in Abia State, 20 September 2017, [url](#)

<sup>750</sup> Vanguard, Yahaya Bello apologises to Channels TV reporter, 29 August 2017, [url](#)

<sup>751</sup> IFEX, Nigerian journalist Ikechukwu Onubogu killed by gunmen, 19 November 2017, [url](#)

<sup>752</sup> Other reports of violence, harassment or detention of journalists and media workers can be found in [Reporters Without Borders, US DoS 2017 Country Report on Human Rights Practices](#), [Amnesty International Report 2017/18 -Nigeria](#), and [Human Rights Watch, World Report 2018 – Nigeria](#).

<sup>753</sup> Freedom House, Freedom in The World 2018, Nigeria, 16 January 2018, [url](#)

<sup>754</sup> Bertelsmann Stiftung, Nigeria Country Report, Political and Social Integration, 2018, [url](#)

Sources indicate that in general human rights organisations are free to investigate and express their opinions and findings; however, when criticising state authorities they were harassed, threatened and reported allegations were dismissed without further investigation.<sup>755</sup>

In North East Nigeria ‘members of some organisations face intimidation and physical harm for speaking out against Boko Haram, or encounter obstacles when investigating alleged human rights abuses committed by the military against Boko Haram suspects’, as do those CSOs active in the Niger Delta.<sup>756</sup> Human rights defenders (HRD) working in the north-east risk being kidnapped by armed groups, and women workers face the additional risk of gender-based violence (GBV).<sup>757</sup>

Draft legislation to regulate non-governmental organisations (NGOs) in Nigeria (including funding and operations) has been seen by CSOs as ‘an attempt to crackdown and monitor NGOs’<sup>758</sup>, and provide ‘the government ample opportunity for misuse of state power without accountability’. During the two readings of the ‘Bill to provide for the Establishment of Non-Governmental Organisations (NGOs)’, at the House of Representatives, no proof was produced to sustain the allegations ‘that some NGOs were using donated funds to support the activities of armed militants and insurgents such as Boko Haram in the country’s northeast’.<sup>759</sup>

According to Frontline Defenders, an international organisation advocating for human rights defenders at risk, ‘the main tactics used against HRDs [human rights defenders] are threatening phone calls or messages, visits from security agents, surveillance, intimidation and summons to police stations.’<sup>760</sup>

In June 2018, Amnesty International published a report exposing sexual violence by Nigerian soldiers and militias against women and girls living in satellite camps. The military reacted through ‘smear campaigns’, accusing AI of supporting Boko Haram and ‘threats to “take action against Amnesty International”’. In the aftermath, the Nigerian National Assembly announced it would proceed with investigations on AI allegations.<sup>761</sup> No information was found on the results of this procedure.

On 19 July 2017, Maurice Fagnon, long time human rights defender and secretary-general of the Centre for Democracy and Human Rights in Africa was arrested by the police (Force Criminal Investigation Department), allegedly in connection with his campaign to stop the demolition of a fishing settlement in the community of Otodo-Gbame (waterfront Lagos).<sup>762</sup> The demolition followed the Lagos’ State government approval of a luxury real estate development for that area, and took place between November 2016 and April 2017, leaving over 30 000 people homeless.<sup>763</sup>

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<sup>755</sup> US DoS, 2017 Country Report on Human Rights Practices, Nigeria, Section 5, 20 April 2018, [url](#); Bertelsmann Stiftung, BTI 2018, Nigeria Country Report, Freedom of expression, 2018, [url](#)

<sup>756</sup> Freedom House, Freedom in The World 2018, Nigeria, 16 January 2018, [url](#)

<sup>757</sup> Frontline Defenders, Nigeria, n.d., [url](#)

<sup>758</sup> HRW, World Report 2018 – Nigeria, 18 January 2018, [url](#)

<sup>759</sup> Reuters, Nigeria NGOs slam civil society bill as grave threat to freedoms, 13 December 2017, [url](#); Freedom House, Freedom in The World 2018, Nigeria, 16 January 2018, [url](#)

<sup>760</sup> Frontline Defenders, Nigeria, n.d., [url](#)

<sup>761</sup> AI, Nigeria: Threats from the military won’t deter us from defending human rights, 7 June 2018, [url](#)

<sup>762</sup> Nigeria Lawyer, Human Rights Activist, Professor Maurice Fagnon Arrested By Force CID, Abuja, 22 July 2017, [url](#); AI, Nigeria, Protect a brave human rights defender, June 2017, [url](#); PM News, Be sensitivite to plight of slum dwellers, CDHRDA tells Govt, [2015], [url](#)

<sup>763</sup> Sahara Reporters, Evicted Otodo Gbame Residents Urge Lagos Govt To Obey Court Order By Relocating Them, 15 May 2018, [url](#); Vanguard, Police disperse evicted Otodo-Gbame shanty dwellers protest, 16 November 2017, [url](#); Guardian (The), ‘10,000 persons rendered homeless...’, 11 November 2016, [url](#); Guardian (The), Demolition of waterfront communities in Lagos inhuman, violation of right to dignity, says court, 30 January 2017, [url](#); City Voice, Nigerian slums activists seek Justice for families of men killed in Lagos’ Otodo Gbame demolition, 6 June 2017, [url](#)

## 3.7 Persons involved in herders - farmers conflict

### 3.7.1 Definition of profile

Conflicts between herders and farmers, related to competition for increasingly scarce resources (land and water), livestock theft and crop damage, are a familiar phenomenon for decades.<sup>764</sup> The conflicts used to concentrate mainly in the Middle Belt, ‘an ethnically and religiously diverse zone’, which ‘straddles the divide between the largely Muslim north and a majority Christian south.’<sup>765</sup>

However, violent conflicts between nomadic herders and sedentary farmers have escalated in recent years, resulting in increasing numbers of deaths on both sides. The conflicts are threatening Nigeria’s security and stability as a whole, according to International Crisis Group: ‘Propelled by desertification, insecurity and the loss of grazing land to expanding settlements, the southward migration of Nigeria’s herders is causing violent competition over land with local farmers.’<sup>766</sup>

#### 3.7.1.1 Underlying factors of the conflict

Both groups used to work and live together to their mutual benefit. Conflicts such as crop damage by cattle, polluted drinking water or blocking grazing routes, were usually solved by traditional conflict management mechanisms during which leaders from both communities would sit together and negotiate a solution and if needed a compensation.<sup>767</sup>

The conflict has three dimensions, according to the director of the Armed Conflict Location and Event Data Project (ACLED): ethnic (Fulani versus other Nigerian ethnicities), religious (Muslim herders versus Christian south), and cultural (nomadic versus sedentary).<sup>768</sup> It also has an increasing political dimension as President Buhari, a Fulani himself, is accused of tribalism and looking away from the conflict. This is particularly risky in view of the presidential and parliamentary elections to be held in 2019.<sup>769</sup>

Root causes of the violence in the rural areas identified by researchers, summarised by Olayoku, are:

‘Climate changes, the migration further south, the growth of agro-pastoralism, the expansion of farming on pastures, the invasion of farmlands by cattle, assault on non-Fulani women by herders, blockage of stock routes and water points, freshwater scarcity, burning of rangelands, cattle theft, inadequate animal health care and disease control, overgrazing on fallow lands, defecation on streams and roads by cattle, extensive sedentarisation, ineffective coping strategies, ethnic stereotyping, and the breakdown of conflict intervention mechanisms.’<sup>770</sup>

The International Crisis Group report sums up the most important factors behind the conflict as follows:

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<sup>764</sup> For more background information to this conflict, see International Crisis Group, *Herders against Farmers: Nigeria’s Expanding Deadly Conflict*, Africa Report No. 252, 19 September 2017, [url](#); Conroy, Stone, *Land conflicts and Lethal Violence in Nigeria: Patterns, Mapping and Evolution (2006 - 2014)*, 28 November 2014, [url](#)

<sup>765</sup> IRIN, *The deadly conflict tearing Nigeria apart (and it’s not Boko Haram)*, 13 June 2017, [url](#)

<sup>766</sup> International Crisis Group, *Herders against Farmers: Nigeria’s Expanding Deadly Conflict*, Africa Report No. 252, 19 September 2017, [url](#), p. i

<sup>767</sup> BBC, *How Nigeria’s cattle war is fuelling religious tension*, 9 May 2018 [url](#); BBC, *Nigeria's deadly battle for land: Herdsmen v farmers*, 10 August 2016, [url](#)

<sup>768</sup> ISS Today, *Herdsmen crisis underscores Nigeria’s complex security threats*, 28 May 2018, [url](#)

<sup>769</sup> BBC, *How Nigeria’s cattle war is fuelling religious tension*, 9 May 2018 [url](#); CFR (Council on Foreign Relations/Guest blogger for John Campbell, *Perceptions of Tribalism and the Farmer-Herder Conflict in Nigeria*, 6 April 2018, [url](#)

<sup>770</sup> Olayoku, Philip A., *Trends and patterns of cattle grazing and rural violence in Nigeria (2006-2014)*, 28 November 2014, [url](#), p. 3; see also Aaron Sayne, *Rethinking Nigeria’s Indigene-Settler Conflicts*, July 2012

- ‘climate changes (frequent droughts and desertification);
- population growth (loss of northern grazing lands to the expansion of human settlements – farms being built on ancient grazing routes);
- technological and economic changes (new livestock and farming practices);
- crime (rural banditry and cattle rustling<sup>771</sup>);
- political and ethnic strife (intensified by the spread of illicit firearms);
- cultural changes (the collapse of traditional conflict management mechanisms).<sup>772</sup>

Finally, ‘a dysfunctional legal regime that allows crime to go unpunished has encouraged both farmers and pastoralists to take matters into their own hands.’<sup>773</sup> ‘Poor governance’ and ‘ineffective or corrupt security forces’ lie at the root of the violence, according to BBC correspondent Mary Harper.<sup>774</sup>

The above mentioned factors limiting the herders’ access to grazing land and fresh water are leading to increased migration of Fulani herders from northern and Middle Nigeria southwards. In the southern areas, high population growth increases pressure on the available lands and aggravates conflicts about water pollution, crop damage and cattle theft. The increased availability of firearms (‘both locally produced and smuggled in from outside’), aggravates the situation and causes an increasing number of deaths.<sup>775</sup>

A complicating factor is the growing interference of terrorist groups in the conflict, such as Boko Haram. Its fighters not only raid farms for food but also have attacked and killed herders and their livestock, destroyed cattle markets and pastoralist dwellings. Sources from breeders associations report that ‘thousands’ of herders had been killed and ‘hundreds of thousands of animals’ were lost. Boko Haram also reportedly ‘exploits communitarian tensions’ by conducting attacks on farmers disguised as Fulani herdsmen in Taraba State.<sup>776</sup>

Another complicating factor which makes research into the conflict more difficult is the appearance of fake news, as the BBC warns: ‘Fake pictures circulating on social media which users are falsely claiming depict inter-communal violence are inflaming already high tensions in Nigeria.’<sup>777</sup>

### 3.7.1.2 Background: the indigenes - settlers issue

At the background of the herders-farmers conflict are the nationwide legal and social differences between ‘indigenes’ or ‘natives’, those whose fathers were born in the area, and ‘settlers’, those who settled in the area later. The indigenes have been granted preferential land rights over settlers, although the constitution does not provide a definition of indigene or settler status.<sup>778</sup> Local governments (LG), in the name of the state governor, issue Certificates of Indigene (also known as Certificates of Origin), which grants the owner access to many services such as land, education, employment, health care, and political positions. The bases on which such certificates are issued differ

<sup>771</sup> In Borno state, members of a cattle breeding association reportedly lost over one million cattle in the Boko Haram insurgency. International Crisis Group, *Herders against Farmers: Nigeria’s Expanding Deadly Conflict*, 19 September 2017, [url](#), p. 6

<sup>772</sup> International Crisis Group, *Herders against Farmers: Nigeria’s Expanding Deadly Conflict*, 19 September 2017, [url](#), p. 3

<sup>773</sup> International Crisis Group, *Herders against Farmers: Nigeria’s Expanding Deadly Conflict*, 19 September 2017, [url](#), p. 3

<sup>774</sup> BBC, *How Nigeria’s cattle war is fuelling religious tension*, 9 May 2018, [url](#)

<sup>775</sup> International Crisis Group, *Herders against Farmers: Nigeria’s Expanding Deadly Conflict*, 19 September 2017, [url](#), p. 3. See also IRIN, *The deadly conflict tearing Nigeria apart (and it’s not Boko Haram)*, 13 June 2017, [url](#)

<sup>776</sup> Vanguard, *“Terrorists Now Disguise as Fulani Herdsmen” – President Goodluck Jonathan June 2014*, 15 January 2018, [url](#)

<sup>777</sup> BBC, *Fake news and Nigeria’s herder crisis*, 29 June 2018, [url](#)

<sup>778</sup> Canada, IRB, *Nigeria: Information on a Certificate of State of Origin*, (2015-January 2017), 30 January 2017, NGA105727.E, [url](#); Aaron Sayne, *Rethinking Nigeria’s Indigene-Settler Conflicts*, July 2012, [url](#), p. 2

between local governments and depends on who controls the LGA, which may thus lead to discrimination and marginalisation of non-indigenes.<sup>779</sup>

Human Rights Watch in a 2006 report on government discrimination against non-indigenes in Nigeria explained the issue as follows:

‘The population of every state and local government in Nigeria is officially divided into two categories of citizens: those who are indigenes and those who are not. The indigenes of a place are those who can trace their ethnic and genealogical roots back to the community of people who originally settled there. Everyone else, no matter how long they or their families have lived in the place they call home, is and always will be a non-indigene.’<sup>780</sup>

International Crisis Group in 2012 similarly notes: ‘The indigene principle, or indigeneity (that is, local origin), means that some groups control power and resources in states or LGAs while others – who have migrated for different reasons – are excluded. This gives rise both to grievances and fierce political competition, which too often lead to violence.’<sup>781</sup> The 1960 constitution does not give a definition of indigene or settler<sup>782</sup> but refers to the idea of ‘belong to’<sup>783</sup> with the aim ‘to protect the ethnic minorities from being submerged by the larger Hausa-Fulani, Igbo and Yoruba groups and preserve their cultural and political identity and traditional institutions of governance.’<sup>784</sup>

Settlers, in some cases nomadic Fulani but this also may include farmers, even those who reside in the area since long, feel marginalised and frustrated by this inequality in land rights, according to an analysis by the African Centre for Strategic Studies. However, the study notes that the underlying issue is often related to political power at a local level: ‘Political elites have then manipulated such laws, rallying supporters to protect indigene status or stoking settler resentments for votes.’<sup>785</sup> For example, the Fulani in Kaduna State, who claim to have lived in the region for centuries, are not recognised as indigenes and thus do not have full rights on land and grazing areas.<sup>786</sup>

For more information on the indigenes-settlers issue, see the 2014 Report of the UN Special Rapporteur on Minority Issues, Rita Izsák<sup>787</sup> and a recent COI compilation by the Asylum Research Consultancy (ARC).<sup>788</sup>

### 3.7.1.3 Areas of conflict

The conflicts between farmers and herders have affected more than 20 states across the country, but in particular Adamawa, and Taraba (North East Zone), and Plateau, Nasarawa and Benue (North Central Zone).<sup>789</sup> See map by SBM Intelligence below.

<sup>779</sup> International Crisis Group, *Curbing Violence in Nigeria (I): The Jos Crisis*, 17 December 2012, [url](#); UN HRC, *Report of the Special Rapporteur on Minority Issues, Rita Izsák, Mission to Nigeria*, 5 January 2015, [url](#), par. 20-22; Aaron Sayne, *Rethinking Nigeria’s Indigene-Settler Conflicts*, July 2012, [url](#), pp. 2-4

<sup>780</sup> HRW, ‘They do not own this place’: *Government Discrimination Against “Non-Indigenes” in Nigeria*, April 2006, [url](#), p. 1

<sup>781</sup> International Crisis Group, *Curbing Violence in Nigeria (I): The Jos Crisis*, 17 December 2012, [url](#)

<sup>782</sup> UN HRC, *Report of the Special Rapporteur on Minority Issues, Rita Izsák, Mission to Nigeria*, 5 January 2015, [url](#), par. 20

<sup>783</sup> ‘Belong to’ is defined in the constitution as: ‘a person either or whose parents or any of whose grand parents was a member of a community indigenous to that state.’ Nigeria, *Constitution of the Federal Republic of Nigeria*, 1999, [url](#), Art. 318

<sup>784</sup> International Crisis Group, *Curbing Violence in Nigeria (I): The Jos Crisis*, 17 December 2012, [url](#)

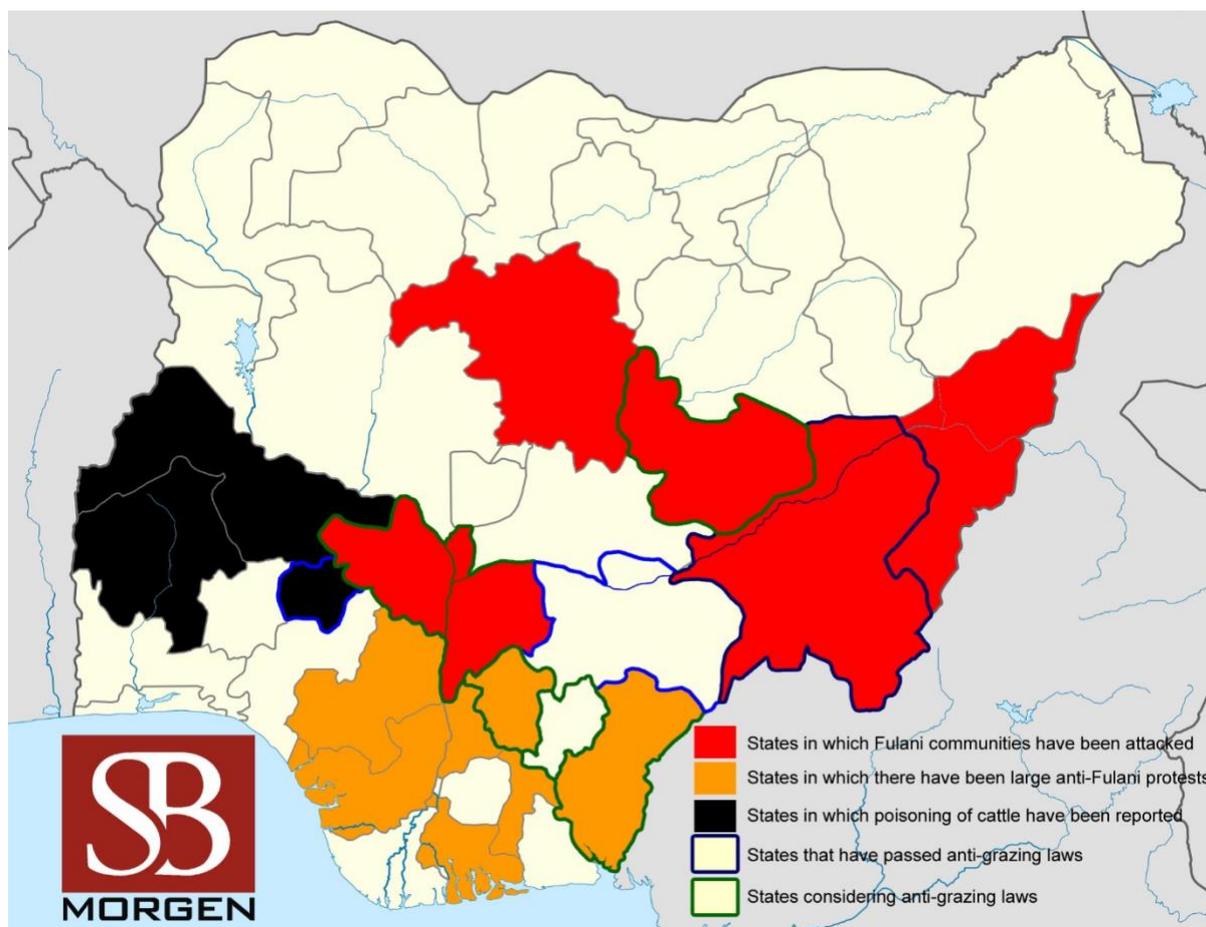
<sup>785</sup> Africa Center for Strategic Studies, *Africa’s Pastoralists: A New Battleground for Terrorism*, 11 January 2017, [url](#). See also EASO, *COI report Nigeria Country Focus*, June 2017, [url](#), p. 27

<sup>786</sup> IRIN, *The deadly conflict tearing Nigeria apart (and it’s not Boko Haram)*, 13 June 2017, [url](#); UN HRC, *Report of the Special Rapporteur on Minority Issues, Rita Izsák, Mission to Nigeria*, 5 January 2015, [url](#), par. 27

<sup>787</sup> UN HRC, *Report of the Special Rapporteur on Minority Issues, Rita Izsák, Mission to Nigeria*, 5 January 2015, [url](#)

<sup>788</sup> ARC, *Nigeria: The situation of Indigenes and Settlers*, 19 January 2018, available at: [url](#)

<sup>789</sup> International Crisis Group, *Stopping Nigeria’s Spiralling Farmer-Herder Violence*, 26 July 2018, [url](#); Nigeria Watch, *Seventh report on violence in Nigeria*, 2017, [url](#), p. 3; Olayoku, Philip A., *Trends and patterns of cattle grazing and rural violence in Nigeria (2006-2014)*, 28 November 2014, [url](#), p. 4



Map 3: The situation of the Pastoral Conflict in Nigeria as at the end of 2017 © SBM Intel<sup>790</sup>

### 3.7.1.4 Militias

Several farmer and pastoral communities in the south and the Middle Belt have formed self-defence vigilante militias, allegedly in response to the lack of protection from government side.<sup>791</sup>

The main militia groups consist of Fulani militants, adding an ethnic element to the crisis (although there are 14 other pastoralist ethnic groups in Nigeria, such as the Arabs, Kanuri, Kanembu, Shuwa and Touareg<sup>792</sup>). There is not much information available on the structure and numbers of the Fulani militias. The influx of predominantly Muslim herders into the in majority Christian communities in the south has been characterised by some media as an 'Islamisation force', and herder attacks are commonly seen in the south as a 'subtle form of jihad'. This aggravates the existing inter-faith distrust.<sup>793</sup>

As elaborated in the [EASO COI report Nigeria, Security situation](#), November 2018, there are violent conflicts between Fulani armed groups and militias or so-called community vigilantes among ethnic groups like the Tarok in Plateau State, the Eggon in Nasarawa State and the Jukun in Taraba State.<sup>794</sup>

<sup>790</sup> SBM Intelligence, The Pastoral Conflict takes a deadlier turn, 5 January 2018, [url](#)

<sup>791</sup> International Crisis Group, Herders against Farmers: Nigeria's Expanding Deadly Conflict, Africa Report No. 252, 19 September 2017, [url](#), p. 8

<sup>792</sup> Olayoku, Philip A., Trends and patterns of cattle grazing and rural violence in Nigeria (2006-2014), 28 November 2014, [url](#), p. 3

<sup>793</sup> International Crisis Group, Herders against Farmers: Nigeria's Expanding Deadly Conflict, 19 September 2017, [url](#), p. 8

<sup>794</sup> Nwanza, C., The resurgence of pastoral conflicts in Plateau State, in: Financial Nigeria, 15 November 2017, [url](#)

Another militia composed of members of the ethnic group Bachama is active in Adamawa State.<sup>795</sup> Both Fulani and Tarok militia have access to military grade weaponry, which has worsened the conflict and has led to several massacres recently. Some militias collaborate together in their attacks.<sup>796</sup>

### 3.7.2 Human rights violations and/or discrimination

The number of recorded violent incidents and fatalities over the period of 2006-2014 is 615, out of the 61 314 fatalities recorded in the Nigeria Watch database. The largest number of recorded fatalities (over 120 per year) fell in the years 2011-2013 (connected to the presidential elections in 2011 when over 800 people were killed<sup>797</sup>). Key actors in the violence in that period were ‘herdsmen, farmers, community members, vigilantes, security operatives, government officials, and, in rare cases, religious leaders’. While the majority of violence took place in northern Nigeria and the Middle Belt (Plateau, Adamawa, Taraba, Nasarawa Benue and Kaduna), the southern states of Cross Rivers and to a lesser extent Delta and Rivers, also recorded fatal incidents.<sup>798</sup>

Estimates of deaths due to herder-farmer violence in the year 2016 vary between 1 300 and 2 500, depending on sources, as cited in the International Crisis Group report.<sup>799</sup> According to ACAPS, ‘in 2016 over 800 people were killed in southern Kaduna, and 1 269 in Benue State. There is a considerable humanitarian impact as rape, abduction and attacks, as well as massive destruction of houses, cattle, crops, and farmland have been reported. Fulani herders are mentioned by ACAPS as main perpetrators of robbery, rape and kidnap for ransom.<sup>800</sup>

During the period of 1 July 2017 to 30 June 2018, the organisation Armed Conflict Location and Event Data Project (ACLED) registered around 569 security incidents, which resulted in approximately 1686 people killed. Benue and Plateau states have the highest number of fatalities: 527 and 516 respectively.<sup>801</sup> In January 2018 alone, 168 people were killed in farmer-herdsmen clashes in Adamawa, Benue, Taraba, Ondo and Kaduna.<sup>802</sup>

According to AI’s annual report over 2017, ‘Inter-communal violence linked to lingering clashes between herdsmen and farming communities resulted in more than 549 deaths and the displacement of thousands in 12 states.’ The attacks were conducted by either herdsmen on farmers villages or by farmer groups on pastoralist communities, in revenge attacks. In a massive attack on 4 December 2017, avenging an earlier massacre, herdsmen attacked at least five villages in Demsa LGA (Adamawa State). The attacks were reportedly been accompanied by a military fighter jet and a military helicopter, both from the Nigerian air force. ‘At least 86 people were killed by the herdsmen and air bombing’, according to AI.<sup>803</sup> Out of these 86 deaths, AI held the Nigerian military responsible for at least 35 deaths.<sup>804</sup>

<sup>795</sup> SBM Intelligence, It is getting worse: The deepening pastoral conflict, 27 November 2017, [url](#)

<sup>796</sup> SBM Intelligence, The Pastoral Conflict takes a deadlier turn, 5 January 2018, [url](#); Nwanza, C., The resurgence of pastoral conflicts in Plateau State, 15 November 2017, [url](#)

<sup>797</sup> HRW, Nigeria: Post-Election Violence Killed 800, 16 May 2011, [url](#); IRIN, The deadly conflict tearing Nigeria apart (and it’s not Boko Haram), 13 June 2017, [url](#)

<sup>798</sup> Olayoku, Philip A., Trends and patterns of cattle grazing and rural violence in Nigeria (2006-2014), 28 November 2014, [url](#), p. 3

<sup>799</sup> International Crisis Group, Herders against Farmers: Nigeria’s Expanding Deadly Conflict, 19 September 2017, [url](#), p. 7, footnote 38

<sup>800</sup> ACAPS, Farmer–Fulani Herder Violence in Benue, Kaduna and Plateau States, 21 March 2017, [url](#)

<sup>801</sup> ACLED, Real Time data (1 July 2017- 30 June 2018), [url](#)

<sup>802</sup> AI, Nigeria: Dozens killed as military launches air attacks on villages beset by spiralling communal violence, 30 January 2018, [url](#)

<sup>803</sup> AI, Annual report 2017/18, 22 February 2018, [url](#)

<sup>804</sup> Reuters, Nigerian air force killed dozens in attacks on villages – Amnesty, 30 January 2018, [url](#)

An escalation in the number of attacks by herders has occurred since December 2017, after four mainly Fulani communities in Adamawa State had been subject to massive killings. The conflict has led to ‘large scale destruction of lives and property in various parts of the country’, according to a report by SBM Intelligence.<sup>805</sup>

International Crisis Group also notes: ‘From September 2017 through June 2018, farmer-herder violence left at least 1,500 people dead, many more wounded and about 300,000 displaced – an estimated 176,000 in Benue, about 100,000 in Nasarawa, over 100,000 in Plateau, about 19,000 in Taraba and an unknown number in Adamawa. Two thirds of these people have fled since January.’<sup>806</sup>

A series of very violent retaliation attacks between Fulanis and farmers took place in the period of 23-25 June 2018 in various locations (Riyom, Mangu, Barkin Ladi, Ruku, Razat, Rakok, Kok, and Jos South) in Plateau State. The total death toll initially was 86, then raised to 200, with many other injuries and 50 houses burnt.<sup>807</sup> The killings led to more retaliation attacks in other areas of Plateau State.<sup>808</sup> The attacks also prompted the BBC to warn against distribution of fake news which might fuel already existing tensions in the region.<sup>809</sup>

The deadly clashes illustrate the intensifying pressure and increasing ‘squeeze on arable land’. The violence in the Middle Belt has killed more people than the Boko Haram insurgency in the north-east, according to Reuters.<sup>810</sup> Human Rights Watch comments: ‘The frequency of these deadly attacks demonstrates the government's failure to ensure safety and security in the region.’<sup>811</sup>

The number of internally displaced persons (IDPs) has increased: between January 2015 and February 2017, at least 62 000 people were displaced in Kaduna, Benue and Plateau states.<sup>812</sup> In the first half of 2018, about 200 000 people have become displaced.<sup>813</sup> According to Human Rights Watch, 169 922 people have been displaced by the conflict in Benue State alone, of whom 102 000 children ‘have been forced out of school’.<sup>814</sup>

### 3.7.3 Possibility to relocate

Several states such as Ekiti, Benue and Taraba, have passed anti-grazing laws in attempts to avoid clashes between herders and farmers. According to SBM Intelligence, these measures only had effect in Ekiti where ‘nearly zero’ attacks have taken place.<sup>815</sup>

However, herders interviewed by BBC reported being forbidden to graze in Benue (punishable by five years prison) and forced to move to another state. Farmers feel justified by the anti-grazing laws to chase the herders away off their lands, ‘sometimes violently’.<sup>816</sup>

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<sup>805</sup> SBM Intelligence, The Pastoral Conflict takes a deadlier turn, 5 January 2018, , [url](#)

<sup>806</sup> International Crisis Group, Stopping Nigeria’s Spiralling Farmer-Herder Violence, 26 July 2018, [url](#), p. 12

<sup>807</sup> ACLED, Real Time data (1 July 2017- 30 June 2018), [url](#)

<sup>808</sup> BBC, Nigeria’s Plateau state clashes leave 86 dead, 25 June 2018, [url](#); Premium Times: Nigeria: The Untold Killings That May Have Triggered Plateau Massacre, 25 June 2018, [url](#); Premium Times, Nigeria’s herdsman-farmers conflicts becoming more sophisticated, deadlier – UN envoy, 18 July 2018, [url](#)

<sup>809</sup> BBC, Fake news and Nigeria’s herder crisis, 29 June 2018, [url](#). See for example an interview with the local leader of the cattle breeder association who had been (falsely) quoted that the attacks were a retaliation of the hundreds of cows being killed. Premium Times: Nigeria: The Untold Killings That May Have Triggered Plateau Massacre, 25 June 2018, [url](#). The leader vehemently denied this statement (and the journalist was fired). Premium Times, We did not describe Plateau killings as retaliatory – Miyetti Allah, 29 June 2018, [url](#)

<sup>810</sup> Reuters, Nigeria herders, farmers conflict highlights squeeze on arable land, 25 June 2018, [url](#)

<sup>811</sup> HRW, Nigeria: Rising Toll of Middle-Belt Violence, 28 June 2018, [url](#)

<sup>812</sup> International Crisis Group, Herders against Farmers: Nigeria’s Expanding Deadly Conflict, 19 September 2017, [url](#), p. 7

<sup>813</sup> International Crisis Group, Stopping Nigeria’s Spiralling Farmer-Herder Violence, 26 July 2018, [url](#), p. 12

<sup>814</sup> HRW, Nigeria: Rising Toll of Middle-Belt Violence, 28 June 2018, [url](#)

<sup>815</sup> SBM Intelligence, The Pastoral Conflict takes a deadlier turn, 5 January 2018, [url](#)

<sup>816</sup> BBC, How Nigeria’s cattle war is fuelling religious tension, 9 May 2018 [url](#)

MASSOB and IPOB have warned the Fulani not to enter the South East and South South areas as 10 000 men have been deployed as security operatives for Biafra.<sup>817</sup>

### 3.7.4 Means of redress

The Nigerian federal government and state authorities have reportedly done ‘very little to address the rural insecurity in the north’, nor did they arrest persecutors or offered redress to victims. ‘As a result, both farmers and herders take matters in their own hands, further aggravating conflicts’, according to International Crisis Group.<sup>818</sup> Perpetrators largely go unpunished.<sup>819</sup>

The Nigerian authorities’ response to the clashes is heavily criticised by AI, characterised as ‘totally inadequate, too slow and ineffective, and in some cases unlawful’. AI specifically referred to the deadly attack on five villages on 4 December 2017 by hundreds of herdsmen, and the subsequent air force attacks, during which events 86 people were killed in total.<sup>820</sup>

In response to the mass killings in Plateau in the end of June 2018, the Nigerian police announced the deployment of a special intervention force to restore peace and security, and ‘to carry out a thorough and discreet investigation into the killings and promptly apprehend those responsible’.<sup>821</sup> Human Rights Watch comments that the authorities ‘need to do more than debunk self-help calls if they want people to trust and cooperate with them’ adding: ‘Even-handed, prompt, and thorough investigations, followed by fair trials of those responsible for the violence, are effective ways to unequivocally send this message.’<sup>822</sup>

The police commissioner of Benue State explains his tactics to approach the ongoing conflicts between herdsmen and farmers as follows: ‘dialogue, intelligence policing as well as involvement of communities in activities of the command. He explained that normal strategies of policing and community-based strategies in policing were also adopted to check the security challenges.’<sup>823</sup>

The escalation of attacks against the Fulani herders may have wider regional implications, as the International Crisis Group warns. The Fulani may call for help upon their ‘brethren’ (‘including fighters’) from several west and central African countries.<sup>824</sup> Analysts also warn against (foreign or national) Islamist terrorist groups attempting to manipulate the existing ethnic and religious differences, thereby seriously aggravating the farmer-herder conflicts in Nigeria.<sup>825</sup> In Taraba State, Boko Haram fighters have allegedly disguised as Fulani herdsmen to escape arrests so that they could move to other areas and conduct attacks ‘that intensify herder-farmer hatred and instability’.<sup>826</sup>

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<sup>817</sup> Punch, MASSOB, IPOB dare herdsmen, deploy 10,000 men, 20 January 2018, [url](#)

<sup>818</sup> International Crisis Group, Herders against Farmers: Nigeria’s Expanding Deadly Conflict, 19 September 2017, [url](#), p. ii

<sup>819</sup> SBM Intelligence, The Pastoral Conflict takes a deadlier turn, 5 January 2018, [url](#)

<sup>820</sup> AI, Nigeria: Dozens killed as military launches air attacks on villages beset by spiralling communal violence, 30 January 2018, [url](#)

<sup>821</sup> This Day, Killings: IG Deploys Special Forces, Police Intelligence Unit to Plateau, 26 June 2018, [url](#)

<sup>822</sup> HRW, Nigeria: Rising Toll of Middle-Belt Violence, 28 June 2018, [url](#)

<sup>823</sup> Premium Times, How we’re tackling Benue farmers, herdsmen clashes – Police, 3 June 2018, [url](#)

<sup>824</sup> International Crisis Group, Herders against Farmers: Nigeria’s Expanding Deadly Conflict, Africa Report No. 252, 19 September 2017, [url](#), p. 9

<sup>825</sup> Africa Center for Strategic Studies, Africa’s Pastoralists: A New Battleground for Terrorism, 11 January 2017, [url](#)

<sup>826</sup> Vanguard, “Terrorists Now Disguise as Fulani Herdsmen” – President Goodluck Jonathan June 2014, 15 January 2018, [url](#)

## 3.8 Religious minorities

### 3.8.1 Introduction

It is hard to obtain up-to-date and official data concerning religious affiliations in Nigeria. According to a 2010 survey conducted by the Pew Forum, the percentages of Muslims and Christians were nearly equal: 48.8 % respectively 49.3 % of the population, while 1.9 % was mainly composed of ‘either practitioners of indigenous religions or no affiliations’.<sup>827</sup>

As far as Islam and Christianity are specifically concerned, a 2017 article on religious beliefs in Nigeria by Worldatlas reports that Sunni adherents count around 42.5 % of the country’s population, Protestant (mainly Anglican but increasingly Pentecostals as well<sup>828</sup>) Christians around 32.3 %, Catholic Christians around 10.9 %, and Shia Islam ‘close to’ 6 %. Ahmadi Islam is around 1.5 %.<sup>829</sup>

However, researchers from the Harvard Divinity School caution that exact figures on religious practices cannot be given, and ‘are more speculations than facts. This is particularly true given that involvement to one degree or another in more than one religious tradition is common.’<sup>830</sup>

#### 3.8.1.1 Regional division

Although northern Nigeria is largely Muslim and the south is largely Christian, the religious demographics of the country are ‘far more complex than the north/south binary implies’.<sup>831</sup> In fact, although ‘Islam is deeply entrenched in the North’ and is the religion of the large majority – the Hausa-Fulani and most other smaller ethnic groups are Muslims<sup>832</sup> – there is also ‘a sizable Christian minority in several northern states’, mainly as a consequence of migrations from the southern areas of the country.<sup>833</sup>

At the same time, while the Igbo and other ethnic groups in the south are primarily Christians<sup>834</sup>, there is also a considerable population of Muslims in the south, especially in the south-west, and amongst the Benin in Edo State.<sup>835</sup>

The so-called Middle Belt, an area encompassing six states lying between the north and the south of the country, is populated largely by smaller ethnic groups and is also religiously diverse<sup>836</sup>; more specifically, ‘many nomadic groups identify as Muslims, and sedentary groups as Christian, although the picture is less clear-cut than elsewhere in the country’.<sup>837</sup>

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<sup>827</sup> Pew Research Centre, Global Religious Futures Projects – Nigeria, 2010, [url](#)

<sup>828</sup> Harvard Divinity School, Religious Literacy Project, Country Profile: Nigeria, 2016, [url](#), p. 2. For the role of Pentecostal churches in targeting witchcraft, see Section [3.9](#).

<sup>829</sup> Worldatlas, Religious Beliefs in Nigeria, 25 April 2017, [url](#)

<sup>830</sup> Harvard Divinity School, Religious Literacy Project, Country Profile: Nigeria, 2016, [url](#), p. 2

<sup>831</sup> Harvard Divinity School, Religious Literacy Project, Country Profile: Nigeria, 2016, [url](#), p. 2; Minority Rights Group International, Nigeria, updated January 2018, [url](#)

<sup>832</sup> ACCORD, Ethnic and religious crises in Nigeria, 29 August 2016, [url](#)

<sup>833</sup> Harvard Divinity School, Religious Literacy Project, Country Profile: Nigeria, 2016, [url](#), p. 2; Minority Rights Group International, Nigeria, updated January 2018, [url](#)

<sup>834</sup> ACCORD, Ethnic and religious crises in Nigeria, 29 August 2016, [url](#)

<sup>835</sup> ACCORD, Ethnic and religious crises in Nigeria, 29 August 2016, [url](#)

<sup>836</sup> Harvard Divinity School, Religious Literacy Project, Country Profile: Nigeria, 2016, [url](#), p. 2

<sup>837</sup> EASO, COI Report, Nigeria Country Focus, June 2017, [url](#), p. 53

## 3.8.2 Treatment of religious minorities

### 3.8.2.1 Legislation

The 1999 Constitution establishes a secular state in Nigeria, and stipulates that there is no official state religion both at federal and state level. The Constitution also guarantees freedom of religion.<sup>838</sup>

#### Shari'a

The Constitution specifically recognises Shari'a courts of appeal in 'any States that require it', with jurisdiction over 'civil proceedings involving questions of Islamic personal Law', such as marriage, inheritance, and other family matters, and where all the parties involved are Muslims.<sup>839</sup> Non-Muslims 'have the option to try their cases in sharia courts if involved in civil or criminal disputes with Muslims'.<sup>840</sup>

Between 2000 and 2002 twelve northern states have adopted, fully or partly, Shari'a for criminal cases. According to a researcher on the implementation of the Shari'a, this raised 'a number of constitutional questions' regarding 'the supremacy of the Nigerian Constitution'.<sup>841</sup> Shari'a courts 'do not have the authority to compel participation by non-Muslims'.<sup>842</sup> However, a 2002 research on the rights of religious minorities in Nigeria pointed out that '[t]he enactment of Shari'a penal law impairs the right of minorities to profess their own faith and violates the rights of religious minorities and women to be treated equally within society'.<sup>843</sup>

In particular, as highlighted in a study on religious human rights and jurisprudence in Nigeria (2010), Shari'a's punishment of apostasy, which is a capital offence under the Islamic law, is incompatible with the right to freedom to change religions, enshrined under Section 38(1) of the Constitution.<sup>844</sup>

According to the Harvard Divinity School, the introduction of shari'a was supported by the population which was disappointed by the corrupt national legal system. 'However, the adoption and practice of Islamic law has received a mixed response among Muslims, with some preferring the status quo before its adoption'.<sup>845</sup>

### 3.8.2.2 Discrimination and violence

Although the 1999 Nigerian Constitution expressly prohibits any discriminatory law or any discriminatory executive or administrative action by the government, including by reasons of religion<sup>846</sup>, both Muslims and Christians report discrimination when living in areas where they form a minority. As stated in the US DoS International Religious Freedom Report of 2017 on Nigeria: 'Christian and Muslim groups continued to report that individual administrators of government-run universities and technical schools in several states refused to admit certain individuals or delayed the issuance of their degrees and licenses because of religion or ethnicity'.<sup>847</sup>

<sup>838</sup> Nigeria, Constitution of the Federal Republic of Nigeria, 1999, [url](#)

<sup>839</sup> Nigeria, Constitution of the Federal Republic of Nigeria, Section B, Part II, 1999, [url](#)

<sup>840</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 6-7, [url](#)

<sup>841</sup> Nmehielle, Vincent O., Sharia Law in the Northern States of Nigeria: To Implement or not To Implement, August 2004, p. 730, [url](#). See also: Okekeocha, Chinelo, Questioning the Constitutionality of Sharia Law in Some Nigerian States, August 2014, available at: [url](#)

<sup>842</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 3, [url](#)

<sup>843</sup> Zarifis, Ismene, Rights of Religious Minorities in Nigeria, 2002, [url](#)

<sup>844</sup> International Center for Law and Religion Studies, Challenges to religious human rights and jurisprudence in Nigeria, n.d., p. 10, [url](#)

<sup>845</sup> Harvard Divinity School, Religious Literacy Project, Country Profile: Nigeria, 2016, [url](#), p. 2

<sup>846</sup> Nigeria, Constitution of the Federal Republic of Nigeria, section 42, 1999, [url](#)

<sup>847</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, [url](#), p. 8

The report further specifies that some ‘Christian groups reported a lack of protection by government authorities for churches and Christian communities, especially in the central and northern regions’ as well as ‘discrimination in acquiring land permits to build churches and in admission to universities in the north’.<sup>848</sup> For further information on discrimination against Christians in areas where they are a minority, see Section [3.8.3.2](#).

Likewise, Muslims living in predominantly Christian areas, particularly in southern states such as **Ekiti**, reported discrimination by state authorities, in particular against women wearing a hijab. In May 2017, the Federation of Muslim Women Associations in Nigeria (FOMWAN) expressed concerns over the ban on the use of the hijab for Muslim girls in public schools in Lagos State, which they deemed to be in contradiction with Section 38 of the Nigerian Constitution.<sup>849</sup>

Conflicts involving Christian and Muslim communities are concentrated in northern cities, and in the Middle Belt (around Jos), where farmers are predominantly Christian and from various ethnic groups, and herders are predominantly Fulani Muslims.<sup>850</sup> Also Kaduna, in the north, has been hit hard by violent clashes between Christian and Muslim groups.<sup>851</sup> However, although the clashes are often conceived by the media and local population as a religious conflict between Muslims and Christians, the struggle for decreasing resources and the local political economy are important underlying factors.<sup>852</sup>

In this regard, the researcher A.E. Olojo, quoted in the 2017 EASO Country Focus report, points out that these conflicts, while often expressed in religious terms, often are caused by other tensions, such as: ‘tension between local host communities (‘indigenes’) and internal migrant communities (‘settlers’), another is tension between nomads and farmers’.<sup>853</sup> See Section [3.7](#) for more information on this topic.

### 3.8.3 Specific religious minorities

#### 3.8.3.1 IMN

As mentioned before, Nigeria has a small Shi’a population, estimated at 4 million, in predominately Sunni northern Nigeria. The Islamic Movement in Nigeria (IMN) is a small Shi’a organisation active since the 1980s, under the leadership of Ibrahim al-Zakzaky. Zakzaky, inspired by the Islamic revolution in Iran, called for a similar Islamic revolution of Nigeria and was imprisoned numerous times ‘for his seditious speech and calls to revolution’. The IMN was held responsible for violence in Katsina in the 1990s, ‘encouraged by Zakzaky’, according to the Harvard Divinity School.<sup>854</sup>

After its members blocked the army chief, Lt Gen Tukur Buratai, from using a public road in the northern city of Zaria in Kaduna State in December 2015, the army reacted with a large-scale action in which hundreds of members and one soldier were killed.<sup>855</sup> Human Rights Watch had called for an

<sup>848</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 5, [url](#)

<sup>849</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, pp. 5, 7, 12, 13, [url](#); FOMWAN, Hijab – The Right of the Muslim Woman, 20 May 2017, [url](#)

<sup>850</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 10, [url](#)

<sup>851</sup> EASO, COI Report, Nigeria Country Focus, June 2017, p. 53, [url](#); US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 1-2, [url](#). See also EASO COI report Nigeria, Security situation, November 2018, [url](#)

<sup>852</sup> International Crisis Group, Herders against Farmers: Nigeria’s Expanding Deadly Conflict, 19 September 2017, [url](#); BBC, How Nigeria’s cattle war is fuelling religious tension, 9 May 2018, [url](#)

<sup>853</sup> EASO, COI Report, Nigeria Country Focus, June 2017, [url](#), p. 53

<sup>854</sup> Harvard Divinity School, Shi’ism in Nigeria, n.d., [url](#)

<sup>855</sup> AI, Nigeria: Families of hundreds of Shi’a Muslims killed in Zaria still await justice, 13 December 2017, [url](#). For more detailed information, see EASO, Country of Origin Information Report –Nigeria, 5 June 2017, [url](#); International Crisis Group, New Risks in Nigeria’s Shiite Fault Line, 16 December 2015, [url](#)

independent investigation into the ‘carnage’. The result of this investigation by the Kaduna State Judicial Commission of Inquiry was that the army’s response was “disproportionate”.<sup>856</sup>

‘The army used “excessive force” against protesters and was responsible for the deaths and mass burial of the 347 members of the group. It recommended the prosecution of soldiers involved in the killings. The commission also recommended holding Islamic Movement members responsible for their “acts of habitual lawlessness”, and said that El Zakzaky bore responsibility for failing to call his followers to order when requested to do so.’<sup>857</sup>

The government thereafter detained the group’s injured leader, Sheikh Ibraheem Zakzaky and his wife Malama Zeenah Ibrahim, sparking protests from followers in Abuja and some other cities in the north of the country.<sup>858</sup> Both were held in detention by the Department of State Security (DSS) without trial for over two years, despite an order from the Federal High Court in Abuja ruling their release within 45 days of 2 December 2016.<sup>859</sup> According to Human Rights Watch, ‘the Kaduna State government authorities continued repression of the group without holding the perpetrators responsible.’<sup>860</sup>

In October 2016, the Kaduna State government declared the IMN unlawful.<sup>861</sup>

See also [EASO COI report Nigeria, Security situation](#), November 2018.

### 3.8.3.2. Christians in areas where they are a minority

The Shari’a laws in the northern states are only applicable for Muslims, and non-Muslims who opt to try their cases in sharia courts if involved in civil or criminal disputes with Muslims. It was reported that ‘[r]eligious minorities in Sharia-declared states are suffering widespread discrimination and harsh penalties that violate Nigeria’s international human rights obligations.’<sup>862</sup>

The US DoS Religious Freedom report notes: ‘Common law courts hear the cases of non-Muslims and Muslims (in states where they have the option) who choose not to use sharia courts. Sharia courts do not have the authority to compel participation by non-Muslims.’<sup>863</sup> The report continues:

‘Unlike in previous years, there were no reports by Christian groups of non-Muslims in northern states appearing in sharia courts against their will. According to these groups, most Christians in northern states had learned that they had the right to refuse to appear in a sharia court and exercised that right if they did not wish to use such courts.’<sup>864</sup>

According to the 2016 study on ethnic and religious crises in Nigeria published by the African Centre for the Constructive Resolution of Disputes (ACCORD), the most serious religious-motivated conflicts in Nigeria since 1999 are related to the Boko Haram crisis (see Section [2.1](#)).<sup>865</sup> The study further specifies that ‘[t]his group has started a bloody campaign to impose a *sui-generis* Islamic regime based on Shari’a in the Muslim North of the country.’<sup>866</sup> Boko Haram, particularly under Abubakar Shekau’s leadership, has also targeted ordinary Muslims, alongside with Christian ‘infidels’.<sup>867</sup>

<sup>856</sup> Human Rights Watch, Dispatches: Nigerian Military Used Excessive Force Against Shia Group, 1 August 2016, [url](#)

<sup>857</sup> HRW, Nigeria: End Repression of Shia Group, 14 December 2016, [url](#)

<sup>858</sup> UN Security Council, Report of the Secretary-General on the activities of the United Nations Office for West Africa and the Sahel, (S/2018/649), 29 June 2018, [url](#), p. 4

<sup>859</sup> Sahara Reporters, Falana Urges Shiites To Keep Protesting Until El-Zakzaky Regains Freedom, 16 April 2018, [url](#); USCIRF, Annual Report 2018, April 2018, [url](#), p. 54

<sup>860</sup> HRW, Nigeria: End Repression of Shia Group, 14 December 2016, [url](#)

<sup>861</sup> IBT, Kaduna state in Nigeria bans Shia organisation IMN calling it unlawful society, 8 October 2016, [url](#)

<sup>862</sup> Zarifis, Ismene, Rights of Religious Minorities in Nigeria, 2002, [url](#), p. 22

<sup>863</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, [url](#), p. 6-7

<sup>864</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, [url](#), p. 6-7

<sup>865</sup> ACCORD, Ethnic and religious crises in Nigeria, 29 August 2016, [url](#)

<sup>866</sup> ACCORD, Ethnic and religious crises in Nigeria, 29 August 2016, [url](#)

<sup>867</sup> Al Jazeera, Split in ISIS-Aligned Boko Haram Group, 27 October 2016, [url](#), p. 3

According to the US DoS Religious Freedom report, ‘media regularly reported on claims by Christian leaders and organizations that northern leaders, backed by the federal government, were engaged in an effort to Islamize the country.’<sup>868</sup> The report makes specific reference to a bill aimed at regulating nongovernmental organisations (NGOs). This measure ‘would give the federal government authority to regulate churches which are registered as incorporated trustees and thus fall under the category of NGO.’<sup>869</sup> Such information has been reported by national and international media outlets.<sup>870</sup> According to the International Center for Not-for-Profit Law (ICNL), ‘some religious groups have alleged that the real motive of the Act is to spread Islam in Nigeria.’<sup>871</sup>

Christian groups in the north reportedly encounter difficulties in getting permits for the construction of new places of worship and reported on the demolition of churches by state authorities, such as in the northern state of Jigawa.<sup>872</sup> The incident, which took place in January 2017, has also been reported by the national press.<sup>873</sup>

According to the NGO Intersociety (International Society for Civil Liberties & the Rule of Law), quoted in Vanguard, 250 Christians had been killed by Boko Haram in the first six months of 2018, and more than 2450 in the period June 2015-June 2018.<sup>874</sup> These numbers could not be corroborated by other sources. The same NGO noted that 2 000 Christians had been killed between 1 January and 15 September 2018 by ‘Fulani jihadists’, most of them in Benue, Plateau, Taraba, and Nasarawa states.<sup>875</sup> See also Section [3.7](#).

### 3.8.4 Means of redress

As reported in the US Department of State International Religious Freedom Report of 2017 on Nigeria, ‘[h]uman rights groups continued to report the federal government often failed to prevent, quell, or respond to violence affecting religious groups, particularly in the north-eastern and central regions of the country.’<sup>876</sup> The 2017 EASO COI report on Nigeria points out that ‘some religious and other groups reported that the government did not always respond to religiously motivated violence or targeted attack on certain victims due to their religion.’<sup>877</sup>

## 3.9 Persons affected by witchcraft or ritual killings

### 3.9.1 Description of witchcraft

Witchcraft is defined in the Encyclopedia Britannica as: ‘the exercise or invocation of supernatural powers to control people or events typically involving sorcery or magic.’<sup>878</sup> The belief in witchcraft (or *juju*) was and still is widespread in Nigeria.<sup>879</sup> Witchcraft and cult groups served as traditional social

<sup>868</sup> US DoS Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 6-7, [url](#)

<sup>869</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 7, [url](#)

<sup>870</sup> Premium Times, The NGO Regulatory Commission of Nigeria (Establishment) Bill, 2016, 25 September 2017, [url](#); Reuters, Nigeria NGOs slam civil society bill as grave threat to freedoms, 13 December 2017, [url](#)

<sup>871</sup> International Center for Not-for-Profit Law, Civic Freedom Monitor: Nigeria, last updated 6 July 2018, [url](#)

<sup>872</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 7, [url](#)

<sup>873</sup> Vanguard, Jigawa govt explains demolition of churches, 12 January 2017, [url](#); Eagle Online (The), Why We Demolished RCCG, Lord Chosen Church Buildings – Jigawa, 11 January 2017, [url](#)

<sup>874</sup> Vanguard, Nigeria: Herdsmen, Boko Haram Killed 1,750 Christians in First Six Months of 2018, 3 July 2018, [url](#)

<sup>875</sup> Intersociety, 250 Killed In 2 Months & 2000 Recorded Since Jan 2018, 16 September 2018, [url](#)

<sup>876</sup> US DoS, Nigeria 2017 International Religious Freedom Report, 29 May 2018, p. 1, [url](#)

<sup>877</sup> EASO, Nigeria Country Focus, June 2017, [url](#), p. 53

<sup>878</sup> Encyclopaedia Britannica, Witchcraft, n.d. [url](#)

<sup>879</sup> Eboiyehi, Friday A., Convicted without Evidence: Elderly Women and Witchcraft Accusations in Contemporary Nigeria, August 2017, [url](#), p. 250; see for example: UNHCR/Schnoebelen, Jill, Witchcraft allegations, refugee protection and human rights: a review of the evidence, Research Paper no. 169, 2009, [url](#); UNHCR/ Bussien, Nathalie, et al., Breaking the spell:

control and conflict resolving mechanisms in Africa and thus are not a new phenomenon, according to the Nigerian researcher Akinpelu Babajide Adedotun, in an analysis of ‘sorcery and cultism’ in Nigeria.<sup>880</sup>

The researchers Jayeola-Omoyeni et al., working on southern Nigerian universities and colleges, explain the witchcraft phenomenon as follows:

‘Witchcraft is the belief that there were vital forces or supernatural powers that could be tapped by those who acquired such powers to reshape the behaviour of man [...] Nigerian communities embraced witchcraft as a consultative medium of getting explanations to incomprehensible phenomena within their areas. The peoples were unaware of the causes of diseases and other natural phenomenon, hence, they consulted with supernatural groups or societies like the witches for explanations [...] The witch [...] symbolized evil in contrast to the basic goodness of the society.’<sup>881</sup>

Witches are regarded as the common cause of misfortune. In the words of the researcher Uwem Essia: ‘In Akwa Ibom State and other States in Southern Nigeria, it is hard to hear that someone dies a natural death. If an individual who cannot swim gets drowned, he/she is believed to have been killed by a witch or wizard, or something or somebody is behind the person's death.’<sup>882</sup>

An anthropological study into witchcraft practises by UNICEF explains the way of thinking about witchcraft:

‘Misfortune, whether illness, death or other misfortunate events, is rarely considered to have occurred completely naturally. They are the result of interference from the invisible world via spirits, witches, etc. As Evans-Pritchard noted some eighty years ago among the Zande, “all misfortunes are due to witchcraft” (1937: 53). Belief in witchcraft does not, however, exclude empirical understanding of cause and effect. Again according to Evans-Pritchard, explaining a death by natural causes and believing that it was due to witchcraft are not mutually exclusive, but rather complement each other. It is in fact a question of double causality. To illustrate this theory, consider the following example from a modern context: a boy dies as a result of cirrhosis of the liver. No one questions that it was the disease that killed him. The question is: why this boy and not another? Why at this precise moment? Here is where explanations of witchcraft complement the natural explanation. A witch has devoured the boy's liver. In this sense, witchcraft does not explain how the person died or why.’<sup>883</sup>

Incidences of witchcraft and cult/occult activities are widely covered by Nigerian newspapers. Akinpelu indicates several factors that have contributed to the emergence of current cults and witchcraft:

- urbanisation (leading to anonymity in big cities);
- the emergence of new Evangelical and Pentecostal churches which ‘have popularized the thinking that material fortune is universally available, but access to it is inhibited by the Devil, and all it takes to appropriate success is to get witches out of the way’;
- economic discontent by youth (particularly in the oil-rich Niger Delta);

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responding to witchcraft accusations against children, January 2011, [url](#); see also Geschiere, Peter, Witchcraft, intimacy, and trust: Africa in comparison, 2013, Chicago: The university of Chicago Press

<sup>880</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, pp. 77–90, [url](#), p. 81

<sup>881</sup> Jayeola-Omoyeni et al., Witchcraft in the 20th and 21st centuries in Nigeria: an analysis, October 2015, [url](#)

<sup>882</sup> Essia, Uwem, The Social Economy of Child Witch Labeling in Nigeria, 15 June 2012: [url](#), p. 1

<sup>883</sup> UNICEF, Children Accused of Witchcraft - An anthropological study of contemporary practices in Africa, April 2010, [url](#), p.

- the belief that a successful business person has to be involved in one form of sorcery or another; his/her wealth is based on 'ritual killing or to the use of body parts for money rituals'.<sup>884</sup>

The researcher Akinpelu concludes that witchcraft accounts for 1 % of all fatalities reported over the period of eight years:

'Nowadays, witchcraft and sorcery account for a relatively small number of violent deaths in Nigeria. The Nigeria Watch database recorded over 61,000 violent deaths during the period under investigation, from June 2006 to May 2014 [...] Despite many legends of bloodsucking witches killing thousands, sorcery accounted for only 661 deaths which represents just 1 % of violent deaths reported.'<sup>885</sup>

### 3.9.2 Persons accused of witchcraft

From available research, it is widely recognised that most of the persons at risk of witchcraft accusations are women, the elderly and children or those 'who are somehow "different", feared or disliked', according to a UNHCR report.<sup>886</sup> Academic research suggests that witchcraft accusations are often directed towards persons closely related such as neighbours, kinsmen, even own children or parents.<sup>887</sup>

On the other hand, Pratten notes that 'victims are generally identified at random and usually because they are relatively soft targets. These would include those younger and/or those who were mentally or physically challenged'. He added: 'skin colour [albinos] does not seem a major factor in Nigeria', but he heard many stories about persons with kyphosis (hunchback) being potential targets.<sup>888</sup>

#### 3.9.2.1 Elderly women

Elderly women are mentioned as victims of witchcraft accusations in a 2009 UNHCR study.<sup>889</sup> They can be subjected to torture and other forms of violence when allegations of witchcraft arise. The death of a child, miscarriage of a pregnant woman, 'eccentric' behaviour, outliving a (deceased) husband, are all 'key underlying factors' for such witchcraft accusations. Punishment may involve severe beating, burning or stoning, naked parading, compelled to drink lethal 'medicines', sometimes ending in a lynch mob.<sup>890</sup>

#### 3.9.2.2 Twin babies

In some communities, twins (sometimes called 'badly born babies'<sup>891</sup>) are believed to have bad spirits that will bring misfortune upon their communities; therefore in several communities, twin babies (sometimes only one of them) are killed to avoid bad luck for their families.<sup>892</sup> However, in other

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<sup>884</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), pp. 78-81

<sup>885</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), pp. 82-83

<sup>886</sup> UNHCR, Breaking the spell: responding to witchcraft accusations against children, January 2011, [url](#)

<sup>887</sup> Geschiere, Peter, Witchcraft and modernity: perspectives from Africa and beyond, 2011, [url](#); Geschiere, Peter, Witchcraft, intimacy, and trust: Africa in comparison, 2013

<sup>888</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 81

<sup>889</sup> UNHCR, Witchcraft allegations, refugee protection and human rights, 2009, [url](#), pp. 9-11

<sup>890</sup> Eboiyehi, Friday A., Convicted without Evidence: Elderly Women and Witchcraft Accusations in Contemporary Nigeria, August 2017, [url](#), p. 247

<sup>891</sup> UNICEF, Children Accused of Witchcraft, April 2010, [url](#), p. 30

<sup>892</sup> VOA, Campaign Tackles Baby-killing Ritual in Nigeria, 4 October 2017, [url](#)

communities, the powers attributed to twins are regarded more ambiguously, as twins can see through hidden things and are respected and feared, being close to gods.<sup>893</sup>

### 3.9.2.3 Child witches

In the last decade, an increasing tendency to accuse children to be witches has been noticed.<sup>894</sup> The reasons why children have become the specific focus of child witchcraft accusations remain partially unclear, according to a report by the European Parliament (EP). The report lists several general issues to explain the phenomenon, including ‘profound societal transformations, religious changes, the collapse of traditional institutions and social problems suffered by both children and adults.’<sup>895</sup>

According to Pratten, this is ‘linked to ideas that children possess occult powers and cause fatalities or failure.’ Particularly in Akwa Ibom State, cases of murder, attempted murder and abandonment of children are rampant; an estimated 15 000 children have been accused of witchcraft, he said. This trend is linked to Pentecostal church preaching and exorcism of evil spirits during services. He notes that ‘a church that can identify the enemies of progress, the reason why the business, the family are not progressing, not becoming wealthy/prosperous is key to the competition between churches.’<sup>896</sup> However, close family also often accuses a child to be a witch.<sup>897</sup>

The following profiles of children are at particular risk of accusation of witchcraft, according to UNICEF:

- ‘Children having lost both parents, sent to live with another relative. Sometimes the child is sent to a host family according to rules of kinship (matrilineal or patrilineal).
- Children having lost one parent, the other having remarried. Disagreements with the step-father or -mother may be the origin of an accusation.
- Children living with a physical disability (any physical abnormality: large head, swollen belly, red eyes, etc.), those with a physical illness (epilepsy, tuberculosis, etc.) or psychological disorder (autism or Down Syndrome, etc., even those who stutter) or especially gifted children.
- Children showing any unusual behaviour, for example children who are stubborn, aggressive, thoughtful, withdrawn or lazy. In short, all kinds of behaviour that, in a specific context defined by witchcraft discourse, appear as unusual or abnormal.
- “Bad birth” children may also be open to witchcraft accusations, but constitute a separate category.’<sup>898</sup>

The first two categories (orphans of one or both parents) are also mentioned by the Child's Right and Rehabilitation Network (CRARN), a charity organisation in Akwa Ibom sheltering children accused of witchcraft:

‘Typically the surviving parent remarries and the incumbent spouse brands the child as a “witch” or “wizard” and casts them out onto the street [...] Most children have suffered some severe violations of their rights, either on the streets or at the hands of pastors, parents, neighbours and members of the public [...] This includes horrible beatings with machetes, rods, horsewhips, burning parts of the body with fire to elicit confessions, hanging on the roofs.’<sup>899</sup>

<sup>893</sup> Diduk, S.E., *Twins, Ancestors and Socio-Economic Change in Kedjom Society*, September 1993, [url](#)

<sup>894</sup> UNHCR, *Breaking the spell: responding to witchcraft accusations against children*, January 2011, [url](#); EP, *Child Witchcraft Allegations and Human Rights*, July 2013, [url](#)

<sup>895</sup> EP, *Child Witchcraft Allegations and Human Rights*, July 2013, [url](#), p. 1

<sup>896</sup> Pratten, David, EASO, *Practical Cooperation Meeting on Nigeria*, 12-13 June 2017, [url](#), p. 75

<sup>897</sup> See for example, Vanguard, ‘We were branded child-witches by our own parents and severely tortured!’, 6 May 2018, [url](#). See further UNICEF, *Children Accused of Witchcraft*, April 2010, [url](#)

<sup>898</sup> UNICEF, *Children Accused of Witchcraft*, April 2010, [url](#), p. 17

<sup>899</sup> CRARN, *About us*, n.d., [url](#)

Like Pratten and other researchers, UNHCR notes that pastors, especially of Revivalist/Pentecostal churches, are the main group who accuse children of witchcraft. In addition, 'parents who cannot care for their children are the other main group of accusers'.<sup>900</sup> Likewise, the UNICEF report notes:

'Churches, especially those belonging to the Pentecostal and prophetic movement (charismatic, revivalist, etc.), play an important role in the diffusion and legitimization of fears related to witchcraft, and in particular, child witches. The pastor-prophet is an important figure in the process of accusing children of witchcraft, by effectively validating the presence of a "witchcraft spirit". Pentecostals, for example, present their faith as a form of divine armour against witchcraft, and they participate actively in the fight against Evil that is incarnated through witchcraft.'<sup>901</sup>

Human rights violations to children accused of witchcraft can include: infanticide, abandonment, physical and sexual violence. Once the child ends up living on the streets, it often encounters other violence, perpetrated by gangs but also often by the authorities. Common problems these children encounter are: drugs, illegal work, prostitution, begging, no schooling, and stigmatisation and discrimination.<sup>902</sup>

Accusations of child witches occur more frequently in southern Nigeria's Christian regions and much less in the (Muslim) northern regions. The UNICEF study indicates that there is not enough information to explain this phenomenon but also points at the different perception of evil in Islam and different ways to address witchcraft.<sup>903</sup>

### Means of redress

In Nigeria, the Child Rights Act (2003) protects children against all forms of physical, mental, and emotional torture and abuse.<sup>904</sup> The Nigerian Child Right Law was adopted in Akwa Ibom in 2008.<sup>905</sup>

Accused child witches usually end up on the streets or they might ask for help from NGOs such as CRARN. According to the UNICEF report, the role of the police in helping child witches often shows a double standard, as police also use street children to steal and rob people for them.<sup>906</sup>

#### 3.9.2.4 Persons with albinism

Persons with albinism (or albinos) face discrimination and ostracism in large parts of the African continent.<sup>907</sup> Albinos are regarded in many African societies as 'abnormal' and vulnerable for human rights violations. Their body parts are highly in demand for potions and lucky charms which bring prosperity.<sup>908</sup> The UN Human Rights Council (UN HRC) in June 2015 appointed an independent expert on the enjoyment of human rights by persons with albinism, Ms Ikponwosa Ero from Nigeria, and notes:

'Albinism is a rare, non-contagious, genetically inherited condition which occurs worldwide regardless of ethnicity or gender. It most commonly results in the lack of melanin pigment in the hair, skin and eyes (oculocutaneous albinism), causing vulnerability to sun exposure. Albinism is still profoundly misunderstood, socially and medically. The physical appearance of

<sup>900</sup> UNHCR, Breaking the spell: responding to witchcraft accusations against children, January 2011, [url](#), p. 8

<sup>901</sup> UNICEF, Children Accused of Witchcraft, April 2010, [url](#), p. 14

<sup>902</sup> UNICEF, Children Accused of Witchcraft, April 2010, [url](#), pp. 42-45

<sup>903</sup> UNICEF, Children Accused of Witchcraft, April 2010, [url](#), p. 16

<sup>904</sup> Nigeria, Act No. 26 of 2003, Child's Rights Act, 2003, 31 July 2003, available at: [url](#)

<sup>905</sup> ESSIA, Uwem, The Social Economy of Child Witch Labeling in Nigeria, 15 June 2012, [url](#), p. 4

<sup>906</sup> UNICEF, Children Accused of Witchcraft, April 2010, [url](#), pp. 42-45

<sup>907</sup> UNHCR, Witchcraft allegations, refugee protection and human rights: a review of the evidence, 2009, [url](#), pp. 17-19

<sup>908</sup> UNICEF, Children Accused of Witchcraft, April 2010, [url](#)

persons with albinism is often the object of erroneous beliefs and myths influenced by superstition, which foster their marginalization and social exclusion.’<sup>909</sup>

According to the Albino Foundation, which is ‘committed to addressing the plight of People with Albinism (PWA) and to change negative mindsets and sociocultural stereotypes about albinism in Nigeria and the world’, there are about 2 million people with albinism in Nigeria, and about 600 000 suffer from discrimination, social exclusion and stigma from their families, schoolmates and peers. ‘The poverty and lack of education suffered by albinos does not stem from any mental or physical disability, but mostly as a result of discrimination, social exclusion and stigma, and in some cases the human rights abuse they suffer as a result of their skin colour.’ Examples mentioned are families killing their albino baby or not offering them education, believing that they will not get jobs anyway.<sup>910</sup>

The UNHRC states that in the past ten years at least 600 attacks on children and adults with albinism have been reported in 28 countries. These attacks refer not only to the use of body parts of albino people for rituals, but also to accusations of witchcraft of people with albinism: ‘children born with albinism can be perceived as a curse on their families who are quick to abandon them, exclude them and their mothers from the community, or even be the victims of infanticide.’<sup>911</sup> Of the 600 reported attacks, ten had been committed in Nigeria.<sup>912</sup> It is not known in which time span these attacks had been committed. According to Pratten, skin colour [albinos] does not seem a major factor in Nigeria’.<sup>913</sup>

The Independent Expert in her first general report, not covering specific countries, notes: ‘Women and children with albinism are particularly vulnerable as they are exposed to intersecting and multiple forms of discrimination [...] Children with albinism are often particular targets of attacks due to the witchcraft-based belief that the innocence of a victim from whom body parts are taken increases the potency of the potion for which the body parts are used.’ She adds that ‘children constitute a large proportion of victims of ritual attacks.’<sup>914</sup> The report does not include specific references to Nigeria.

### 3.9.2.5 Mental or physical disabilities

Persons with mental or physical disabilities suffer from social stigma, exploitation, and discrimination. They are often begging on the streets. They hardly receive medical health care, particularly those with mental health problems. Several sources report that there is a widespread belief that mental illnesses are caused by supernatural or spiritual forces, such as sorcery, witchcraft, evil spirits and gods (punishing the person for sins). This belief influences the attitude of people towards mentally ill persons. As a result, treatment of persons with mental health problems is focused on anti-witchcraft treatment.<sup>915</sup>

A research by three academics from the University of Saskatoon, Canada and the Department of Psychiatry, University of Nigeria Teaching Hospital in Enugu, into knowledge of and attitude to mental illness in Nigeria shows that ‘mentally ill persons are frequently referred to as dangerous, suspicious, unstable, unreliable, irresponsible, and homicidal [...] Such labels have aggravated stereotypes and provoked further prejudices on people with mental illnesses.’<sup>916</sup>

<sup>909</sup> UN HRC, Independent Expert on the enjoyment of human rights by persons with albinism, n.d. [url](#)

<sup>910</sup> Albino Foundation, Albinism in Africa, n.d. [url](#)

<sup>911</sup> UN HRC Hunted for their body parts, 4 April 2017 [url](#)

<sup>912</sup> UN Independent Expert on Enjoyment of Human Rights by Persons with Albinism, 26 October 2017, [url](#)

<sup>913</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 81

<sup>914</sup> UN Human Rights Council, Report of the Independent Expert on the enjoyment of human rights by persons with albinism, A/HRC/31/63, 18 January 2016, [url](#)

<sup>915</sup> Okpalauwaekwe U. et al. Knowledge of and Attitude to Mental Illnesses in Nigeria, 5 March 2017, [url](#); Tormusa, Daniel O., Cultural Perspectives and Attitudes toward Mental Health in Nigeria, August 2015, [url](#); US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

<sup>916</sup> Okpalauwaekwe U. et al., Knowledge of and Attitude to Mental Illnesses in Nigeria, 5 March 2017, [url](#)

As mentioned above, according to David Pratten, persons with kyphosis (hunchback) are potential targets for witchcraft accusations.<sup>917</sup> See also Section [3.15](#).

### 3.9.3 Ritual killings

Ritual murder refers to killings for ritual purposes (for example, to obtain human body parts for use in rituals). Apart from murder, various ritual practices (possession of human body parts, trial by ordeal, worship or invocation of any juju that is prohibited in the law) is a legal category in the Nigerian criminal law, introduced in the British colonial period.<sup>918</sup> Ritual killing, as defined in the 2017 EASO Country Focus report, based on M.L. Bastian, ‘includes different forms of killing done in order to satisfy or please spirits or gods.’ It further includes killing taking place during secret ceremonies and for the purpose of the use of body parts for rituals.<sup>919</sup>

A widely used description, mentioned by David Pratten is the practice being ‘performed to procure body parts for ritual practices that can enhance a person’s power, virility, wealth or protection. This might be for the production of “medicines”. [...] There are very contemporary motivations for these forms of murder. Getting rich quick is probably the primary one.’<sup>920</sup>

The BBC notes: ‘Traditional witchcraft practitioners are widely consulted for cures for various ailments and because they are believed to have magical powers to protect their clients from a wide range of misfortunes and to bring good luck.’<sup>921</sup> Witchcraft practitioners (popularly called *alfa*<sup>922</sup>) advise the use of certain human body parts in rituals for clients to achieve their desires, which are usually ‘quick riches’ and power, and sometimes a longer life.<sup>923</sup> This phenomenon is not new but the demand for it is, according to media reports, increasing.<sup>924</sup> Reports on witchcraft and ritual killings are more prevalent in the south, with the highest numbers in Lagos and Delta State.<sup>925</sup>

The newspaper The Nation comments: ‘There is no doubt that ritual killers are in business because there is a high demand for human parts. It is said that those who buy human parts for ritual purposes include the poor desperate for riches and the rich desperate for greater wealth as well as politicians desperate for political power.’<sup>926</sup>

Researchers differ in their opinion whether ritual killings occur, as the 2017 EASO Country Focus report notes:

‘From the available source material it cannot be concluded that ritual murders never occur. Several researchers, [...], believe that they do occur. [Daniel Jordan] Smith, however, points out that much of the media coverage of alleged ritual killings in Nigeria is mostly based on

<sup>917</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 81

<sup>918</sup> Canada, IRB, Nigeria: Prevalence of ritual murder and human sacrifice and reaction by government authorities (March 2000-July 2005), (NGA100384.E), 22 July 2005, [url](#); Nigeria, Criminal Code Act, Cap C38 LFN 2004 (amended version of 1990), available at: [url](#); EASO, COI report Nigeria Country Focus, June 2017, [url](#), p. 59

<sup>919</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#), p. 59

<sup>920</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 81

<sup>921</sup> BBC, Nigerian girl 'killed for witchcraft rituals', 14 November 2017, [url](#)

<sup>922</sup> NewEurope, Ritual killings in Nigeria on the rise, 9 August 2017 [url](#)

<sup>923</sup> See for example: NewEurope, Ritual killings in Nigeria on the rise, 9 August 2017 [url](#); Vanguard, Why Killings for rituals are on the increase in Nigeria, 2 September 2017, [url](#); Vanguard, Chilling story of ritual killing in Ibadan, 30 March 2017, [url](#); New Telegraph, Ritual Killings: The story of pain, depravity, 2 September 2017, [url](#); Premium Times, How we killed three students, removed, sold breasts for N15 million – Ritual killers, 7 September 2017, [url](#)

<sup>924</sup> See previous footnote and: Canada, IRB, Nigeria: Prevalence of ritual murder and human sacrifice and reaction by government authorities (March 2000-July 2005), (NGA100384.E), 22 July 2005, [url](#); Oyewole, S., Kidnapping for Rituals: Article of Faith and Insecurity in Nigeria, November 2016, [url](#)

<sup>925</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), pp. 82-83

<sup>926</sup> The Nation, Ritual Killing, 17 November 2017, [url](#)

unsubstantiated hearsay. Local press coverage is mostly based on unsubstantiated rumour, and the finding of corpses does not necessarily prove ritual murder. Akinpelu points out that both media and religious leaders focus a lot of attention on this issue, sometimes overemphasising the phenomenon as a major cause of poverty or misfortune.<sup>927</sup>

### 3.9.3.1 Victims and perpetrators of ritual killings

Victims of ritual killings can be anyone, although babies and young women (specifically virgins) are often specifically mentioned.<sup>928</sup> The newspaper Vanguard notes: ‘Investigation shows that female parts are more in demand than their male counterparts. This is because of what was described as the potency of some parts like the breasts and lower private parts in money rituals and other purposes by herbalists and occult groups.’<sup>929</sup> Victims can be relatives, neighbours, friends, passers-by, employers, travellers, and are usually abducted or kidnapped for the specific purpose of ritual killing.<sup>930</sup>

Perpetrators are reportedly persons who kill and remove the body parts for money or for fear of the persons assigning them to the task (for example, witchdoctors or rich persons). Human parts are for sale and allegedly cost between 2 000 and 60 000 Naira, depending on the size and ‘freshness’ of the body parts.<sup>931</sup>

Religious (especially Evangelical and Pentecostal) leaders are sometimes involved as well, as Akinpelu notes:

‘Another contemporary dimension to the issue of witchcraft can be found in the new Evangelical and Pentecostal churches, which generally depict godliness and success in terms of overcoming the Devil. These movements have popularized the thinking that material fortune is universally available, but access to it is inhibited by the Devil, and all it takes to appropriate success is to get witches out of the way.’<sup>932</sup>

### 3.9.3.2 Numbers

Pratten notes that ‘overall, the number of such attacks is low’ and that ‘ritual murder is NOT a “systematic practice”’. Reporting from across Nigeria suggests that there is no real ethnic or local distribution to be aware of though there are probably fewer incidents in the northern states of the country.<sup>933</sup>

Based on the NigeriaWatch data, the reported number of ritual killings is increasing. From 133 in 2015, the number was initially decreasing in 2016 to 111 and increasing again in 2017 to 223. In the first five months of 2018 (until 1 June 2018), there were 72 deaths reported.<sup>934</sup> The doubling of the number of killings in 2017 was mainly due to a wave of ritual killings by a group called ‘Badoo’ in Lagos State.<sup>935</sup>

<sup>927</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#), pp. 59-60

<sup>928</sup> BBC, Nigerian girl ‘killed for witchcraft rituals’, 14 November 2017, [url](#); Punch, Season of death: Female undergraduates turn preys hunted by ritual killers, 11 March 2017, [url](#)

<sup>929</sup> Vanguard, Why Killings for rituals are on the increase in Nigeria, 2 September 2017, [url](#)

<sup>930</sup> Vanguard, Why Killings for rituals are on the increase in Nigeria, 2 September 2017, [url](#); Oyewole, Samuel, Kidnapping for Rituals: Article of Faith and Insecurity in Nigeria, November 2016, [url](#)

<sup>931</sup> Premium Times, How we killed three students, removed, sold breasts for N15 million – Ritual killers, 7 September 2017, [url](#); Vanguard, Why Killings for rituals are on the increase in Nigeria, 2 September 2017, [url](#)

<sup>932</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), p. 78

<sup>933</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 81

<sup>934</sup> Nigeriawatch, Database, n.d. [url](#); Punch, Return of Badoo ritual killings in Lagos, 19 January 2018, [url](#)

<sup>935</sup> Premium Times, 2017: The year “Badoo killings” sent shock waves across Lagos, 2 January 2018, [url](#)

Reports on witchcraft and ritual killings are more prevalent in the south, with the highest numbers in Lagos and Delta State.<sup>936</sup> However, two cases in Borno were recently reported.<sup>937</sup>

However, compared to the total number of reported killings in Nigeria, deaths due to witchcraft and ritual killings account for ‘only’ 1 % of all violent deaths between 2006 and 2014. Akinpolu concludes: ‘Despite many legends of bloodsucking witches killing thousands, sorcery accounted for only 661 deaths’ between 2006 and 2014. Of these 661, 307 deaths were connected to cults or societies involved in local political struggles. Therefore, half of the killings listed in this study were committed as part of a religious ritual, or to use body parts from victims in such rituals.<sup>938</sup>

### 3.9.3.3 Means of redress

The media reports on ritual killings are based on police arrests and actions by local or state authorities to curb the killings. For example, the Lagos State police installed a mobile police base with ‘dozens of combat-ready anti-riot policemen’ in the suburb where the ‘Badoo killings’ and other criminal acts took place.<sup>939</sup> The responses of the federal and several state governments is ‘legalistic criminalisation and general policing, according to the researcher Oyewole, who further comments:

‘The police and the civil defence have been at the forefront of the war against ritualists in Nigeria. A series of arrests and trials of suspected ritualists and associated kidnapping syndicates have been recorded. However, the threat of kidnapping for rituals remain undeterred in Nigeria. The police remain weak in capacity for real time situations, which is very crucial to deter or counter the threat. There have been little commitment to investigate incidents, search and rescues victims or adopt a pre-emptive policing, which involves the search and destroy of dens of ritualists and kidnapping syndicates in Nigeria.’<sup>940</sup>

The Nigeria Police has been called to set up ‘Special Ritual Murder Squads in various State Commands to focus on the investigation, detection, arrest and prosecution of ritual killers.’ According to the police, ‘the high numbers of ritual killings demands an urgent action at the level of the police high command.’ It was also reported that citizens are losing confidence in the police’s ability to find and prosecute the perpetrators, and as a result, are taking justice in their own hands leading to an increase in lynching of suspected killers.<sup>941</sup>

### 3.9.4 Persons refusing chieftaincy titles

Information on chieftaincy titles, initiation rites and possible reaction if the person refuses the title, is mostly available on the Yoruba in the south-west. The Canadian IRB has drafted several answers to queries on this topic.<sup>942</sup> The French OFPRA has drafted a report on this topic, covering the whole of Nigeria.<sup>943</sup>

There are different levels of ‘traditional’ chiefs (a legacy from the British colonial era): paramount chiefs (who used to be mighty kings in the pre-colonial eras ruling vast empires), of whom nowadays the most prestigious are the Oba of Benin, the Ooni of Ife, the Alaafin of Oyo, the Emir of Kano and

<sup>936</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), pp. 82-83

<sup>937</sup> Daily Nigerian, Police launch investigation into rising cases of ritual killings in Borno, 13 May 2018, [url](#)

<sup>938</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), pp. 82-83

<sup>939</sup> Today.ng, Badoo killings: IGP Ibrahim Idris sets up mobile police base in Ikorodu, 22 January 2018, [url](#)

<sup>940</sup> Oyewole, Samuel, Kidnapping for Rituals: Article of Faith and Insecurity in Nigeria, November 2016, [url](#), p. 46

<sup>941</sup> Vanguard, Why Killings for rituals are on the increase in Nigeria, 2 September 2017, [url](#)

<sup>942</sup> Such as: Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, upon initiation to chieftaincy or during chieftaincy in Yorubaland; (NGA104602.E), 5 November 2013, [url](#)

<sup>943</sup> France, OFPRA, Les chefferies traditionnelles au Nigeria, 6 February 2015, [url](#)

the Sultan of Sokoto. A second layer of traditional chiefs, functioning below the Paramount chiefs, rule at the local level, preside over customary courts and function as conciliators in inheritance, marriage and land disputes, but not in criminal cases. They are part of the state administrative system and are appointed by the state government or paramount chiefs. They are connected to the local shrine(s) and exercise religious roles as well.<sup>944</sup> As Pratten comments: 'Moreover, many state recognised positions are remunerated – meaning that chieftaincies in Nigeria are actually part of the state bureaucracy and therefore part of the Nigerian petro-state's redistributive patronage structure. As such they are highly sought after positions and the competition for accession [...] can become sources of conflict in themselves.'<sup>945</sup>

Chieftaincy titles in Yorubaland are generally well-respected and sought after. According to sources of the IRB, there are two kinds of chieftaincy titles among the Yoruba: traditional titles and honorary titles. The traditional titles are usually higher in status and some of them are hereditary. Honorary titles are given by the Oba in recognition of a person's great contribution to the community, often political or business-related.<sup>946</sup> Some chieftaincy titles are given to people through association with a particular group, such as the Ogboni. There are an estimated 100-200 kings in Yorubaland, and about 6-9 traditional chiefs in every town. One source noted that 'most leading politicians hold several chieftaincy titles, and some churches and mosques give chieftaincy titles to their leading members.'<sup>947</sup>

Nowadays, the title of traditional chief is often sought after by highly educated intellectuals such as university professors as part of their career. As a result, many chiefs, especially in cities, are well educated and have conducted regular jobs for a certain period in their career.<sup>948</sup> For example, the Emir of Kano, who ranks second as the highest Muslim ruler in Nigeria, had a business and banking career and was the director of the Nigerian central bank.<sup>949</sup>

The 2017 EASO COI Nigeria Country Focus report also notes: 'Whenever the position of traditional ruler in a community is vacant, there is usually fierce competition for it among the people who fill the criteria. It has been reported that these functions are even given to people considered by many not to be suitable for such offices, because they were willing to pay.'<sup>950</sup>

### 3.9.4.1 Initiation rituals

Rituals for the initiation of chiefs differ greatly per locality or chieftaincy, but generally these involve 'prayers, blessings, and invocations, [...] wearing leaves with alleged spiritual powers under one's cap.' The installation is usually celebrated with a feast with food and drinks while goats or cows are slaughtered to feed the guests. According to an IRB source, 'If the chieftaincy title is a traditional chieftaincy title, the animals may be sacrificed to a deity, for example by invoking the deity'. The source noticed that these rituals, regarded as occult forces, may cause fear in some people.<sup>951</sup>

The death of a chief is surrounded with a great deal of secrecy. Until the 1930-50s, there were often 'blood rituals' involved in the process to become a king or chief. One of the stories 'that are believed

<sup>944</sup> France, OFPRA, Les chefferies traditionnelles au Nigeria, 6 February 2015, [url](#), pp. 6-9; Nigeria, Government of Akwa Ibom State, AKSG Recognises 230 Traditional Rulers, 11 March 2018, [url](#); Vanguard, Chieftaincy Declaration: Dilemma as Ajimobi approves elevation of 48 new kings in Oyo, 4 May 2018, [url](#)

<sup>945</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 78

<sup>946</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, (NGA104602.E), 5 November 2013, [url](#); Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), pp. 78-79

<sup>947</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, (NGA104602.E), 5 November 2013, [url](#)

<sup>948</sup> France, OFPRA, Les chefferies traditionnelles au Nigeria, 6 February 2015, [url](#)

<sup>949</sup> Campbell, John, Traditional Rulers Hold Real Power in Nigeria, [blog] CFR, 18 April 2018, [url](#)

<sup>950</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#), p. 61

<sup>951</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, (NGA104602.E), 5 November 2013, [url](#)

by some locals but have no evidence supporting them', according to an IRB source, refer to the successor eating the cooked heart of the deceased chief.<sup>952</sup> Nowadays, human sacrifices or blood rituals is against the Nigerian law; and IRB sources were positive that police would arrest such perpetrators and deal with them 'severely'.<sup>953</sup>

### 3.9.4.2 Refusing a Chieftaincy title

IRB sources indicate that, although there is competition for certain chieftaincy titles, and titles are rarely refused, some people do. Refusal of a title can have several reasons: in some places, there is a strong association with local religious practices which the person may not want to follow, for example if they are Christians or Muslims. Other people may refuse a chieftaincy title because of the social obligations and heavy duties involved in the role.<sup>954</sup>

Another IRB source explained that people may refuse to 'participate in the required rituals and sacrifices due to their education, occupation, or religion, especially Christianity. In this scenario, someone who was willing to participate in rituals "could always be found"'.<sup>955</sup> Sources agree that there are no consequences when a title is refused, and one source added that 'even in the past there were no "serious sanctions" for refusals'. However, in the case that the person concerned had been nominated by the parents to succeed them before they died, he or she could be forced to accept the chieftaincy title by 'chief makers'.<sup>956</sup>

The researcher David Pratten, speaking at the 2017 EASO Practical Cooperation Meeting on Nigeria commented on the question whether a person could be forced to take a chief's position: 'My experience is that traditional rulers, councils and their courts are held in the open, and people can go along and challenge them. It is not that it is a democratic thing, and it's clearly gerontocratic, but to be coerced into that position, it's conceivable but I guess it's not likely.'<sup>957</sup>

The EASO COI Nigeria Country Focus notes about hereditary chieftaincy titles: 'it is very unusual that refusing such a title poses a problem. First, it is unusual to refuse a title, because it implies refusing power, authority, prestige and respect [...], second, if someone would refuse, i.e. because of religious objections, there will generally be several others who are both qualified and willing to take the position.'<sup>958</sup>

In the case of refusing a title of a fetish priest, an IRB source stated that 'it would not be considered an offence against the shrine for someone to refuse the role of chief priest or fetish priest'. The source 'never heard of the priesthood being forced on anyone in Nigeria [...]. The shrine would want a successor who had the interest in and aptitude for the role'. Moreover, a hereditary title is not necessarily passed from father to son: 'a successor would likely be chosen from within the shrine priest's family'.<sup>959</sup>

<sup>952</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, (NGA104602.E), 5 November 2013, [url](#)

<sup>953</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, (NGA104602.E), 5 November 2013, [url](#)

<sup>954</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, upon initiation to chieftaincy or during chieftaincy in Yorubaland; (NGA104602.E), 5 November 2013, [url](#)

<sup>955</sup> Canada, IRB, Consequences for a Yoruba individual who refuses a chieftaincy title; (NGA103996.E), 13 November 2012, [url](#)

<sup>956</sup> Canada, IRB, Consequences for a Yoruba individual who refuses a chieftaincy title; (NGA103996.E), 13 November 2012, [url](#)

<sup>957</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 82

<sup>958</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#), p. 61

<sup>959</sup> Canada, IRB, Consequences for a person to refuse a chief priest or fetish priest position for which they have been selected in south and central Nigeria (NGA103485.E), 6 July 2010, [url](#)

According to one IRB source, ‘a chieftaincy title may be imposed on someone if a hereditary chieftaincy title is being passed through three branches in a family, adding that ‘if the successor in one of the branches refuses the title, the community may punish the lineage by denying them the title in the next round of succession.’ This may make the family force the successor to accept the title to avoid dishonour on the part of the family.<sup>960</sup>

#### 3.9.4.3 Possibility to relocate

An IRB source said that if a person is under pressure to accept a chieftaincy title, ‘they could move to a different town within Yorubaland "without being bothered"’.<sup>961</sup> Other sources to corroborate this information could not be found in the consulted sources.

### 3.10 Persons affected by secret societies

In this section, the profiles of members and former members of secret societies and persons refusing to join such societies, are discussed. As there is no information on other secret societies, apart from student cults or confraternities (discussed in Section [3.11](#)), only the Ogboni will be discussed.

#### 3.10.1 Ogboni

The Ogboni (not to be confused with the Reformed Ogboni Society) is the best-known but certainly not the only secret society in Nigeria. Many ethnic groups in Nigeria have similar societies, as is noted in the 2017 EASO Country Focus report on Nigeria.<sup>962</sup> A report by OFPRA mentions the Ekpe (or Leopard Spirit Cult), Ekine, Ogboni and Okonko as the most illustrious secret societies.<sup>963</sup> In this report, only the Ogboni will be discussed.

#### 3.10.2 Definition of profile

The 2017 EASO Nigeria Country Focus report notes: ‘The Ogboni society is a caste of Yoruba priests who elected and controlled the Oba, the Yoruba king. The Ogboni had great political and societal powers (they could ultimately force the Oba to withdraw or kill himself), and it used to be highly prestigious to become a member.’<sup>964</sup>

Traditional secret societies are aimed at maintaining and supporting the social-moral virtues of the society, socialising the youth, and helping the needed. In the same vein, the Ogboni society functions as a supplementary protection (next to the family and the tribe), aims to protect the well-being of its members and the society, to promote harmonious coexistence and to help the needed.<sup>965</sup> However, the researcher Obi N.I. Ebbe, quoted by the Canadian Immigration and Refugee Board (IRB) in a 2012 query answer on the Ogboni, characterises the Ogboni society as a criminal organisation.<sup>966</sup>

In the 1990s, only membership of the Ogboni could give access to an influential or governmental job. Nowadays, the influence of the Ogboni is reportedly declining although not totally disappeared. One

<sup>960</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, upon initiation to chieftaincy or during chieftaincy in Yorubaland; (NGA104602.E), 5 November 2013, [url](#)

<sup>961</sup> Canada, IRB, Prevalence of ritual practices, such as human sacrifice and the drinking of blood, upon initiation to chieftaincy or during chieftaincy in Yorubaland; (NGA104602.E), 5 November 2013, [url](#)

<sup>962</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#), p. 57; France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), pp. 4-5

<sup>963</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 3

<sup>964</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#), p. 57; France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), pp. 4-5

<sup>965</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 5

<sup>966</sup> Canada, IRB, Ogboni society, including its history, structure, rituals and ceremonies (NGA104213.E), 14 November 2012, [url](#)

OFpra interlocutor noted that nowadays money is a greater means to access political power. Secret societies are not visible and members are supposed not to share their secrets with outsiders. In this respect the Ogboni are like the freemasons.<sup>967</sup>

According to a source of the IRB, questioned on the current power of the Ogboni, ‘the only Yoruba parts of Nigeria where they still have some real influence on the traditional administration of the cities are in the Egba, Egbado and Abeokuta parts of Nigeria [Ogun and Lagos State]. Also, in some rural villages and small towns along in the borders of Ogun State with Oyo, Osun and Ondo, they might still be able to intimidate pockets of people.’ Another source attributes them a greater role, as Ogboni members are often part of the elite working in police, judiciary and government institutions.<sup>968</sup>

### 3.10.3 Organisation

There is little information on the structure and organisation of the Ogboni. As the Small Arms Survey notes: ‘Cult memberships, methods of operation, and initiation rites, which involve oaths of allegiance, remain secret. Some are pro-state or pro-government, some are anti-state, while others have no clear political objectives.’<sup>969</sup> According to a source of the Canadian IRB, information on rituals and ceremonies of the Ogboni society is only known to members and revealing it would risk his or her death.<sup>970</sup> Nevertheless, the OFpra notes that the Ogboni (and also the Okonko, a comparable Igbo society) societies are reportedly organised in lodges, branches and different hierarchical grades; they are governed by a hierarchical system of officers.<sup>971</sup>

### 3.10.4 Membership

Numerous high governmental leaders and officials, as well as judges, are reportedly members of an Ogboni society.<sup>972</sup> Membership is open to male and female Yoruba and other ethnicities. Membership is primarily voluntary but social pressure and intimidation to join can occur, especially if the person has a close history with and personal knowledge of the Ogboni, according to an IRB source. In most situations, the source adds, ‘individuals deliberately and voluntarily join these societies because they want power, financial rewards, and success’.<sup>973</sup>

According to an interlocutor interviewed by OFpra, membership is hereditary for the eldest son or daughter who join voluntarily after the death of their parent; this also applies to Christians. In the 1990s, only membership of the Ogboni could give access to an influential or governmental job. Women as well as men can be an Ogboni member.<sup>974</sup>

New members are submitted to initiation rites and carry specific insignias. They get the message to become obedient members and to keep the secrets of the society. Membership is limited to ‘free-born men’ and requires an attitude of dignity and honour. In principle, immature, immoral and criminal people are not allowed as members.<sup>975</sup>

<sup>967</sup> France, OFpra, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), pp. 49-50

<sup>968</sup> Canada, IRB, Ogboni society, including its history, structure, rituals and ceremonies (NGA104213.E), 14 November 2012, [url](#)

<sup>969</sup> Small Arms Survey, Armed and aimless: armed groups, guns, and human security in the ECOWAS region, 2005, [url](#)

<sup>970</sup> Canada, IRB, Ogboni society, including its history, structure, rituals and ceremonies (NGA104213.E), 14 November 2012, [url](#)

<sup>971</sup> France, OFpra, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), pp. 3, 5

<sup>972</sup> France, OFpra, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 5

<sup>973</sup> Canada, IRB, Ogboni society, including its history, structure, rituals and ceremonies (NGA104213.E), 14 November 2012, [url](#)

<sup>974</sup> France, OFpra, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016, [url](#), pp. 49-50

<sup>975</sup> France, OFpra, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 5

### 3.10.5 Former members of the Ogboni

There is very little information found amongst the consulted sources if there are consequences for a person who wants to quit the Ogboni society. IRB in 2012 cites a Nigerian Observer article on ‘the case of a young man who is reportedly being "hunted" by Ogboni chieftains after he refused to take his late father's position in the society given his Christian beliefs’.<sup>976</sup>

Stella Amadi Odiase, a Nigerian lawyer and international development practitioner, speaking at an EASO Practical Cooperation Meeting on Nigeria (2017), said she came across ‘one or two cases of former members who have actually been hounded for exiting’. One of the cases was a former member who gave interviews in which he mentioned ‘ritual killings and the slaughtering of animals’.<sup>977</sup>

No additional information could be found in the sources consulted on human rights violations, possibility to relocate or means of redress for former members of the Ogboni society.

### 3.10.6 Persons refusing to join secret societies - Ogboni

While membership of the Ogboni is reportedly primarily voluntary, social pressure and intimidation to join can occur, according to an IRB source. This can particularly occur when the person has a personal knowledge of the Ogboni, or when the parent has pledged that the person would be his or her successor in the society. Refusal to join in such cases is very difficult.<sup>978</sup> Recent information on such cases could not be found within the time frame of this report.

No additional information could be found in the sources consulted on human rights violations, state protection, possibility to relocate or means of redress for persons refusing to join the Ogboni society.

### 3.10.7 Persons criticising Ogboni

In the past two years there was one article on a person - a Christian pastor - who was allegedly threatened by Ogboni members for his ‘involvement in the destruction of traditional shrines and conversion of some idol worshippers to Christianity’.<sup>979</sup>

No additional information could be found in the sources consulted on human rights violations, state protection, possibility to relocate or means to redress for persons criticising the Ogboni society.

## 3.11 Persons affected by student/university cults

As mentioned in Section [2.3](#), university (student) cults, also known as confraternities, thrive in the southern states of Nigeria. These cults ‘initially functioned as civil society organizations but were later factionalized and transformed into violent groups’.<sup>980</sup> Currently, many cults, or rather ‘gangs’ as they

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<sup>976</sup> Canada, IRB, Ogboni society, including its history, structure, rituals and ceremonies (NGA104213.E), 14 November 2012, [url](#)

<sup>977</sup> Stella Amadi Odiase, EASO, Nigeria Practical Cooperation meeting, 12-13 June 2017, [url](#), p. 42

<sup>978</sup> Canada, IRB, Ogboni society, including its history, structure, rituals and ceremonies (NGA104213.E), 14 November 2012, [url](#)

<sup>979</sup> Nigerian Bulletin, Ogboni Fraternity Want To Kill Me For Destroying Their Shrine - Lagos Pastor Cries Out, 1 December 2017, [url](#)

<sup>980</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, pp. 77-90, [url](#), p. 81

are now characterised, have very violent initiation rites and are engaged in illegal activities.<sup>981</sup> The cults are very strong in the Niger Delta states of Rivers, Bayelsa, Delta and Edo.<sup>982</sup>

The most well-known confraternities or student cults are: Pyrates, Buccaneers, Supreme Vikings, Black Axe, Klansmen Konfraternity, Eiye, Supreme Eiye. Female cults are: Black-bra, Black Berets, Woman Brassier, Daughters of Jezebel, Pink Lady, Amazons, White Angels, Lady of Rose, Sisterhood of Darkness, Golden Daughters, The Ten wonderful Girls, White Ladies, The Royal Queens, Daughters of the Knight, The Knights of the Aristos.<sup>983</sup> The website Global Sentinel also presents a list of cults and their beliefs.<sup>984</sup>

Student cults engage in criminal activities such as killings, human trafficking, drugs trafficking, smuggle, extortions, prostitution networks.<sup>985</sup>

Based on the database of Nigeria Watch, a total of 1 863 deaths recorded between June 2006 and 2014 can be connected to cults; the highest numbers (nearly 600) in Rivers State.<sup>986</sup> The number of cult killings in Nigeria between June 2006 and September 2015 shows a peak in 2007 (400 killings) and again in 2014. The number between January and September 2015 has already equalled the 2014 record of cult killings, albeit in a lower number of incidents. While 435 persons were killed in cult-related violence in 148 incidents in 2014, there were 132 incidents in 2015 with the same amount of fatalities. See figure below.

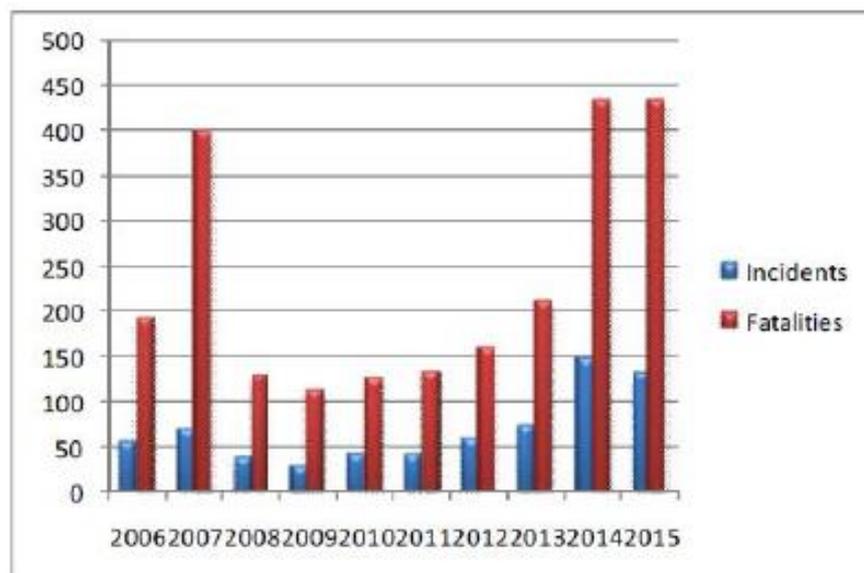


Figure 1: Yearly trend of cult killings and incidents (June 2006 – September 2015)<sup>987</sup>

<sup>981</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 48; AOAV, The Violent Road, 12 December 2013, [url](#), p. 106

<sup>982</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016 [url](#), p. 48

<sup>983</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), pp. 10-11

<sup>984</sup> Global Sentinel, Cultism: Top 7 confraternities in Nigeria and their history, beliefs, 5 October 2017, [url](#)

<sup>985</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), pp. 15, 16

<sup>986</sup> Akinpelu, B. A., Trends and Patterns of Fatalities Resulting from Cult Societies and Belief in Witchcraft in Nigeria (2006-2014), 2016, [url](#), p. 82-83

<sup>987</sup> Ukoji Vitus Nwankwo, Okolie-Osemene James, Prevalence of Lethal and Non-lethal Crimes in Nigeria, 2016, [url](#), p. 18

Cults-related violence accounted for 442 fatalities in 2017, while 290 victims of kidnapping were recorded, according to Nigeria Watch. The source recorded violent incidents related to cult societies in 23 states, but mostly in Lagos and Rivers states. Incidents included ‘kidnapping, armed robbery, militancy, ritual killings and battles with security operatives or rival groups’.<sup>988</sup>

### 3.11.1 Members or former members of university cults

In this section, the situation is discussed of persons who are or have been a member of a cult or confraternity and want to leave or have left the organisation.

#### 3.11.1.1 Human rights violations

Initiation rites reportedly involve severe human rights violations with violent and humiliating rituals including obligatory rape, armed robbery or attacks of faculty members, as described in [2.4.4](#).<sup>989</sup>

As mentioned before, media regularly report on forced recruitment (or strong peer pressure) by cults.<sup>990</sup> A recent trend is that an increasing number of young primary or secondary school pupils is involved in cults. When they are caught by the police, they allege to have been blindfolded, taken to the initiation site against their will, one of their thumbs having been pierced and some blood collected for the initiation rite.<sup>991</sup>

The researcher David Pratten notes: ‘Once a person has been initiated – which usually involves a violent beating (with many reports of rape) – it is very hard for them to leave or to talk about their experience beyond the group.’<sup>992</sup>

Some sources report that it is ‘extremely difficult’ to leave a cult after being initiated. Persons who quit the confraternities or cults can be persecuted and killed, out of fear of revealing the cult’s secrets.<sup>993</sup> However, a representative of the NHRC noted that the power of the cults is not as strong as before and a recent conflict with a cult has been solved without consequences.<sup>994</sup> Information on persons killed due to leaving a cult could not be found in the sources consulted within the time frame of this report.

#### 3.11.1.2 Means of redress

In June 2004, the Secret Cult and Cult Related Activities (Prohibition) Bill prohibiting about 100 cults was passed by parliament.<sup>995</sup> In addition, Nigeria has a number of other legal ways in place to prohibit confraternities or cults, as David Pratten explains: ‘criminal code provisions against unlawful societies at state and federal level [...] In 2004, Rivers State enacted the Secret Cult and Similar Activities (Prohibition) Law. In 2000, Edo State enacted a Secret Cult (Prohibition) Bill which prescribed 21 years in prison for "cult members in public and educational services"’.<sup>996</sup>

On 12 March 2018, the Cultism and Other Violent Behaviour (Prohibition) Order, 2018 came into force in Akwa Ibom State, prohibiting amongst others ‘Vikings; Black Axe; KKK; Buccaneers; Mafia; Luttox;

<sup>988</sup> Nigeria Watch, Seventh report on violence in Nigeria, 2017, [url](#), pp. 6, 9

<sup>989</sup> Canada, IRB, Nigeria: The Eiye confraternity (2014-March 2016), 8 April 2016, NGA105490.E, [source: Ifeanyi Ezeonu], [url](#)

<sup>990</sup> Vanguard, I was kidnapped to join cult — Suspect, 30 October 2015, [url](#); Vanguard, The increasing menace cultism: How I was forced into Eiye Confraternity, 24 September 2016, [url](#); Vanguard, My horrifying Eiye confraternity initiation, 23 April 2017, [url](#); Canada, IRB, Nigeria: The Black Axe confraternity (2009- November 2012), NGA104208.E, 3 December 2012, [url](#)

<sup>991</sup> Daily Post, JSS1 student, 56 others arrested during cult initiation, 27 February 2018, [url](#)

<sup>992</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 80

<sup>993</sup> France, OFPRA, Sociétés secrètes traditionnelles et confraternités étudiantes au Nigeria, 27 February 2015, [url](#), p. 13

<sup>994</sup> France, OFPRA, Rapport de mission en République fédérale du Nigeria, du 9 au 21 septembre 2016, December 2016, [url](#), pp. 48-49

<sup>995</sup> Nigeria, Secret Cult and Cult Related Activities (Prohibition) Bill, 2004, [url](#)

<sup>996</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 81

(Junior Black Axe); Debam; Dewell; Icelanders; Red Skins; Pirates; Amorc; Akwa Marines; and Utoto Groups’ and a number of ‘cults, groups, or societies in the secondary and primary schools in Akwa Ibom State.’<sup>997</sup>

There are several reports (at times massive) on arrests of cult members by police.<sup>998</sup> An interlocutor interviewed by IRB noted that ‘cult members have been arrested or expelled from universities for carrying out "violent and criminal activities".’ He, however, ‘also noted that "[p]olice can make arrests but in some cases, corruption, witness intimidation and lack of evidence causes the case to be dropped.”<sup>999</sup>

The 2017 EASO COI Country Focus report notes that ‘universities are presently acting stronger against students cults, requiring students to pledge against joining or participating cults and expelling cult members, while some universities and local municipalities even call on religious leaders to lead mass prayer and exorcism sessions.’<sup>1000</sup>

### 3.11.2 Persons refusing to join cults

There are media reports mentioning forced recruitment (or strong peer pressure) by cults.<sup>1001</sup> It is not known what happens to a person who continues to refuse to join a cult, despite the strong peer pressure.

No additional information could be found in the sources consulted on human rights violations, state protection, possibility to relocate or means to redress for persons refusing to join cults or confraternities.

## 3.12 Lesbian, Gay, Bisexual, and Transgender persons (LGBT)

### 3.12.1 Legal and societal attitude

#### 3.12.1.1 Legislation

On 7 January 2014, then-president Jonathan Goodluck signed a Same Sex Marriage (Prohibition) Act (SSMPA). The law prohibits ‘a marriage contract or civil union entered into between persons of same sex, solemnization of same, and related matters’, punishable with maximum 14 years of prison. ‘Civil union’ is broadly defined (Article 7) as ‘any arrangement between persons of the same sex to live together as sex partners, including such descriptions as a) adult independent relationships, b) caring partnerships, c) civil partnerships, d) civil solidarity pacts, e) domestic partnerships, f) reciprocal beneficiary relationships, g) registered partnerships, h) significant relationships, i) stable unions.’ Article 4(2) states that ‘the public show of same sex amorous relationships directly or indirectly is prohibited.’ Articles 4 (1) and 5(2) also punish the ‘registration of gay clubs, societies and organisations, their sustenance, processions and meetings’ and any person who ‘registers, operates or participates in gay clubs, societies and organizations’ with maximum 10 years imprisonment.<sup>1002</sup>

<sup>997</sup> Independent (The), A’Ibom Outlaws Pirates Confraternity, 13 March 2018, [url](#); Oasis Magazine, Udom Outlaws Secret Cults, Societies In Akwa Ibom, 14 March 2018, [url](#)

<sup>998</sup> See, for example, Canada, IRB, Nigeria: The Black Axe confraternity (2009-November 2012), NGA104208.E, 3 December 2012, [url](#); Guardian (The), Reign of terror as serial killings, cult activities hit Akure, 28 June 2017, [url](#); Vanguard, 70 suspected cultists arrested, 1 March 2018, [url](#)

<sup>999</sup> Canada, IRB, Nigeria: The Eiye confraternity, (2014-March 2016), 8 April 2016, NGA105490.E, [url](#)

<sup>1000</sup> EASO, COI report Nigeria Country Focus, June 2017, [url](#), p. 59

<sup>1001</sup> Vanguard, I was kidnapped to join cult —Suspect, 30 October 2015, [url](#); Vanguard, The increasing menace cultism: How I was forced into Eiye Confraternity, 24 September 2016, [url](#); Vanguard, My horrifying Eiye confraternity initiation, 23 April 2017, [url](#); Canada, IRB, Nigeria: The Black Axe confraternity (2009- November 2012), NGA104208.E, 3 December 2012, [url](#)

<sup>1002</sup> Nigeria, Same Sex Marriage (Prohibition) Act, 2014, January 2014, [url](#)

The SSMPA is not the first law criminalizing same-sex acts. Already the Criminal Code of 1916 (Chapter 21, Offences against Morality) criminalises same-sex acts in Nigeria. Under Article 21-214, the law states: ‘Any person who 1) has carnal knowledge of any person against the order of nature; 2) has carnal knowledge of an animal; or 3) permits a male person to have carnal knowledge of him or her against the order of nature; is guilty of a felony, and is liable to imprisonment for fourteen years.’ Under Article 21-215, any person who attempts to commit the above mentioned offences can be punished by 7 years imprisonment. Nigeria also punishes men for engaging in ‘gross indecency’ with another man under Article 21-217, both in public or in private, which is liable to 3 years imprisonment.<sup>1003</sup>

The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) provides an overview of the sharia laws in twelve northern states criminalising same-sex activities:

‘Note that several Northern Nigerian states 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 [...] 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).’<sup>1004</sup>

### 3.12.1.2 Practice

According to Human Rights Watch, ‘The passage of the Same Sex Marriage (Prohibition) Act (SSMPA) in January 2014 effectively authorized abuses against the lesbian, gay, bisexual, and transgender (LGBT) community in 2017. The law has undermined freedom of expression for members of the LGBT community, human rights organizations, and others.’<sup>1005</sup>

Human Rights Watch in its 2016 report, based on interviews with LGBT persons, notes that there is no evidence that individuals were persecuted or punished based on the SSMPA. Yet, the law has far-reaching consequences. The heated debate in society and the increased media attention have made sexual orientation more visible and LGBT persons more vulnerable.<sup>1006</sup> Human Rights Watch cites interlocutors saying that ‘the one common misconception since the passage of the SSMPA is that homosexual identity is now a criminal offence, that members of the public have a duty to report any person they know or suspect to be homosexual, and that failure to do so is also a crime.’ The organisation adds that even before the introduction of the law, arrests and human rights violations occurred, but it notes a considerable increase of (mob) violence and extortion by police and society. ‘The law has created opportunities for people to engage in homophobic violence without fear of legal consequences, contributing significantly to a climate of impunity for crimes against LGBT people.’<sup>1007</sup>

Interlocutors note that the police make use of the SSMPA as a tool to humiliate and extort alleged LGBT people, by arbitrary arrests, torture, and ‘parading’ the arrested persons, often stripped naked, to the public and media. The only way to prevent imprisonment and court cases (risking 14 years imprisonment) is to pay a bail out, or rather, as the Human Rights Watch interlocutors said, ‘bribe the police’. Police have also raided offices of organisations working on human rights, LGBT and Human immunodeficiency virus (HIV)-education.<sup>1008</sup>

<sup>1003</sup> Nigeria, Criminal Code Act [Amended Version of 1990], 1 June 1916, [url](#)

<sup>1004</sup> ILGA, State-Sponsored Homophobia 2017, May 2017, [url](#)

<sup>1005</sup> HRW, World Report 2018, events of 2017 – Nigeria, 18 January 2018, [url](#)

<sup>1006</sup> HRW, “Tell Me Where I Can Be Safe”, 20 October 2016, [url](#), pp. 1-3

<sup>1007</sup> HRW, “Tell Me Where I Can Be Safe”, 20 October 2016, [url](#), pp. 16, 23, 59-60

<sup>1008</sup> HRW, “Tell Me Where I Can Be Safe”, 20 October 2016, [url](#), pp. 33-47

### 3.12.1.3 Societal attitude

According to a poll<sup>1009</sup> commissioned by the Initiative for Equal Rights (TIERs), a non-profit organisation working to protect the rights of sexual minorities, the acceptance rate of Lesbians, Gays and Bisexuals (LGB) by family members is slightly rising, from 11 % in 2015 to 13 % in 2017. At the same time the criminalisation of same-sex relationships is supported by 90 % of the Nigerians interviewed for the poll, which is a 4 % increase since 2015. Of the respondents, 39 % (9 % more than in 2015) thought that LGBT people should be allowed equal access to public services such as healthcare, education and housing. On the question if they know someone who is lesbian, gay or bisexual - a family member, friend, or someone within their locality - 17 % of respondents responded positively. On the other hand, the percentage of Nigerians who believe that the country would be a better place without LGBT people remained at 90 %.<sup>1010</sup>

The main religions in Nigeria, Christianity and Islam, are both opposed to same-sex relations and activities. Religious leaders preach vehemently against homosexuality and the Islamic *Hisbah* police actively pursues alleged LGBT persons. In particular the growing evangelical Christian movements are spreading hatred and intolerance towards LGBT persons.<sup>1011</sup>

The only gay-friendly church in Nigeria is the House of Rainbow, originally founded by a pastor, Rev. Macaulay, who was forced to flee Nigeria after he was outed in the media.<sup>1012</sup>

Rather than emphasising human rights violations and hate crimes, TIERs focuses on progress, such as the slight increase of tolerance and acceptance of LGBT people, as was indicated from the poll. Also, the increased visibility of the LGBT culture in Nigeria (film shows and photo exhibitions) is ‘a sign that attitudes are changing’.<sup>1013</sup> The ‘millennial generation is reportedly more tolerant towards LGBT persons.’<sup>1014</sup> On 12 September 2017, TIERs organised the first-ever conference on diversity, inclusivity and equality in Nigeria, in partnership with the University of Lagos.<sup>1015</sup>

The website Erasing 76 Crimes, focusing ‘on the human toll of 76+ countries’ anti-LGBT laws and the struggle to repeal them’, also concludes: ‘Anti-LGBT violence and harassment remain severe problems, but Nigerian society is slowly becoming less scared and less hateful toward LGBT people.’<sup>1016</sup>

However, from the interviews in the Human Rights Watch report, it becomes clear that LGBT persons feel pressed to self-censorship, concealing their sexual orientation or gender identity and adapting to the societal norms. In particular lesbian and bisexual women often are under heavy pressure to marry and start a family, and also feel obliged to adapt their clothing and presence to ‘societal norms’.<sup>1017</sup>

A specific stereotype that bisexuals often experience is the societal belief in Nigeria that bisexuality does not exist and ‘a person must be either homosexual or heterosexual’. The concept of bisexuality as a sexual orientation label is very recent, although the practice is not. According to the Executive Directors of TIERs and Women’s Health and Equal Rights Initiative (WHER), interviewed by the

<sup>1009</sup> TIERs/NOIPolls, Social perception survey on lesbian, gay and bisexual rights, January 2017, [url](#)

<sup>1010</sup> TIERs/NOIPolls, Social perception survey on lesbian, gay and bisexual rights, January 2017, [url](#); Reuters, LGBT acceptance slowly grows in Nigeria, despite anti-gay laws, 17 May 2017, [url](#)

<sup>1011</sup> Canada, IRB (Immigration and Refugee Board), Nigeria: Information on how bisexuality is understood and perceived in Nigeria; whether bisexuality is distinguished from both male and female homosexuality (2014-June 2015) NGA105219.E, 9 September 2015, [url](#); see also Pulse.ng, Nigeria's millennials are not as homophobic as their parents are, 12 December 2017, [url](#)

<sup>1012</sup> Guardian (The), House of Rainbow: the new pink line dividing the world, 3 March 2018, [url](#)

<sup>1013</sup> Reuters, LGBT acceptance slowly grows in Nigeria, despite anti-gay laws, 17 May 2017, [url](#)

<sup>1014</sup> Pulse.ng, Nigeria's millennials are not as homophobic as their parents are, 12 December 2017, [url](#)

<sup>1015</sup> Erasing 76 crimes, First-ever Nigerian conference on LGBT issues to start tomorrow, 11 September 2017, [url](#)

<sup>1016</sup> Erasing 76 crimes, 11 glimmers of hope for LGBT rights in 2017, 26 December 2017, [url](#)

<sup>1017</sup> HRW, “Tell Me Where I Can Be Safe”, 20 October 2016, [url](#), pp. 42-53; Canada, IRB, Nigeria: Information on how bisexuality is understood and perceived in Nigeria (2014-June 2015) NGA105219.E, 9 September 2015, [url](#)

Canadian IRB, 'some LGBT people enter heterosexual relationships to "cover" for same-sex relationships; and some bisexuals marry members of the opposite sex due to societal pressures to marry and have children as well as due to stigma, homophobia, and in order to avoid suspicion of having a non-heterosexual orientation.'<sup>1018</sup>

### 3.12.2 Human rights violations and/or discrimination

A review by TIERS of the human rights violations against LGBT people in Nigeria over 2016, revealed at least 152 violations against 232 persons in 16 states, with most cases in Rivers and Lagos states. Perpetrators were mostly non-state actors (blackmail and extortion), although in 37 cases state actors were involved (mainly arbitrary arrests and unlawful detention), and in 16 cases both types of actors. Other violations reported were: Mob attack (3), battery/assault (33), theft (21) and defamation (21), threat to life (12) and attempted murder (2).<sup>1019</sup>

In its 2017 annual report, TIERS writes: 'Blatant violations of fundamental human rights continue to plague those who self-identify or are perceived as lesbian, gay, bisexual, trans, queer and/ or intersex (LGBTQI).' TIERS documented 210 violations against 247 persons in 20 states, with most cases in Rivers, Lagos and Enugu. Victims included 19 women and 228 men. Perpetrators were 168 non-state actors, 32 state actors and in 10 cases both types of actors were involved.<sup>1020</sup> TIERS comments on the low number of women: 'Reporting is low amongst women because they fear possible backlash against them if their sexuality or gender identity is known. Another factor is the sociocultural beliefs that suppress women and encourage a culture of silence in the face of violations against women and girls.'<sup>1021</sup>

Of the 210 reported cases, the following types of violations were mentioned, amongst others: Arbitrary arrest/unlawful detention (15), invasion of privacy (32), blackmail and extortion (68), forceful eviction (25), mob attack (3), battery/assault (48), theft (10), threat to life (12), defamation/hate speech (18), stigma and discrimination (17), torture (7), (attempted) rape (5), murder/manslaughter (3), kidnap (2).<sup>1022</sup>

According to a survey amongst 446 LGBT people in Nigeria, held between April and July 2016 by the Bisi Alimi Foundation, 55 % of the interviewees have been physically and/or verbally abused, and 71 % thought this was because of their sexual orientation or gender identity. Most of them did not report the abuse, either out of shame, fear of reprisal or they believed no one would help. Perpetrators were mostly persons they knew already.<sup>1023</sup>

#### 3.12.2.1 Arrests

The website Erasing 76 Crimes notes: 'Compiling a comprehensive list of people incarcerated for violations of anti-gay laws in Nigeria is currently impossible. Nigerian newspapers typically report arrests and sometimes the opening of trials of LGBT people, but not the outcome of those events.'<sup>1024</sup> One rare example of the latter is from 6 June 2017, when two alleged homosexuals were discharged after having spent 5 months in prison awaiting trial. Their confessions had been obtained under duress and torture by the police.<sup>1025</sup>

<sup>1018</sup> Canada, IRB, Nigeria: Information on how bisexuality is understood and perceived in Nigeria (2014-June 2015) NGA105219.E, 9 September 2015, [url](#)

<sup>1019</sup> TIERS, Human Right Violation Report, 2016, [url](#)

<sup>1020</sup> TIERS, Human Right Violation Report, December 2017, [url](#), p. iv

<sup>1021</sup> TIERS, Human Right Violation Report, December 2017, [url](#), p. 7

<sup>1022</sup> TIERS, Human Right Violation Report, December 2017, [url](#), p. 3

<sup>1023</sup> Bisi Alimi Foundation, Not dancing to their music, January 2017, [url](#), pp. 18, 22

<sup>1024</sup> Erasing 76 crimes, 100s are in prison for being gay, last update: 11 May 2018, [url](#)

<sup>1025</sup> Erasing 76 crimes, Nigerian court releases 2 charged with homosexuality, 6 June 2017, [url](#)

Amnesty International (AI) notes that in 2017, arrest, public shaming, extortion of and discrimination against individuals based on their sexual orientation were reported in several parts of the country.<sup>1026</sup>

According to Olumide Femi Makanjuola, Executive Director of TIERS<sup>1027</sup> in Nigeria, all human rights violations based on sexual orientation and gender identity expression reported in 2016, were based on a real or perceived sexual orientation. He adds: 'Of all the people that have been arrested, none of them have been caught in the act. We have never had a case where anyone has been caught in a sexual act, so it is often based on suspicion that they are gay or lesbian.'<sup>1028</sup>

On 15 April 2017, 53 people were arrested in Kaduna State on accusation of conspiring to celebrate a gay wedding, unlawful assembly and belonging to an unlawful society. The accused denied saying they attended a birthday party, not a wedding.<sup>1029</sup> They were granted bail.<sup>1030</sup>

Between April and June 2017, police in Kano State arrested 124 suspected 'rapists and gays', recording 115 cases of 'rape, sodomy and other acts of gross indecency'.<sup>1031</sup> TIERS commented on these and other incidents that they were 'unfairly sensationalised' by print and online media.<sup>1032</sup>

On 30 July 2017, police arrested more than 40 men, including 12 minors, attending an HIV awareness event, organised by an NGO, at a hotel in Lagos and accused them of performing same-sex acts.<sup>1033</sup> The police paraded the victims to the media, including their names, pictures and HIV status. The men were granted bail awaiting their court case in November 2017.<sup>1034</sup>

On 2 September 2017, Muslim religious police in Kano State (the Kano *Hisbah* Corps) arrested 70 minors after accusations that they were planning to organise a gay party.<sup>1035</sup> No further reports on this case could be found.

On 11 June 2018, police and the Special anti-robbery Squad SARS arrested more than 100 youth attending a birthday party at a hotel in Asaba, Delta State, on accusation of being homosexuals. According to a witness, the police were beating the party-goers with their guns and arrested everyone, including the management and staff.<sup>1036</sup>

### 3.12.2.2 Treatment in prison

Imprisoned gay persons reportedly are confronted with rape in prison, are abandoned by their families and suffer seriously in prison of maltreatment, lack of food and lack of legal support.<sup>1037</sup>

<sup>1026</sup> AI, Amnesty International Report 2017/18 - Nigeria, 22 February 2018, [url](#)

<sup>1027</sup> TIERS is a Nigeria-based registered non-for-profit organisation working to protect and promote the human rights of sexual minorities nationally and regionally. For more information, see: TIERS, About TIERS, n.d., [url](#)

<sup>1028</sup> Olumide Femi Makanjuola, EASO, Practical Cooperation Meeting Nigeria, 12-13 June 2017, August 2017, [url](#), p. 63.

<sup>1029</sup> BBC, Nigeria 'gay wedding' bust leads to charges, 20 April 2017, [url](#); HRW, World Report 2018, events of 2017 – Nigeria, 18 January 2018, [url](#)

<sup>1030</sup> AI, Amnesty International Report 2017/18 - Nigeria, 22 February 2018, [url](#)

<sup>1031</sup> Vanguard, Police arrest 124 suspected gays, rapist in Kano, 15 June 2017, [url](#)

<sup>1032</sup> TIERS, Human Right Violation Reports Based On Sexual Orientation & Gender Identity Expression In Nigeria, December 2017, [url](#), p. 4

<sup>1033</sup> BBC, Mass Nigerian arrests for 'homosexual acts' in Lagos State, 31 July 2017, [url](#)

<sup>1034</sup> ABCNews, 'I didn't want my mum to know', updated 22 October 2017, [url](#). According to another report, 30 men could not pay the bail of 500,000 naira (\$1,375) and remained in detention until bail was paid. Erasing 76 crimes, 30 Nigerians remain in custody on homosexuality charges, 6 August 2017, [url](#)

<sup>1035</sup> Erasing 76 crimes, Report: Muslim police arrest 70 Nigerian youths for 'gay' party, 2 September 2017, [url](#)

<sup>1036</sup> Nostringsng, Nigeria: Police arrest over 100 alleged gay and lesbians, 11 June 2018, [url](#); Nostringsng, Asaba Arrest: Youths stand trial in court on grounds of homosexuality, 27 June 2018, [url](#)

<sup>1037</sup> ABCNews, 'I didn't want my mum to know': The men and boys arrested for being gay in Nigeria, updated 22 October 2017, [url](#); Erasing 76 crimes, New initiative works to free suspected gay Nigerian prisoners, 18 October 2017, [url](#); Erasing 76 crimes, Nigeria: Man facing homosexuality charges languishes in prison, 10 May 2018, [url](#)

### 3.12.2.3 Torture and killings

In August 2017, classmates in Jigawa State reportedly beat a 17-year-old student to death, as he was suspected to be homosexual. Having been brought to the police, the offenders said ‘they did it to correct [the student who died] from the social vice because he was suspected to be gay.’<sup>1038</sup> No further information was found on the outcomes of this incident.

On 28 May 2018, a countrywide National Day of Mourning and Remembrance was held by several civil society organisations for victims of many types violence in Nigeria, such as mass killings, kidnappings, violent clashes between herders and farmers. A group of Nigerians marched with memorial placards for LGBT Nigerians who have been killed in violent homophobic attacks, saying, amongst others: ‘LGBT people are being killed too. Why are we so silent?’. The protest against anti-LGBT violence was organised by the London-based Bisi Alimi Foundation, which works for justice for LGBT people in Nigeria.<sup>1039</sup>

On 3 May 2018, a case of mob violence occurred in Benin city where a young man was caught with his male lover and was severely beaten. The partner escaped.<sup>1040</sup>

### 3.12.3 Possibility to relocate

According to an article by ABC News updated in October 2017, the situation for LGBT people in northern Nigeria is more difficult than for those living in the south; at least 114 LGBT men and women have been arrested in the north between January and October 2017. The Hisbah (Islamic police) is very active and alert to any rumours of gay gatherings and performs arrest and reportedly torture them.<sup>1041</sup>

However, as has been discussed above, also in southern Nigeria many arrests of LGBT persons have taken place by police and the SARS.

### 3.12.4 Means of redress

The Constitution of Nigeria generally ‘guarantees the rights to life, privacy, association, and thought and conscience. It also protects respect for dignity and secures people’s right to freely express themselves.’<sup>1042</sup> The Violence Against Persons (Prohibition) Act (VAPP), May 2015, aims to ‘eliminate violence in private and public life, prohibit all forms of violence against persons and to provide maximum protection and effective remedies for victims and punishment of offenders.’<sup>1043</sup> However, as the TIERS report notes, ‘legislation also codifies discrimination and criminalisation of LGBTQI people, most prominently in the SSMPA.’

A Nigerian human rights activist and defender of LGBT people in courts describes in an article for Erasing 76 crimes how dangerous, risky and stigmatising his job is.<sup>1044</sup>

In cases where LGBT individuals are victims of a crime, they are often afraid to report to the police for fear of being arrested and imprisoned.<sup>1045</sup> The Immigration and Refugee Board of Canada (IRB) noted

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<sup>1038</sup> ABC News, ‘I didn’t want my mum to know’: The men and boys arrested for being gay in Nigeria, updated 22 October 2017, [url](#)

<sup>1039</sup> Erasing 76 crimes, Nigerians take to the streets to protest LGBTI killings, 29 May 2018, [url](#)

<sup>1040</sup> Nigerian Observer (The), Another gay man lynched in Benin, 3 May 2018, [url](#)

<sup>1041</sup> ABC News, ‘I didn’t want my mum to know’: The men and boys arrested for being gay in Nigeria, updated 22 October 2017, [url](#)

<sup>1042</sup> TIERS, 2016 Human Rights Violations Report, January 2017, p. 7.

<sup>1043</sup> Nigeria, Violence against Persons (Prohibition) Act (VAPP), May 2015, [url](#)

<sup>1044</sup> Erasing 76 Crimes, 42 Nigerians granted bail, face homosexuality charges, 4 August 2017, [url](#)

<sup>1045</sup> HRW, “Political Shari’a”?, Human Rights and Islamic Law in Northern Nigeria, 21 September 2004, [url](#)

in 2015, that LGBT persons often cannot report violence committed against them to the police because the police are sometimes involved in the violence themselves.<sup>1046</sup>

Traditional rulers in Egor, Edo State, have cursed homosexuals and gay marriages in an effort to ‘curb increase in the rate of homosexuality in the area’ which is described as a ‘menace which at present is at sinister speed’. The chiefs, aided by police, went from house to house in the middle of the night, seeking suspected homosexuals.<sup>1047</sup>

A more positive attitude from the authority’s side was reported in March 2018, when the police commissioner and a traditional chief (obi) of Ibusa town, in Delta State, pledged their support to efforts by a human rights NGO (Levites Initiative for Freedom and Enlightenment - LIFFE) against blackmailing and extortion of gay people. A group of local criminals lured people, including gay men, in their hideouts in Ibusa where they were beaten, robbed, extorted and left naked on the streets. The police commissioner introduced the NGO to the state criminal investigation department to start a partnership. The commissioner was praised by LIFFE as ‘an effective and friendly police officer’.<sup>1048</sup>

In another case, according to ILGA, ‘a very rare case of accountability, in March 2016, the Federal High Court accepted evidence of violence, humiliation, and attempted extortion, eliciting a monetary award and public apology by the police force of Abuja against a well-known HIV activist.’<sup>1049</sup>

### 3.12.5 Organisations supporting LGBT rights

According to Human Rights Watch, there are reportedly several (at least ten) organisations active in Nigeria in support of LGBT persons or working on HIV health and human rights. At least three organisations working on HIV, health and human rights reported to Human Rights Watch their offices had been raided by police due to their work with LGBT communities.<sup>1050</sup>

The web page [Where Love is a crime](#) provides the following information about organisations across Nigeria working on LGBT health and human rights issues, at zone levels<sup>1051</sup>:

- North West: [AGE](#)-Advocates for Grass root Empowerment (AGE), formally Grass root community support (GCS)
- North East: none
- North Central: [WHER](#) Women’s Health and Equal Rights Initiative, Nigeria  
[ICARH International Centre for Advocacy on Rights to Health](#) (formerly known as Alliance Rights Nigeria)
- South East: [AGHI](#) Access to Good Health Initiative
- South West: [TIERs](#) The Initiative For Equal Rights. TIERs offers a 24-hour support hotline  
[HORE](#) House Of Rainbow Fellowship
- South South: [QA](#) Queer Alliance  
[IMH](#) Initiative for Improved Male Health  
[IAH](#) Initiative for Advancement of Humanity

<sup>1046</sup> IRB, Nigeria: Treatment of sexual minorities, including legislation, state protection, and support services (February 2012-October 2015), 15 November 2015, [url](#)

<sup>1047</sup> Leadership, Traditional rulers flay homosexuality, gay marriages, 27 January 2018, [url](#)

<sup>1048</sup> Erasing 76 crimes, Police and Nigerian chief vow action against anti-gay blackmail, 12 March 2018, [url](#)

<sup>1049</sup> ILGA, State-Sponsored Homophobia 2017, May 2017, [url](#)

<sup>1050</sup> HRW, “Tell Me Where I Can Be Safe”, 20 October 2016, [url](#), pp. 59–64

<sup>1051</sup> Where love is a crime, Organisations, n.d. [url](#)

Other organisations mentioned in media reports are:

The [Bisi Alimi Foundation](#), ‘a diaspora initiative that aims to change the hearts and minds of Nigerians and accelerate social acceptance of Lesbian, Gay, Bisexual and Transsexual (LGBT) people. We pursue change through advocacy, research, and media training.’ The foundation is named after a former Nigerian public person who was forced to flee Nigeria when he was outed.<sup>1052</sup>

[The Equality Hub](#), a Nigerian not-for-profit organisation founded in 2017 to advance the rights of female sexual minorities in Nigeria.

[Promote and protect human rights](#), a new website launched by the Women’s Rights and Health [WHER] Initiative, a Nigerian civil society not-for-profit organisation, facilitates people to report any type of human rights violations in Nigeria. The website will display the total number of reported cases on a map with details of the incidents, including where they occurred.

[lperfect Africa](#), a Nigeria-based initiative aimed to support LGBTIQ people in Africa says it is ‘helping to win the release of Africans who have been jailed because of their real or perceived sexual orientation’.<sup>1053</sup>

[The Coalition for the Defense of Sexual Rights \(CDSR\)](#) is a consortium of non-profit independent organisations and individuals working on diverse issues of sexual and reproductive health and rights in Nigeria.

### 3.12.5.1 Shelters

According to a civil society representative interviewed by the IRB in 2015, there are two shelters in Nigeria for LGBT people: one in the north and one in the south.<sup>1054</sup> More recent information could not be found within the time frame of drafting this report.

For more information on the situation of LGBT persons in Nigeria, please refer to of [EASO COI Country Focus on Nigeria](#), June 2017, Chapter 5, as well as [EASO Meeting Report on Nigeria](#), August 2017, Section 3.9.

## 3.13 Women and girls

### 3.13.1 Gender-Based Violence (GBV)

#### 3.13.1.1 Legal framework

In 2015, Nigeria passed new legislation, the Violence Against Person’s Prohibition (VAPP) Act. The law aims to provide legal framework for the prevention of violence, especially for women and girls.<sup>1055</sup>

The Act defines rape as: ‘a person commits the offence or rape if – he or she intentionally penetrates the vagina, anus or mouth of another person with any other party of his or her body or anything else; the other person does not consent to the penetration, or the consent is obtained by force or means of threat or intimidation [...]’<sup>1056</sup> and determines the punishment ‘a person convicted of an offence [...] is liable to imprisonment of life except where the offender is less than 14 years of age [...] in all other cases, to a minimum of 12 years imprisonment without an option of fine.’<sup>1057</sup>

<sup>1052</sup> Bisi Alimi Foundation, Not dancing to their music, January 2017, [url](#)

<sup>1053</sup> Erasing76crimes, New initiative works to free suspected gay Nigerian prisoners, 18 October 2017, [url](#)

<sup>1054</sup> Canada, IRB, Nigeria: Information on how bisexuality is understood and perceived in Nigeria (2014-June 2015) NGA105219.E, 9 September 2015, [url](#)

<sup>1055</sup> UNFPA Nigeria, Nigeria Takes A Stand Against Sexual And Gender Based Violence, 25 March 2016, [url](#)

<sup>1056</sup> The Government of Nigeria, Violence Against Persons (Prohibition) Act, 2015, Artt. 1 (1), a-c, [url](#)

<sup>1057</sup> The Government of Nigeria, Violence Against Persons (Prohibition) Act, 2015, Artt. 1 (2), a-b, [url](#)

The legislation also prohibits circumcision or genital mutilation of the girl child or women and further also makes reference to: inflicting physical injury on a person, wilfully placing a person in fear, forced financial dependence or economic abuse, separation from family, emotional, verbal and psychological abuse, abandonment of spouse, children and other dependants without sustenance, stalking, intimidation, spousal battery, harmful traditional practices, incest as well as the rights of the victim.<sup>1058</sup>

### 3.13.1.2 Human rights violations

According to the UN Africa Renewal programme, the most common forms of violence against women in Nigeria ‘include sexual harassment, physical violence, harmful traditional practices, emotional and psychological violence, socioeconomic violence and violence against non-combatant women in conflict situation’.<sup>1059</sup>

The Demographic and Health Survey (DHS) 2013, covering all states of Nigeria, shows that 28 % of all women between the ages of 15 and 49 have experienced physical violence since they turned 15. This percentage is the same as in the 2008 survey. The percentage of women who experienced physical violence in the 12 months preceding the survey decreased from 15 % in 2008 to 11 % in 2013.<sup>1060</sup>

Thousands of girls and women have been abducted (although many others joined voluntarily, as noted by the researcher Hilary Matfess<sup>1061</sup>), and subjected to widespread sexual violence by Boko Haram members.<sup>1062</sup> See also Section [3.1.7](#).

According to the United Nations Population Fund (UNFPA), incidents of GBV, including mental and sexual assault, early marriage and physical assault, have increased drastically with the insurgency in the north-east of Nigeria.<sup>1063</sup>

Access to and education by reproductive health services play a major role for girls’ and women’s well-being and survival, however, this remains especially challenging in areas of crisis such as Borno, Yobe and Adamawa State. The Executive Director of UNFPA stated that ‘for women and girls, especially pregnant women, who may face life-threatening childbirth complications, as well as lactating women, caring for newborns throughout the chaos, whether they live or die in a crisis often depends on their access to basic sexual and reproductive health services.’<sup>1064</sup>

### 3.13.2 Forced/early marriages

Articles 21 and 23 of Nigeria’s Child Rights Act deal with and prohibit child marriages; whereas children are considered persons below the age of 18.<sup>1065</sup>

In November 2016, Nigeria joined the African Union Campaign to End Child Marriage. Nearly every second woman in Nigeria is married before the age of 18 and the country has the highest number of child brides.<sup>1066</sup> The Minister of Women and Social Development announced that ‘child marriage threatens girls’ lives and health, and it limits their full potential.’<sup>1067</sup>

<sup>1058</sup> Nigeria, Violence Against Persons (Prohibition) Act, 2015, [url](#)

<sup>1059</sup> UN, AfricaRenewal, Nigerian women say ‘no’ to gender-based violence [blog], 14 December 2017, [url](#)

<sup>1060</sup> NPC, Demographic and Health Survey 2013, [url](#), p. 304

<sup>1061</sup> Washington Post, H. Boko Haram has kidnapped more girls. Here’s what we know, 8 March 2018, [url](#)

<sup>1062</sup> US Dos, Country reports on Human Rights Practices for 2016 – Nigeria, [url](#); Washington Post, H. Boko Haram has kidnapped more girls. Here’s what we know, 8 March 2018, [url](#). For more indepth information, see Matfess, H., Women and the War on Boko Haram, 15 November 2017, ZED Books.

<sup>1063</sup> UNFPA, Nigeria, Gender Based Violence, [url](#)

<sup>1064</sup> UNFPA Nigeria, In crisis, access to reproductive health care often determines if women and girls live or die, 13 January 2017, [url](#)

<sup>1065</sup> Nigeria, Act No. 26 of 2003, Child's Rights Act, 2003, [url](#)

<sup>1066</sup> UNFPA, Nigeria Joins the African Union Campaign to End Child Marriage, 29 November 2016, [url](#)

<sup>1067</sup> UNFPA, Nigeria Joins the African Union Campaign to End Child Marriage, 29 November 2016, [url](#)

The effects of early marriage are severe, often both for women and their children; ‘Girls under 18 are more likely to suffer from fistula<sup>1068</sup>, to die in childbirth and to give birth to stillborn babies. Children born to child mothers are more likely to suffer from stunting and wasting.’<sup>1069</sup>

There is a strong link between education, poverty and early marriage: girls with no primary education are often married by the age of 15; girls with primary education marry on average by the age of 18; girls with secondary education are on average married by the age of 21, and women from the wealthiest families have an average marriage age of 23.<sup>1070</sup>

Forced marriages occur in Nigeria, while the prevalence is dependent on a number of factors, according to sources interviewed by the Canadian IRB: culture, religion, location, socioeconomic status, income, education and ethnic group. Forced marriage is very prevalent in the north of Nigeria (although less among educated people), and not common in the south and among the Yoruba. Other IRB sources noted that the ability of women to refuse a forced marriage also depends on the level of education and income, the location, ethnic group and the family of the woman. Sources did not mention programs of state protection for women refusing forced marriages.<sup>1071</sup>

### 3.13.3 Female Genital Mutilation/Cutting (FGM/C)

Female Genital Mutilation/Cutting (FGM/C) is practiced widely across the African continent, and is conducted in Nigeria as well. Four different forms of FGM/C exist, for which the World Health Organisation (WHO) has established the following typology:<sup>1072</sup>

- **Type I:** Partial or total removal of the clitoris and/or the prepuce (clitoridectomy); variations of Type I mutilation include the following: **Type Ia**, removal of the clitoral hood or prepuce only; and **Type Ib**, removal of the clitoris with the prepuce.
- **Type II:** Partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (excision). The following subdivisions are proposed: **Type IIa**, removal of the labia minora only; **Type IIb**, partial or total removal of the clitoris and the labia minora; and **Type IIc**, partial or total removal of the clitoris, the labia minora and the labia majora.
- **Type III:** Narrowing of the vaginal orifice with creation of a covering seal by cutting and appositioning the labia minora and/or the labia majora, with or without excision of the clitoris (infibulation). Two Variations exist: subdivisions are proposed: **Type IIIa**, removal and apposition of the labia minora; and **Type IIIb**, removal and apposition of the labia majora.
- **Type IV:** All other harmful procedures to the female genitalia for non-medical purposes, for example: pricking, piercing, incising, scraping and cauterization.<sup>1073</sup>

#### 3.13.3.1 Legal framework

##### National

Nigeria’s first legislation to protect children was the Child Rights Act in 2003. It did not explicitly forbid FGM/C.<sup>1074</sup> The practice was banned in 2015 at federal level in the VAPP, however, there is a

<sup>1068</sup> A fistula is a hole between the women’s vagina and rectum or bladder that is caused by prolonged obstructed labor, leaving a woman incontinent of urine or feces or both. See Fistula Foundation, what is a Fistula, n.d. [url](#)

<sup>1069</sup> UNFPA, Nigeria Joins the African Union Campaign to End Child Marriage, 29 November 2016, [url](#)

<sup>1070</sup> UNFPA, Nigeria Joins the African Union Campaign to End Child Marriage, 29 November 2016, [url](#)

<sup>1071</sup> Canada, IRB, Nigeria: Prevalence of forced marriage, NGA104207.E, 9 November 2012, [url](#)

<sup>1072</sup> WHO, Sexual and Reproductive Health, 2018, [url](#)

<sup>1073</sup> WHO, Sexual and Reproductive Health, 2018, [url](#)

<sup>1074</sup> Nigeria, Act No. 26 of 2003, Child’s Rights Act, 2003, [url](#)

gap between the law and its enforcement across the country; and prevalence rates vary significantly across the country.<sup>1075</sup> The VAPP only applies to the Federal Capital Territory of Abuja. According to the NGO 28 Too Many, 'It is up to each of the 36 states to pass similar legislation in its territory. 13 states already have similar laws in place.'<sup>1076</sup>

While on a national level, the Nigerian Constitution does not explicitly refer to the practice of FGM/C nor violence against women, a referral to the prohibition of discrimination [Articles 15(2) and 17(2)] is made as well as stipulating that every person is entitled to respect for the dignity of their person and should not be exposed to inhuman treatment [Article 34(1)].<sup>1077</sup> The VAPP Act explicitly aims to end GBV, and establishes punishments for FGM/C offenders.

The following laws aimed at protecting child rights are in place in several Nigerian states:

- Bayelsa State: FGM (Prohibition) Law (2004);
- Cross River State: The Girl-Child Marriages and Female Circumcision (Prohibition) Law (2000);
- Ebonyi State: Law Abolishing Harmful Traditional Practices Against Women and Children (2001);
- Edo State: Prohibition of Female Genital Mutilation Law (1999);
- Enugu State: FGM (Prohibition) Law (2004);
- Rivers State: Child Rights Act (2009).<sup>1078</sup>

### International and regional

Nigeria has signed and ratified the following international and regional (cross-country) treatments referring to FGM/C:

- Convention on the Elimination of All forms of Discrimination against Women (CEDAW) (ratified 1985);
- Convention on the Rights of the Child (CRC) (ratified 1991);
- African Charter on Human & Peoples' Rights (ACHPR) (ratified 1983);
- African charter on the Rights and Welfare of the Child (ACRWC) (ratified 2001); and the
- African Charter on Human and Peoples' Rights on the Rights of the Women in Africa (ACHPRWA Maputo Protocol) (ratified 2004).<sup>1079</sup>

28 Too Many points to the fact that being signatory to a treaty, however, does not imply that the law is enforceable; this only occurs once the legislation has been signed and ratified; furthermore, some states require the transformation of international or regional law into national law and the implementation of the same law by federated states or sub-national levels.<sup>1080</sup>

### 3.13.3.2 Prevalence trends

According to the fifth Multiple Indicator Cluster Survey (MICS) carried out in 2017, the general prevalence rates of FGM/C for women between 15 and 49 years is 18.4 %.<sup>1081</sup> This percentage has decreased compared to 2013 (when the prevalence rate was 24.8 %).<sup>1082</sup>

<sup>1075</sup> The Guardian, Nigeria 20 million women and girls have undergone FGM, 11 October 2016, [url](#); 28 Too Many, Nigeria, n.d., [url](#)

<sup>1076</sup> 28 Too Many, Nigeria, n.d., [url](#)

<sup>1077</sup> Nigeria, Constitution of the Federal Republic of Nigeria, 1999, [url](#)

<sup>1078</sup> 28 Too Many, Nigeria: the law and FGM, June 2018, [url](#)

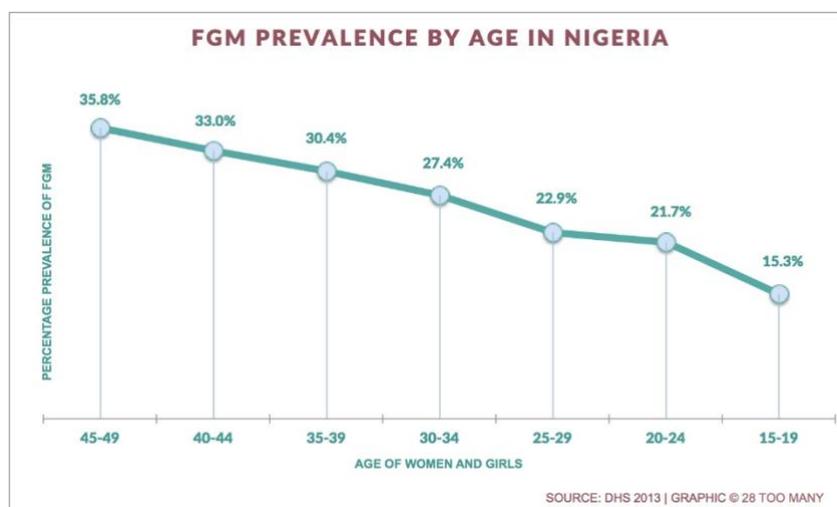
<sup>1079</sup> 28 Too Many, Nigeria: the law and FGM, June 2018, [url](#)

<sup>1080</sup> 28 Too Many, Nigeria: the law and FGM, June 2018, [url](#)

<sup>1081</sup> NBS/UNICEF, Multiple Indicator Cluster Survey (MICS), 2016-17, February 2018, available at: [url](#), p. 238

<sup>1082</sup> NPC, Demographic and Health Survey 2013, [url](#), p. 350

The prevalence rate of FGM/C for women aged 15-49 in Nigeria is going downward from 2008 to 2013, as the Demographic and Health Survey (DHS) 2013 shows. This trend can be seen from the table below, drafted by the NGO 28 Too Many based on DHS 2013.<sup>1083</sup> The table shows that the prevalence for the eldest women between the ages of 45 and 49 is 35.8 %, while for the youngest age group (15-19) this has decreased to 15.3 %. The NGO concludes: 'Despite the fact that a small proportion of women may be cut after the age of 15, the data demonstrates a clear trend towards lower prevalences among younger women.'<sup>1084</sup>



The 2017 MICS survey shows the same downward trend: of the women aged 45-49, 27.6 % had undergone FGM/C, while this was 20.1 % for women aged 30-34, and 12.3 % of women aged 15-19.<sup>1085</sup>

Regarding prevalence for girls between 0-14 years old, a difference can be noted between the two surveys: whereas the DHS 2013 indicated an overall percentage of 15.8, the 2016/17 MICS shows a percentage of 25.3%, as reported by their mothers at the age between 15-49 years.<sup>1086</sup> Due to lack of background information, this report cannot draw conclusions from the noted difference.

### Age

The age on which FGM/C is practiced varies according to ethnic group. According to the DHS 2013, of the women having undergone FGM/C, 91.6 % of Hausa, 88.7 % of Yoruba and 90.2 % of Igbo report that they were subjected to FGM/C before the age of 5. Of the women having undergone FGM/C, 34 % in the north-eastern parts of Nigeria and 38 % in the south (Ibibio and Ijaw/Izon) were aged 15 or older when FGM/C was conducted.<sup>1087</sup> There is no such data in the MICS 2017 survey.

### Type

Of the women age 15-49 years, who have undergone FGM/C, according to the MICS 2017 survey, 61.8 % had flesh removed, 3.4 % were nicked, 4.9 % were sewn closed and 29.8 % did not determine the form of FGM/C.<sup>1088</sup> The percentages in the 2013 DHS survey are respectively: 62.6 %, 5.3 % and 26.3 %. A fourth category - cut, no flesh removed - was mentioned by 5.8 % of the women.<sup>1089</sup>

<sup>1083</sup> 28 Too Many Nigeria, [url](#)

<sup>1084</sup> 28 Too Many Nigeria, [url](#)

<sup>1085</sup> NBS/UNICEF, Multiple Indicator Cluster Survey (MICS), 2016-17, February 2018, available at: [url](#), p. 238

<sup>1086</sup> NBS/UNICEF, Multiple Indicator Cluster Survey (MICS), 2016-17, February 2018, available at: [url](#), p. 236

<sup>1087</sup> NPC, Demographic and Health Survey 2013, [url](#), p. 351

<sup>1088</sup> NBS/UNICEF, Multiple Indicator Cluster Survey (MICS), 2016-17, February 2018, available at: [url](#), p. 236

<sup>1089</sup> NPC, Demographic and Health Survey 2013, [url](#), p. 350

### 3.13.3.3 Influencing factors

Various social factors influence the practice of FGM/C, for example: the level of education, ethnicity, cultural reasons and geographical differences such as rural versus urban areas.

#### Geographical variation

The South West and South East zones have the highest prevalence (41.1 % and 32.3 % respectively), followed by South South and North West (23.3 % and 19.3 % respectively). The North East has the lowest prevalence: 1.4 %.<sup>1090</sup>

The North West Zone had the highest percentage of girls between 0 and 14 who have undergone FGM/C: 56.0 %, followed by the South West, 21.6 %.<sup>1091</sup>

#### Ethnicity

Variations exist concerning the prevalence rate of FGM/C with regards to different ethnic groups:<sup>1092</sup>

- Yoruba: 55 %;
- Igbo: 45 %;
- Hausa-Fulani: 32 %;
- Ibibio 13 %;
- Ijaw 11 %.

#### Education

In general, the higher the level of education, the lower the FGM/C rates can be observed, according to 28 Too Many: higher educational levels often imply a more advanced understanding of the consequences and harmfulness of this practice, which in turn generally reduce the prevalence rate among the more educated.<sup>1093</sup>

The education of the mothers who reported about their daughters between 0 and 14 who had any form of FGM/C, is as follows:<sup>1094</sup>

Percentage of daughters who had undergone FGM/C according to their mothers' education	%
No education mother	31.9
Non-formal education mother	44.2
Primary education mother	23.6
Secondary education mother	17.2
Higher education mother	9.8

### 3.13.3.4 FGM/C practitioners

The persons who perform the practice on girls aged 0-14 are in large majority (86.6 %) traditional circumcisers. Out of the medical staff involved, nurses/midwives make up 10 %.<sup>1095</sup>

<sup>1090</sup> NBS/UNICEF, Multiple Indicator Cluster Survey (MICS), 2016-17, February 2018, available at: [url](#), p. 238

<sup>1091</sup> NBS/UNICEF, Multiple Indicator Cluster Survey (MICS), 2016-17, February 2018, available at: [url](#), p. 238

<sup>1092</sup> NPC, Demographic and Health Survey 2013, [url](#), p. 351

<sup>1093</sup> 28 Too Many, Country profile: FGM in Nigeria, October 2016, [url](#)

<sup>1094</sup> NBS/UNICEF, Multiple Indicator Cluster Survey (MICS), 2016-17, February 2018, available at: [url](#), p. 238

<sup>1095</sup> NPC, Demographic and Health Survey 2013, [url](#), p. 357.

Person who performed the FGM/C on girls age 0-14	In percentage
Traditional circumcisers	86.8 %
Traditional birth attendant	2.5 %
Doctors	1 %
Nurses/midwives	10.4 %
Other health professionals	0.6 %
Missing data / none of the above	1.7 %

### 3.13.3.5 Social sanctions against women and their families refusing to undergo FGM

According to a 2013 report issued by the Canadian IRB,

‘Information on the consequences for parents in Nigeria who refuse to submit their daughters to FGM could not be found among the sources consulted by the Research Directorate. However, in 24 August 2006 correspondence with the Research Directorate, the Project Coordinator of Women's Rights Watch Nigeria suggested that most parents are supportive of FGM being performed on their daughters, stating that due to the prevalence of the belief system [in Nigeria], men refuse to marry an uncircumcised woman because he believes she will be unfaithful to him. As a result, parents, even educated ones, routinely circumcise their daughters so as to enhance their chances of marriage.’<sup>1096</sup>

No more recent information was found within the time frame of drafting this report.

### 3.13.4 IDP women

Sources indicate that different (stricter) rules were applied for women and men concerning the restriction of movement in camps.<sup>1097</sup> According to Amnesty International's report, ‘this both denies women an income generating opportunity and means that single women need to buy firewood from men in order to cook.’ Furthermore, since IDPs are not provided with all basic, necessary items, and since there is the lack for additional incomes, especially single women report that they have to trade some of the food items they received in order to obtain other important basic Non-Food Items (NFIs).<sup>1098</sup>

Apart from ‘economic disadvantages’, a significant risk of sexual abuse and violence exists for single IDP women. According to the report published by Amnesty International:

‘Single women are observed by soldiers and the Civilian Joint Task Force (CJTF) as they arrive in the camp [...] and after that: “The CJTF and military will [then] send people to call the woman. We women have so much hunger, what can we do, when our children have no food, when you know they live in hunger? Women will do it [have sex with the Civilian JTF and

<sup>1096</sup> Canada, IRB, Nigeria: Consequences for parents who refuse to submit their daughters to the practice of female genital mutilation (NGA101531.E), 30 October 2006, [url](#)

<sup>1097</sup> AI, Nigeria: “They betrayed us”: Women who survived Boko haram raped, starved and detained in Nigeria, 24 May 2018, [url](#)

<sup>1098</sup> AI, Nigeria: “They betrayed us”: Women who survived Boko haram raped, starved and detained in Nigeria, 24 May 2018, [url](#), pp. 36, 50

soldiers] if they are called. But women don't do it because it is their own wishes... They force us'.<sup>1099</sup>

In other camps, women reported that the camp organisation was organised in a way to 'facilitate sexual violence and exploitation, with young single women given tents together in a specific area of the camp'. AI notes: 'The women reporting this arrangement believed the separation of young single women to a particular section of the camp was not designed to protect or otherwise benefit them, but to separate them from their families and communities to make them more accessible to the soldiers and Civilian JTF members.'<sup>1100</sup>

### 3.14 Children

The latest report by the UN Secretary-General on Children and Armed conflict gives the following details on child recruitment in Nigeria:

'The number of verified cases of the recruitment and use of children in 2016 (2,122) increased significantly compared with 2015 (278). The main perpetrators were Boko Haram (1,947) and the Civilian Joint Task Force (175): 4 boys and 26 girls were used by Boko Haram to carry out suicide attacks in Nigeria (19) and in Cameroon, Chad and the Niger (11). Children associated with the Civilian Joint Task Force were mostly used in support functions.'<sup>1101</sup>

For child soldiers and child recruitment by Boko Haram, see Section [2.1.6](#).

For child soldiers and child recruitment by the Civilian Joint Task Forces, see Section [2.5.4.5](#).

Other grave violations of children's rights are rape, killings, detentions, abductions, and attacks on schools and hospitals. In most cases, Boko Haram was the perpetrator. However, in 19 cases of sexual violence of girls in IDP camps, these were reportedly perpetrated by 'Nigerian security forces elements, camp officials, the Civilian Joint Task Force and vigilantes.'<sup>1102</sup>

For child witches, see Section [3.9.2.3](#).

For child/early marriage, see Section [3.13.2](#).

For FGM, see Section [3.13.3](#).

For support networks for unaccompanied and orphaned children, see [EASO COI report Nigeria, Key-socio-economic indicators](#), November 2018, Section 2.9.5. Here, an incident was reported in which babies were rescued from a fake orphanage and later placed in 'government-approved homes'. According to the State Commissioner for Youth and Social development of Lagos, 162 children were involved in this incident.<sup>1103</sup>

### 3.15 Victims of trafficking in human beings

Nigeria is the top nationality of third-country victims of Trafficking in Human Beings (THB) in the EU, according to Frontex Risk Analysis for 2018.<sup>1104</sup> Overall, about 29 % of victims of THB identified in the

<sup>1099</sup> AI, Nigeria: "They betrayed us": Women who survived Boko haram raped, starved and detained in Nigeria, 24 May 2018, [url](#), p. 58.

<sup>1100</sup> AI, Nigeria: "They betrayed us": Women who survived Boko haram raped, starved and detained in Nigeria, 24 May 2018, [url](#), p. 59.

<sup>1101</sup> UNSC, Children and armed conflict - Report of the Secretary-General, (A/72/361-S/2017/821), 24 August 2017, [url](#), p. 30

<sup>1102</sup> UNSC, Children and armed conflict - Report of the Secretary-General, (A/72/361-S/2017/821), 24 August 2017, [url](#), p. 31

<sup>1103</sup> Africafeeds, Over 100 babies rescued from 'fake' orphanages in Nigeria, 26 April 2018, [url](#)

<sup>1104</sup> Arriving in mixed flows, especially to Italy, but also Spain. Frontex, Risk Analysis for 2018, 20 February 2018 [url](#), pp. 36-37

EU originate in third countries, especially African countries, while 65 % of the registered victims were EU citizens.<sup>1105</sup>

Nigerian nationals were among the top nationalities registered in Italy in 2017.<sup>1106</sup>

### 3.15.1 General context

Sources agree that most victims in Europe are trafficked for the purpose of sexual exploitation<sup>1107</sup>, registering 67 % of the 10 044 victims identified between 2013 and 2014.<sup>1108</sup> Simultaneously, there is a significant rise of the number of victims of trafficking for labour exploitation, together with increased numbers of child victims.<sup>1109</sup>

An EC Study on the Gender Dimension of THB concludes that ‘trafficking is gender specific’ and ‘victims for different purposes are gender specific’.<sup>1110</sup> Data collected by UNODC since 2003 indicates that females are the majority of identified victims<sup>1111</sup>; 76 % of the registered victims of THB in the EU are women, and at least 15 % are children.<sup>1112</sup>

In the last decade, and according to UNODC, the profile of trafficked victims changed, translating into a rise in the number of detected children (28 % in 2014) and male (21 %-2014) victims. Together with the increase of male victims, the share of victims of trafficking for forced labour also rose.<sup>1113</sup> Those fleeing conflicts or humanitarian disasters are often more vulnerable to becoming the victims of traffickers.<sup>1114</sup>

Of all registered trafficked persons, 12 % were the victims of trafficking for other forms of exploitation, which include ‘trafficking for the purpose of forced begging, criminal activity, forced marriage, sham marriage, or organ removal, trafficking of infants and young children for adoption, trafficking of pregnant women to sell their new-born babies, trafficking for the production of cannabis and trafficking for drug smuggling or the selling of drugs.’<sup>1115</sup> Some of the trafficked persons were victims of ‘multiple forms of exploitation’ (labour and sexual exploitation; labour and criminal activity such as drugs transport).<sup>1116</sup>

Julie Okah-Donli, general-director of NAPTIP has stated that ‘when we talk about human trafficking, many people are looking at external trafficking and they just situate it around ladies going to Italy, but they don’t seem to realise that there is so much internal trafficking going on in Nigeria especially in

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<sup>1105</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#)

<sup>1106</sup> IOM, World Migration Report 2018, p. 50, 2017, [url](#)

<sup>1107</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#); Frontex, Risk Analysis for 2018, pp. 36-37, 20 February 2018, [url](#)

<sup>1108</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#), pp. 4-5

<sup>1109</sup> Frontex, Risk Analysis for 2018, 20 February 2018, [url](#), pp. 36-37

<sup>1110</sup> EC, Study on the gender dimension of trafficking in human beings, Final report, Executive Summary, 2016, [url](#)

<sup>1111</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), p. 23

<sup>1112</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#), pp. 4-5

<sup>1113</sup> Four out of 10 victims in 2012-2014 were trafficked for forced labour; out of these, 63% were men. UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), p. 6

<sup>1114</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), pp. 61, 63

<sup>1115</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#)

<sup>1116</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#)

Lagos State because it is a transit and destination state. When you don't pay your housemaid or you hit her, it's trafficking'.<sup>1117</sup>

### 3.15.2 Women

The 2016 EC Study on the Gender Dimension of THB indicates that 'women and girls are overwhelmingly (96 %) the victims of trafficking for purposes of sexual exploitation and the majority (75 %) of victims of trafficking for all purposes, while being 26 % of those trafficked for labour exploitation and 52 % of those trafficked for other forms of exploitation'.<sup>1118</sup>

The same paper also reveals that the ill effects and consequences on victims are also gender specific:

'The harms from trafficking for purposes of sexual exploitation are different from the harms from trafficking for purposes of labour and other forms of exploitation. Their seriousness is related to the specific ways that the bodies of trafficked women are abused. There are severe, brutal and long-term, gender-specific physical, gynaecological and mental health harms, risks to life and traumas from trafficking for purposes of sexual exploitation.'<sup>1119</sup>

The Inter-Agency Coordination Group Against Trafficking in Persons (ICAT) states that 'there are gender-specific vulnerabilities and risks faced by women throughout their migration trajectory, which makes them more susceptible to trafficking'. Those include 'gender discrimination and the undervaluation of low-skilled occupations', translating into women often occupying unregulated and informal jobs with limited legal protection.<sup>1120</sup> An example is trafficking for labour exploitation, translated into domestic servitude which is very hard to detect, affecting mainly women and girls.<sup>1121</sup>

#### Nigerian women

The 2016 EC Progress report notes 'a worrying sharp increase' of 4 371 Nigerian women and girls leaving Libya in January-September 2015, '80 % of whom estimated by IOM Italy to be victims of trafficking'.<sup>1122</sup> The 2016 OFPRA mission to Nigeria identified common characteristics of female victims of THB in the country, namely a vulnerable socioeconomic and family background, limited education and young age, and being childless.<sup>1123</sup>

As explained in detail in the 2017 [EASO COI Report Nigeria Sex Trafficking of Women](#), 2015 (Section 1.4), the great majority of victims trafficked to Europe for prostitution belong to the Edo ethnic group, in Benin State. In addition, women from Yoruba, Igbo and several ethnic groups from the Niger Delta have also been registered as victims of THB.<sup>1124</sup>

Researcher Omoregie Pat Iziengbe argues that female victims often see trafficking as the only available option to end 'generational poverty'. Iziengbe reveals that the majority of women she interviewed in

<sup>1117</sup> This Day, NAPTIP Begg for Improved Funding from Government, Corporate Organisations, 2 August 2017, [url](#)

<sup>1118</sup> EC, Study on the gender dimension of trafficking in human beings, Final report, Executive Summary, 2016, [url](#)

<sup>1119</sup> Methodologically, the study found that the data in various of the reviewed articles stemmed from a very small number of primary sources. EC, Study on the gender dimension of trafficking in human beings, Final report, Executive Summary, 2016, [url](#)

<sup>1120</sup> ICAT, The Gender Dimensions Of Human Trafficking, September 2017, [url](#)

<sup>1121</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, [url](#), p. 6

<sup>1122</sup> EC, Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings (2016), 19 May 2016, p 9, [url](#)

<sup>1123</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016, December 2016, [url](#)

<sup>1124</sup> EASO, COI Report Nigeria Sex Trafficking of Women, October 2015, [url](#)

Benin City were conscious they would work in the sex industry, and many initiated contact with the traffickers voluntarily.<sup>1125</sup>

Simultaneously, cultural factors support and maintain the practice. According to Iziengbe, interviewed by OFPRA, the role of the elder daughter in the Edo culture explains the ‘voluntarism’ of the victims. In the Edo culture, the mother may ask her elder daughter to depart to Europe and work as prostitute, and she will, as she is culturally obliged to support her family needs. In the Edo culture, the daughter will not be able to refuse, even if she would prefer to do so.<sup>1126</sup>

For more detailed information on profiles of female victims of THB for the purpose of sexual exploitation, see [EASO, COI Report Nigeria, Sex Trafficking of Women](#), 2015.

### 3.15.3 Men

One out of five victims of trafficking detected in 2012-2014 (relating to 85 countries) was male.<sup>1127</sup> The majority of male victims until 2014 were trafficked for labour exploitation (85.7 %); 6.8 % were trafficked for sexual exploitation and 6.5 % for other forms of exploitation (begging, crime related activities).<sup>1128</sup>

In the EU, between 2013 and 2014 some Member States reported an increase in the number of male victims of trafficking for the purpose of sexual exploitation. However, the majority (74 %) of male victims in the territory of the EU were trafficked for labour exploitation, namely in the agriculture sector.<sup>1129</sup>

#### Nigeria

On the issue of male trafficking for the purpose of sexual exploitation, the EASO report on sex workers in Nigeria indicates:

‘There is no public source material available reporting that the Nigerian networks of ‘sponsors’ and ‘madams’ which facilitate migration for women also offer such possibilities for men, or that these networks in Europe organise men working in prostitution. No source consulted by Landinfo [Norway] on four fact-finding missions to Nigeria has heard of this phenomenon either. However, several of the oral sources of Landinfo and OFPRA have pointed out that there are men working in prostitution in Nigeria’.<sup>1130</sup>

In this regard, a study on male internal trafficking by Precious O. Diagboya, researcher on human trafficking of the University of Ibadan – Nigeria, underlines the invisibility of male victims of trafficking for the purpose of sexual exploitation. The study focused on gay male sex workers in Abuja, arriving from different parts of the country and destined to becoming victims of internal trafficking for sexual exploitation.<sup>1131</sup>

Contrary to female victims – where generational poverty and limited education characterise the majority of victims<sup>1132</sup>, male sex workers in Abuja are mostly educated (around 80 % had basic education) and some come from a middle class environment; the main triggers for men to enter the

<sup>1125</sup> Iziengbe, Omoregie P., *The Economy Of International Prostitution In Benin And The Place Of “Purray Boys”* [2017], [url](#), pp. 5-25

<sup>1126</sup> OFPRA, *Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016*, [December 2016], [url](#), 4.3.2. and 4.3.3

<sup>1127</sup> UNODC, *2016 UNODC Global Report on Trafficking in Persons*, December 2016, [url](#), pp. 23

<sup>1128</sup> UNODC, *2016 UNODC Global Report on Trafficking in Persons*, December 2016, [url](#), pp. 23-25

<sup>1129</sup> EC, *Report From The Commission To The European Parliament And The Council, Report on the progress made in the fight against trafficking in human beings* (2016), 19 May 2016, [url](#)

<sup>1130</sup> EASO, *COI Report, Nigeria Country Focus*, June 2017, [url](#), section 4.5.2

<sup>1131</sup> Diagboya, Precious O., *Trafficking for Sexual Exploitation: The Gender Gap*, 2017, [url](#), pp. 86-99

<sup>1132</sup> OFPRA, *Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016*, December 2016, [url](#), s. 4.3

sex industry in Nigeria are growing numbers of youth unemployment, together with the search for better opportunities. In the same study, Diagboya reveals that some of the victims were sent by their pimps to neighbouring countries, exposing a potential link to and enabler of international trafficking of male sex workers.<sup>1133</sup>

While the majority of respondents revealed they had voluntarily travelled to Abuja to work in the sex industry, around 12 % indicated they had been deceived regarding the line of work, finding themselves 'forced' or persuaded into 'sex slavery'. The 'voluntary' ones however, indicated not knowing of the 'extent to which they [were to] be exploited, controlled, intimidated and indebted'. The victims remained working in the sex industry due to pressure from pimps and family expectations. Pimps use psychological abuse to keep victims under control.<sup>1134</sup>

Male and female sex workers in Abuja face the same risks, which include unprotected sex, sexual violence and fear or rituals. Gay men working in the sex industry also risk being denounced to the authorities, due to the 2014 Same Sex Marriage (Prohibition) Act that increased stigma over the gay population, and especially the gay male sex workers. The study by Diagboya also reveals that men in Abuja do not see themselves as traffic victims, as they associate human trafficking with cross-border movements. They see themselves as migrants, as they 'only' travelled from one state to another.<sup>1135</sup>

The Inter-Agency Coordination Group Against Trafficking in Persons (ICAT) states that in the case of male victims, 'gender stereotypes can undermine the ability to correctly identify male trafficking victims', as 'stereotypical constructions of masculinity may result in men's reluctance to acknowledge that they are trafficked and/or to identify themselves as victims.'<sup>1136</sup> Diagboya reaches similar conclusions at a local level, concluding that male victims in Nigeria do not reach out to government or non-government support due to social stigma and secrecy, topped by the restrictions imposed by the 2014 Same Sex Marriage (Prohibition) Act.<sup>1137</sup>

### 3.15.4 Children

According to UNICEF, the most reliable data on trafficking in children dates from 2014, although it does not take into consideration the massive migration movements of 2015-2016 into the EU. Quoting Eurostat and unpublished UNHCR statistics, UNICEF reveals that 28 % of the overall trafficking victims identified that year were children, reaching a figure of 17 640 underage victims.<sup>1138</sup>

Children are particularly vulnerable to trafficking; the number of unaccompanied and separated children applying for protection in the EU increased in 2014-2016, with numbers ranging from 23 000 applications in 2014 to 23 300 from January to October 2015 in Sweden alone, and to over 10 000 unaccompanied minors crossing the Mediterranean between January and June 2016.<sup>1139</sup>

Statistics from the Italian Department for Equal Opportunities indicate that in 2016 there were 1 172 victims of trafficking and severe exploitation enrolled in the national protection system, of which 11

<sup>1133</sup> Diagboya, Precious O., Trafficking for Sexual Exploitation: The Gender Gap, 2017, [url](#)

<sup>1134</sup> Diagboya, Precious O., Trafficking for Sexual Exploitation: The Gender Gap, 2017, [url](#)

<sup>1135</sup> Diagboya, Precious O., Trafficking for Sexual Exploitation: The Gender Gap, 2017, [url](#)

<sup>1136</sup> 'The Inter-Agency Coordination Group against Trafficking in Persons (ICAT) is a policy forum mandated by the UN General Assembly to improve coordination among UN agencies and other relevant international organizations to facilitate a holistic and comprehensive approach to preventing and combating trafficking in persons. ICAT was formally established in March 2007, pursuant to the United Nations General Assembly Resolution 61/180. ICAT consists of 16 UN members and two partner organizations, ICMPD and the OSCE. The members of the ICAT Working Group are the ILO, IOM, OHCHR, UNICEF, UNHCR, UNODC, and UN Women (joined December 2016)'. ICAT, The Gender Dimensions Of Human Trafficking, September 2017, [url](#)

<sup>1137</sup> Diagboya, Precious O., Trafficking for Sexual Exploitation: The Gender Gap, 2017, [url](#)

<sup>1138</sup> UNICEF, A Child is a Child, Protecting children on the move from violence, abuse and exploitation, May 2017, [url](#), p. 35

<sup>1139</sup> UNODC, 2016 UNODC Global Report on Trafficking in Persons, December 2016, [url](#), p. 61

were children (93 girls, 18 boys). From the overall number of victims in the national protection system, 59,5 % are of Nigerian origin.<sup>1140</sup>

In 2014, 64 % of the victims detected in sub Saharan Africa were children, with a majority of the girls being trafficked for sexual exploitation (72 %) and forced labour (20 %). Male victims were victims of forced labour (86 %) and sexual exploitation (7 %). According to UNICEF, the number of victims can be 'significantly higher', due to the underrepresentation of some categories of victims, like domestic labour victims.<sup>1141</sup>

### 3.15.4.1 Child trafficking within Nigeria

Although legislation and policies exist in Nigeria to address overall child rights, the phenomenon of child trafficking occurs both within Nigeria and from Nigeria. The Constitution<sup>1142</sup>, the 2003 Child's Rights Act [repealed]<sup>1143</sup>- enacted at national level to domesticate the UN Convention on the Rights of the Child<sup>1144</sup>-, covers most forms of violence against children.<sup>1145</sup> On 26 March 2015, Nigeria adopted the Trafficking in Persons (Prohibition), Enforcement and Administration Act, repealing the 2003 Child's Rights Act, as a response to 'new trends in the crime of trafficking in persons and the need to further strengthen the institutional framework.'<sup>1146</sup>

Children rights are, however, one of the topics where states have exclusive jurisdiction; that means the law has to be adopted at a state level.<sup>1147</sup> So far, only 23 of the 36 Nigerian states have domesticated it.<sup>1148</sup>

UNICEF lists the vast number of government partners in Nigeria dealing with 'child protection issues' both at state and federal levels:

'The Office of the President, Federal Ministry of Women's Affairs and Social Development, state ministries responsible for children and social welfare, Federal and state Ministries of Justice, Federal and state Attorneys General, National Judicial Institute, the Nigeria Police Force, Nigeria Prisons Service, Federal and state Ministries of Education, Federal and state Ministries of Health and Federal and state Ministries of Information and the National Orientation Agency.'<sup>1149</sup>

Researcher Wilson Ola Diriwari states that 'despite the remarkable efforts in terms of law and policy [...] the problem appears to persist', indicating that law and policy are 'not proving effective', as are the enforcement mechanisms in the country.<sup>1150</sup>

In September 2014, the Nigerian government created the Technical Working Group on Violence Against Children (TWG), together with several government agencies and CSOs, including NAPTIP. Among many other issues of violence against children, child trafficking was defined as one of the

<sup>1140</sup> Save the Children, Young Invisible Enslaved Children Victims Of Trafficking And Labour Exploitation In Italy, July 2017, [url](#), pp. 7-8

<sup>1141</sup> UNICEF, A Child is a Child, Protecting children on the move from violence, abuse and exploitation, Chapter 3, p. 35, May 2017, [url](#)

<sup>1142</sup> Nigeria, Constitution of the Federal Republic of Nigeria, Chapter IV, 1999, [url](#)

<sup>1143</sup> Nigeria, A Bill For An Act To Provide And Protect The Right Of The Nigerian Child And Other Related Matters, 2003, available at: [url](#); Nigeria, The Child Rights Act (Enforcement Procedure) Rules 2015, 8 July 2015, [url](#)

<sup>1144</sup> Legal Naija, Legal Rights of the Nigerian Child, [2014], [url](#)

<sup>1145</sup> UNICEF, UNICEF - Government of Nigeria Programme of Cooperation, 2018-2022, revised 24 April 2017, [url](#)

<sup>1146</sup> Nigeria, NAPTIP, About NAPTIP, 26 May 2017, [url](#)

<sup>1147</sup> Legal Naija, The Child Rights Act And Need For Stricter Enforcement, [27 May 2018], [url](#)

<sup>1148</sup> UNICEF, UNICEF - Government of Nigeria Programme of Cooperation, 2018-2022, revised 24 April 2017, [url](#)

<sup>1149</sup> UNICEF, UNICEF - Government of Nigeria Programme of Cooperation, 2018-2022, revised 24 April 2017, [url](#)

<sup>1150</sup> Diriwari, Wilson Ola, Efficacy Of The Legal Frameworks For Child Protection In Nigeria, December 2016, p. 1, [url](#)

priorities of the Nigerian government, and in close collaboration with NAPTIP, aimed to ‘equip frontline workers with the skills and capacity to handle cases of child trafficking.’<sup>1151</sup>

The same year, the Nigerian government, together with international partners, conducted a nationwide survey on the forms of violence against children in the country, including sexual exploitation.<sup>1152</sup> In a recent online interview, UNICEF Nigeria stated that the Nigerian President, Muhammadu Buhari, launched in September 2015 the Year of Action to End Violence Against Children, and renewed it in October 2016 ‘by launching a long-term campaign, aligned with the Sustainable Development Goals, to End Violence Against Children by 2030. The campaign is led by the Federal Ministry of Women Affairs and Social Development and aims at strengthening child protection systems in the country.’<sup>1153</sup> No information was found on the practical outcomes of the technical working group.

A joint study by the Kaduna State Ministry of Women Affairs and Social Development, UNICEF and others on the mapping of child protection services in Kaduna State shows however inequalities in the ‘coverage and quality’ of the services provided within the state.<sup>1154</sup>

UNICEF, quoting the same study reports:

‘Most services were in the state capital, leaving children in poor or isolated communities at greater risk of violence, exploitation, abuse and abandonment. Local programmes and services for the most part depended on international aid funding, with 90 per cent owned and operated by civil society and NGOs. With no minimum standards for service delivery set by the State, oversight of the quality of interventions fell short.’<sup>1155</sup>

Researchers Dauda Salihu and Muhammad Chutiyami sustain that child trafficking in Nigeria is the result of a combination of the demand for ‘cheap prostitutes, decay in public institutions, rural-urban migration, poor governance, endemic corruption, change in family size and low level of education as well as the porosity of [...] borders, lack of alternative economic opportunities, devaluation of naira, and change in the trend of household responsibilities to women in some cultures’, together with the ‘crisis all over the world.’<sup>1156</sup>

A growing form of reported child trafficking, although numbers are not known, is the one of ‘baby factories’, occurring in several parts of the country. Young girls are recruited to bear and give birth to children that are then sold in ‘black markets’. Baby factories ‘involve breeding, trafficking, and abuse of infants and their biological mothers.’<sup>1157</sup>

In a study first published in 2015, Olusesan Ayodeji Makinde, a physician and researcher in human rights abuses and trafficking, concludes that ‘baby factories and baby harvesting are prevalent in Nigeria and this practice is growing. There are inadequate laws that address this new wave of VAW [violence against women] and the accompanying child abuse.’<sup>1158</sup>

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<sup>1151</sup> Nigeria, Ending Violence against Children in Nigeria, October 2016, [url](#)

<sup>1152</sup> National Population Commission of Nigeria, UNICEF Nigeria, and the U.S. Centers for Disease Control and Prevention. Violence Against Children in Nigeria: Findings from a National Survey 2014, 2016, [url](#)

<sup>1153</sup> Vanguard, Violence against children is pervasive — UNICEF, 1 June 2018, [url](#)

<sup>1154</sup> Nigeria, MWA, Child Protection System Strengthening, July 2014, [url](#)

<sup>1155</sup> UNICEF, A Child is a Child, Protecting children on the move from violence, abuse and exploitation, May 2017, [url](#), p. 44

<sup>1156</sup> Salihu, D. and Chutiyami, M., Trends of Child Trafficking Situation in Nigeria and A Way Forward, August 2016, available at: [url](#)

<sup>1157</sup> Salihu, D. and Chutiyami, M., Trends of Child Trafficking Situation in Nigeria and A Way Forward, August 2016, available at: [url](#); Makinde, O. et al, Baby Factories in Nigeria: Starting the Discussion Toward a National Prevention Policy, 2017, [url](#)

<sup>1158</sup> Makinde, O., et al, Baby Factories in Nigeria: Starting the Discussion Toward a National Prevention Policy, [2017], [url](#)

In various occasions in recent years, Nigerian authorities have investigated ‘baby factories’ throughout the country, closing the places down and bringing children to child protection services.<sup>1159</sup> No information was found on prosecution/conviction of perpetrators.

The UNODC Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children establishes a direct relation between new information and communication technology (ICT) and the facilitation of child abuse and exploitation, including child trafficking for the purpose of sexual exploitation, and the sexual exploitation of children in travel and tourism. The study also reveals that new ICT have lowered the costs of trafficking operations, thus increasing profit for traffickers; at the same time it allowed them to increase their control over the victims, through the use of easily accessible tracking technology (e.g. GPS-enabled devices).<sup>1160</sup>

### 3.15.5 Return to Nigeria / state support

In a recent publication on the situation of women upon return to Nigeria, Landinfo finds that:

‘Female migrants who return to Nigeria after having worked in prostitution in Europe face challenges which are common to other returning migrants, and to the majority of Nigerians who never left the country. They do also face some additional challenges particular to their situation. Migrants who return with few resources tend to be perceived as failing in achieving the goals that motivated their migration. Returning migrants have no access to services from Nigerian authorities, except when they are defined as victims of human trafficking. But also victims of trafficking receive very limited assistance from authorities and local organisations, mainly in the form of vocational training provided by local NGOs collaborating with NAPTIP . All state services for victims of trafficking are organised by the federal agency NAPTIP, both concerning reintegration and protection. Some women who are forcibly returned are still in debt to the people who sponsored their migration to Europe, and a number of these women, but not all, face problems with their sponsors for not repaying their debt. NAPTIP can assist these women and their family with investigating their sponsors in order to prosecute them for human trafficking, but this depends on the victims collaborating by providing information and testifying in court.’<sup>1161</sup>

According to researchers Adeleye Modupe and Omoregie Pat Iziengbe interviewed by OFPRA during a mission to Nigeria in 2016, victims of trafficking can be discriminated against and be marginalised, as their return is perceived as a failure to thrive in Europe. In addition, as victims often do not succeed in paying their debt, they are therefore not able to support their families left behind.<sup>1162</sup>

Sine Plambech, anthropologist and researcher at the Danish Institute for International Studies refers that all women returned (voluntarily or forcibly) have a debt. After working in the sex industry in Europe (and when there is no man in their families to support them), the returned women are kept in the role of family provider - as when they worked abroad. This, Plambech states, brings added insecurity to these women upon return:

‘This also makes women very vulnerable upon return. It is not that they would be safe necessarily if they were living with men, but it is single women households living alone with

<sup>1159</sup> BBC, Nigeria 'baby factory' raided in Lagos, 26 April 2018 [url](#); Nigeria, NAPTIP, NAPTIP Seals Up Baby Factory In Abuja, 12 February 2018, [url](#); BBC, Nigeria 'baby factory' raided in Imo state, 10 May 2013, [url](#); Reuters, Baby traffickers thriving in Nigeria as recession bites, 12 October 2016, [url](#)

<sup>1160</sup> UNODC, Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children refers to an increase of access to child victims, 2015, [url](#), pp. 8, 20

<sup>1161</sup> Norway, Landinfo, Temanotat, Nigeria: Returforhold for kvinner som har arbeidet i prostitusjon i Europa, 20 March 2017, [url](#)

<sup>1162</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016, 4.5 Le retour des victimes de traite au Nigeria, 4.5.1 Perception des victimes de la traite retournées au Nigeria, [December 2016], [url](#)

women on the outskirts of Benin City, with very limited access to any kind of safety or security and many of them have experienced violence upon returning.’<sup>1163</sup>

The topic of return of victims of trafficking to Nigeria has been widely addressed and can be consulted in [EASO, COI Report Nigeria, Sex trafficking of women](#), 2015.

### 3.15.6 Re-trafficking

The International Organisation for Migrations (IOM) defines re-trafficking as ‘a situation in which a person has been trafficked on one occasion as set forth in the definition provided in the United Nations Palermo Protocol; has then exited that trafficking situation by any means; and has then later re-entered another trafficking situation, again as stated in the United Nations definition.’<sup>1164</sup>

Bearing in mind the phenomenon of re-trafficking, NAPTIP’s shelter for victims in Benin City is a closed facility, to prevent victims from suffering retaliation from traffickers and being re-trafficked. The agency indicates that most victims do not want to return to their original area (in Nigeria) to avoid being re-trafficked; the most vulnerable, however, tend to face the first trafficking situation as a ‘preparation for the following’ one.<sup>1165</sup>

Nigerian NGOs fighting human trafficking in Nigeria state that the solution to avoid re-trafficking situations is to actively interact with the victim and the victim’s family, creating sustainable conditions for the victim’s reintegration and permanence in Nigeria.<sup>1166</sup>

Anthropologist Sine Plambech states that women often want to or are forced to return to Europe as they are still in debt to the traffickers.<sup>1167</sup> Similar findings are set in EASO’s 2015 report on sex trafficking of Nigerian women, indicating that often victims wish to return to Europe ‘as soon as possible’, either willingly or ‘pressured or forced [...] 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’.<sup>1168</sup>

For further details on the phenomenon of re-trafficking, see [EASO, COI Report Nigeria, Sex Trafficking of Women](#), Section 4.9.

### 3.15.7 Trafficking in persons for the purpose of organ removal

According to UNODC’s Trafficking in Persons for the Purpose of Organ Removal assessment toolkit, ‘trafficking in organs and trafficking in persons for organ removal are different crimes, though frequently confused in public debate and among the legal and scientific communities’. The difference lies in the object of the crime: in trafficking of organs, the object is the human organ; in human trafficking for organ removal, the person is the object of the crime.<sup>1169</sup>

Organs and tissue shortage/scarcity for transplantation - leading to life-threatening situations -, encourages criminal organisations to pursue trafficking for the purpose of organ removal.<sup>1170</sup>

<sup>1163</sup> EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, August 2017, [url](#), p. 53

<sup>1164</sup> IOM, The Causes and Consequences of Re-trafficking, 2010, [url](#), p. 17

<sup>1165</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016 [December 2016], [url](#), 4.5.2

<sup>1166</sup> OFPRA, Rapport de mission en République fédérale du Nigeria du 9 au 21 septembre 2016 [December 2016], [url](#), 4.5.2

<sup>1167</sup> EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, August 2017, [url](#), pp. 54-55

<sup>1168</sup> EASO, COI report, Nigeria Sex Trafficking of Women, October 2015, [url](#), Section 4.9

<sup>1169</sup> UNODC, Trafficking in Persons for the Purpose of Organ Removal, Assessment Toolkit, 2015, [url](#)

<sup>1170</sup> Council of Europe and United Nations, Trafficking in organs, tissues and cells and trafficking in human beings for the purpose of the removal of organs, 2009, [url](#), pp. 21-22

In 2016, NAPTIP did not receive any complaint on Procurement or Recruitment of Persons for Organ Harvesting. In 2017, one complaint was registered, linked to four male suspects. No victim was identified and the case did not reach the court.<sup>1171</sup>

In January 2018, NAPTIP's Director stated 'that human traffickers now recruit fertile young girls for organ harvesting and donation of ovaries for In Vitro Fertilization (IVF) treatment'. In Edo State, NAPTIP is undergoing sensitising and awareness actions with traditional doctors to stop performing secrecy oaths on trafficking victims.<sup>1172</sup>

UNICEF, quoting an IOM survey, states that a small number of children migrants that may have been trafficked indicated having been offered money for 'blood, organs or body parts'.<sup>1173</sup>

### 3.16 Persons with disabilities or severe medical issues

Recent figures of the number of persons with disabilities in Nigeria could not be found. According to the 2013 African Disability Rights Yearbook (ADRY), citing the 2006 census, the total number of people with disabilities in Nigeria were 3.2 million, approximately 2.3 % of the total population.<sup>1174</sup> By contrast, the WHO, quoted in a 2008 study, estimated that approximately 20 % of the Nigerian population, 19 million, live with a disability.<sup>1175</sup>

Common forms of disabilities in Nigeria include visual impairment, hearing impairment, physical impairment, intellectual impairments and communication impairment.<sup>1176</sup>

#### 3.16.1 Legal framework

Concerning the country's International obligations, Nigeria has signed and ratified both the United Nation's Convention on the Rights of People with Disabilities (CRPD) and its Optional Protocols.<sup>1177</sup>

On the regional scope, during previous reports on human rights with regards to the African Charter on Human rights and Peoples' Rights (ACHPR), Nigeria has not explicitly mentioned the rights of persons with disabilities; the same applies with regards to rights stipulated in the African Charter on the rights and Welfare of the Child (ACRWC).<sup>1178</sup>

The Nigerian constitution<sup>1179</sup> does not make any specific reference to persons living with disabilities, although the 1999 amendment to the constitution stipulates in Sections 14, 16(1) and 17 to 'guarantee the right to equality and fundamental rights for all.'<sup>1180</sup> The 1993 Disability Decree is the only nationwide legislation that directly refers to the rights of persons living with disability in Nigeria.<sup>1181</sup>

With regards to healthcare, the Decree stipulates that 'disabled persons shall be provided in all public institutions free medical and health services including general medical needs.'<sup>1182</sup> Persons with disabilities can apply for a Permanent Disability Certificate (PDC) which then entitles them to the rights

<sup>1171</sup> Nigeria, NAPTIP, 2016 Data Analysis Report, [2017], [url](#); Nigeria, NAPTIP, 2017 Data Analysis Report, [2018], [url](#)

<sup>1172</sup> Tribune, NAPTIP engages local witch doctors in combating human trafficking, 5 February 2018 [url](#)

<sup>1173</sup> UNICEF, A Child is a Child, Protecting children on the move from violence, abuse and exploitation, May 2017 [url](#), p. 35

<sup>1174</sup> ADRY, Nigeria, 2013, [url](#)

<sup>1175</sup> Lang, R., Upah, L., Scoping Study: Disability issues in Nigeria, April 2008, [url](#)

<sup>1176</sup> African Disability Rights yearbook, Nigeria, 2013, [url](#)

<sup>1177</sup> UN, Convention on the Rights of Persons with Disabilities and Optional Protocol, 13 December 2006, [url](#); ADRY, Nigeria, 2013, [url](#),

<sup>1178</sup> ADRY, Nigeria, 2013, [url](#)

<sup>1179</sup> Nigeria, Constitution of the Federal Republic of Nigeria, 1999, [url](#)

<sup>1180</sup> ADRY, Nigeria, 2013, [url](#).

<sup>1181</sup> ADRY, Nigeria, 2013, [url](#); Nigeria, Nigerians With Disability Decree 1993, available at: [url](#).

<sup>1182</sup> Nigeria, Nigerians With Disability Decree 1993, available at: [url](#)

of this decree and provides official recognition and proof in practice, while health service providers can reclaim expenses occurred for the treatment of persons with disabilities through a monthly PCD.<sup>1183</sup>

The decree also refers to education, by stating that ‘disabled persons shall be provided in all public educational institutions free education at all levels.’ Further provisions are made for employment, housing, social services, transport, sports and recreation, telecommunication, access to voting and legal services in the Decree.<sup>1184</sup>

In addition, some states have their own legislation and initiatives on disability; for example the Lagos State Special People’s Law 2011 set up an Office of Disability Affairs.<sup>1185</sup> In connection with this law, a Disability Fund also exists.<sup>1186</sup>

### 3.16.1.1 Policies and programmes

With regards to policies, a national policy aiming to provide equal opportunities for persons living with disabilities is in place, while the National Special Welfare Policy aims to provide social welfare packages and support the development needs of persons with disabilities. Indirectly, the Nigerian National Policy on Education also refers to children with special needs.<sup>1187</sup>

The US DoS mentions a few initiatives from the federal government, such as vocational training centres in Abuja and Lagos to train persons with disabilities. Several states also provide ‘facilities to help persons with physical disabilities become self-supporting’. There is an organisation for persons with disabilities: the Joint National Association of Persons with Disabilities.<sup>1188</sup>

### 3.16.2 Human rights situation

Persons with mental or physical disabilities often suffer from social stigma, exploitation, and discrimination. Medical health care for persons with disabilities is scarce, particularly for those with mental health problems. Persons with mental or physical disabilities are often accused of witchcraft.<sup>1189</sup> In particular persons with kyphosis (hunchback) are potential targets for witchcraft accusations.<sup>1190</sup>

For further information on witchcraft, see Section [3.9.2.](#)

### 3.16.3 Disabled People’s Organisation (DPOs) and civil society

The Joint National Association of Persons with Disabilities (JONAPWD) addresses right violations of persons with disabilities. Additionally, the Association of Comprehensive Empowerment of Nigerians with Disabilities (ASCEND) provides a platform and a common voice for persons living with disabilities.<sup>1191</sup>

Other DPOs include: The Leprosy Mission, The Spinal Cord Injury Association of Nigeria, Deaf Women in Nigeria, The Accidents Victim Support Association, Centre for Citizens with Disabilities, The Nigerian

<sup>1183</sup> Nigeria, Nigerians With Disability Decree 1993, available at: [url](#)

<sup>1184</sup> Nigeria, Nigerians With Disability Decree 1993, available at: [url](#)

<sup>1185</sup> ADRY, Nigeria, 2013, [url](#)

<sup>1186</sup> ADRY, Nigeria, 2013, [url](#)

<sup>1187</sup> ADRY, Nigeria, 2013, [url](#); Nigeria, National Policy on education, 4<sup>th</sup> edition, 2002, available at: [url](#); Nigeria, Federal Ministry of Education, National Policy on Special needs Education I Nigeria, 2015, [url](#)

<sup>1188</sup> US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

<sup>1189</sup> Okpalauwaekwe U., Mela., Oji C., Knowledge of and Attitude to Mental Illnesses in Nigeria: A Scoping Review, 5 March 2017, [url](#); Tormusa, Daniel O., Cultural Perspectives and Attitudes toward Mental Health in Nigeria: Social Workers at a Dilemma, August 2015, [url](#); US DoS, 2017 Country Reports on Human Rights Practices, 20 April 2018, [url](#)

<sup>1190</sup> Pratten, David, EASO, Practical Cooperation Meeting on Nigeria, 12-13 June 2017, [url](#), p. 81

<sup>1191</sup> ADRY, Nigeria, 2013, [url](#)

National Association of the Deaf: Offers assistive services to people with hearing impairments, Resource Centre for Advocacy on Disability, Persons with Disabilities Action Network, Leonard Cheshire Disability, National Handicap Carers Association of Nigeria, Christian Blind Mission and Inclusion International.<sup>1192</sup>

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<sup>1192</sup> ADRY, Nigeria, 2013, [url](#)

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# Annex 2: Terms of Reference

## 1. Introduction on Nigeria

## 2. Actors of persecution or serious harm

### 2.1 Boko Haram

2.1.1 Geographical presence

2.1.2 Structure

2.1.3. Objectives

2.1.3 Modus operandi

2.1.4 Recruitment

### 2.2 Militant groups in the Niger Delta

#### 2.2.1 MEND

2.3.1 Structure

2.3.2 Objectives

2.3.3 Modus operandi

2.3.4 Recruitment

#### 2.2.2 Niger Delta Avengers/ New Delta Avengers

2.4.1 Structure

2.4.2 Objectives

2.4.3 Modus operandi

2.4.4 Recruitment

### 2.3 Cults and secret societies

2.5.1 Structure

2.5.2 Objective

2.5.3 Modus operandi

2.5.4 Recruitment

### 2.4 Human Traffickers

2.6.1 Structure

2.6.2 Objectives

2.6.3 Modus operandi

2.6.4 Recruitment

## 2.5 State or state-affiliated actors

### 2.5.1 Security forces

#### 2.5.1.1 Structure

#### 2.5.1.2 Objectives

#### 2.5.1.3 Modus operandi

#### 2.5.1.4 Recruitment

#### 2.5.1.5 Torture

### 2.5.2 Armed Forces

#### 2.5.2.1 Structure

#### 2.5.2.2 Objectives

#### 2.5.2.3 Modus operandi

#### 2.5.2.4 Recruitment

### 2.5.3 Police/Islamic police

#### 2.5.3.1 Structure

#### 2.5.3.2 Objectives

#### 2.5.3.3 Modus operandi

#### 2.5.3.4 Recruitment

### 2.5.4 Civilian Joint Task Force (CTJF)

#### 2.5.4.1 Structure

#### 2.5.4.2 Objectives

#### 2.5.4.3 Modus operandi

#### 2.5.4.4 Recruitment (child recruitment)

### 2.5.5. Death penalty

## **3. Profiles of targeted persons**

### 3.1 Persons targeted by Boko Haram

### 3.2 Persons involved in militant groups in the Niger Delta, or perceived of supporting them

### 3.3 Members of separatist movements

#### 3.3.1 Persons (perceived of) supporting MASSOB/IPOB

### 3.4 Journalists and persons working in the media and Human rights activists

### 3.5 Persons affected by university fraternities

#### 3.5.1 (Former) members

#### 3.5.2 Persons refusing to join

### 3.6 Persons involved in land disputes, nomads/herdsmen and sedentary farmers

### 3.7 Women and girls

3.7.1 Gender-Based Violence (GBV)

3.7.2 Forced/early marriages

3.7.3 FGM/ harmful traditional practises

3.7.4 Single women

3.7.5 Forced prostitution

3.8 Children

3.9 Lesbian, Gay, Bisexual, and Transgender (LGBT)

3.9.1 LGBT persons

3.9.2 Organisations (suspected of) supporting LGBT rights

3.10 Religious minorities

3.10.1 Shia movement

3.11 Ethnic minorities

3.12 Persons affected by secret societies

3.12.1 (Former) members of secret societies

3.12.2 Persons refusing to join secret societies

3.13 Persons affected by witchcraft

3.14 Victims of trafficking in human beings

3.14.1 Women

3.14.2 Men

3.14.3 Children

3.15 Persons with disabilities or severe medical issues

3.16 Members of political parties





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