

A young boy in a white shirt and blue cap holds a rifle, standing in front of a damaged building with graffiti. The building has a window with several people looking out. The ground is sandy and uneven.

“When We Can’t See the Enemy, Civilians Become the Enemy”

Living Through Nigeria’s Six-Year Insurgency

CENTER FOR
CIVILIANS IN CONFLICT

RECOGNIZE. PREVENT. PROTECT. AMEND.

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**Living Through Nigeria’s
Six-Year Insurgency**

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Cover photo: Image © Ed Kashi/VII.
Marching band students practice together at the Government Day Secondary school in the small town of Kotorkoshi, Nigeria on April 11, 2013.

Website address: www.civiliansinconflict.org

Note: For the security and privacy of civilian interviewees, all names have been altered or omitted unless otherwise indicated.

Organizational Mission and Vision

Center for Civilians in Conflict (CIVIC) works to improve protection for civilians caught in conflicts around the world. We call on and advise international organizations, governments, militaries, and armed non-state actors to adopt and implement policies to prevent civilian harm. When civilians are harmed we advocate the provision of amends and post-harm assistance. We bring the voices of civilians themselves to those making decisions affecting their lives.

CIVIC's vision is for a future where parties involved in conflict go above and beyond their legal obligations to minimize harm to civilians in conflict. To accomplish this, we assess the causes of civilian harm in particular conflicts, craft creative solutions to address that harm, and engage with civilians, governments, militaries, and international and regional institutions to implement these solutions.

We measure our success in the short term by the adoption of new policies and practices that lead to the improved wellbeing of civilians caught in a conflict. In the long term, our goal is to create a new global mindset around robust civilian protection and harm response.

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Acronyms

AI	Amnesty International
AMISOM	African Union Mission to Somalia
AQIM	Al-Qaeda in the Islamic Maghreb
BAHRN	Bauchi Human Rights Network
BMATT	British Military Advisory Training Team
CAN	Christian Association of Nigeria
CHRCA	Centre for Human Rights and Citizen Advocacy
BH	Boko Haram, also referred to as JAS, or their full name “Jamā’at Ahl as Sunnah lid-Da’wah wa’l-Jihād.” In 2015, the group pledged its allegiance to ISIS and rebranded to Wilāyat Gharb Ifrīqīyyah, or the Islamic State’s West African Branch.
CHTARC	Civilian Harm Tracking, Analysis, and Response Cell
CIVIC	Center for Civilians in Conflict
CJTF	Civilian Joint Task Force
CSO	Civil Society Organization
DDR	Disarmament, Demobilization, and Reintegration
DPH	Direct Participation in Hostilities
DRC	Democratic Republic of Congo
ECOMOG	Economic Community of West African States Monitoring Group
HRAN	Human Rights Agenda Network
HRW	Human Rights Watch
IED	Improvised Explosive Devices
ICC	International Criminal Court
ICRC	International Commission of the Red Cross
IDP	Internally Displaced Person
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMC	Inter Faith Mediation Center
ISAF	International Security Assistance Force
JTF	Joint Task Force (Military)
LCBC	Lake Chad Basin Commission
LGA	Local Government Authorities
MEND	Movement for the Emancipation of the Niger Delta
MNJTF	Multi-National Joint Task Force
MOPOL	Mobile Police Officer
NEMA	National Emergency Management Agency

NPF	Nigerian Police Force
OHCHR	Office of the High Commissioner for Human Rights
ONSA	Office of the National Security Advisor (of Nigeria)
POC	Protection of Civilians
PTSD	Post-Traumatic Stress Disorder
ROE	Rules of Engagement
SEMA	State Emergency Management Agency
SFCG	Search for Common Ground
SOE	State of Emergency
SOP	Standard Operating Procedures
TTP	Tactics, Techniques, and Procedures
UK	United Kingdom
UN	United Nations
UNSC	United Nations Security Council
US	United States
VBIED	Vehicle-Borne Improvised Explosive Devices
VEO	Violent extremist organizations
VSF	Victims Support Fund
WANEP	West Africa Network for Peacebuilding



Image © Ed Kashi/VII.

This Muslim Fulani man's compound was attacked and burned in Attakar, Nigeria in March 2013.

EXECUTIVE SUMMARY AND RECOMMENDATIONS

This report explores the experiences of civilians and armed actors living through the conflict in northeastern Nigeria. The ultimate goal is to better understand the gaps in protection from all sides, how civilians perceive security actors, and what communities expect from those who are supposed to protect them from harm. With this understanding, we analyze the structural impediments to protecting civilians, and propose practical—and locally informed—solutions to improve civilian protection and response to the harm caused by all armed actors in this conflict. In particular, we call for reform of the Nigerian armed forces. Not only are they primarily responsible for the safety of Nigerian civilians, but, given their role in leading the multinational effort, are also the best placed among armed actors to create a mindset of civilian protection.

This report argues that the only effective way to restore security and effectively combat violent extremism is to put the protection of civilians at the heart of Nigeria's military operations. If the military protects civilians from Boko Haram, works to ensure its own operations to combat Boko Haram do not harm civilians, and creates a secure environment, the cycle of violence can be broken. In the process, the military will also gain the trust and support of affected communities. After all, if communities feel victimized by security forces, they are likely to obstruct their operations, or even support the rebellion.¹

¹ For the purposes of the report, security forces include the Nigerian armed forces (Army, Navy, Air Force, and Joint Task Force), Nigerian Police Force (including Mobile Police), Nigerian Security and Civil Defense Corps, regional military actors (Chad, Niger, and Cameroon), and self-defense groups such as the CJTF.

Nigeria is crisscrossed with political and social fault lines that threaten the security of its people. First, there are historically rooted ethnic and religious tensions, as well as localized clashes over land and resources between herders and farmers. Then, there are the more recent sources of conflict, such as contention over rich natural resources, including oil in the Niger Delta region, armed criminality and drug trafficking, and identity politics. Finally—and perhaps most urgently—is the rise of Boko Haram’s violent extremism.

Extremism in particular has fueled violence in the Northeast of the country since 2009, and has by some estimates, claimed over 20,000 lives and displaced millions.² The scale of violence against civilians by Boko Haram is among the highest of any armed group in Africa. While ensuring security is admittedly difficult in such an asymmetric environment, the response to the Boko Haram threat from the Nigerian armed forces, regional militaries, and allied non-state armed groups has been heavy-handed. In fact, counterinsurgency operations often do more to harm the civilian population than to keep it safe. Furthermore, the government and military’s joint handling of the crisis has had a significant impact on the behavior of Boko Haram, and affected communities across the region. Many argue that Boko Haram’s brutality has actually intensified as a result of the increasingly brutal and repressive actions of the Nigerian military.

Following an escalation of violence by Boko Haram, the federal government declared a State of Emergency (SOE) in Yobe, Borno, and Adamawa states in May 2013. Proponents argue the SOE helped to facilitate federal oversight of security issues, while simultaneously disrupting the movement and communications of Boko Haram militants. Meanwhile, opponents of the SOE argue that Boko Haram gained more ground and carried out more attacks thanks to a partial shutdown of telecommunications and media—both vital channels for information sharing and self-protection.³ Under the SOE, civilians report that the early warning systems were crippled; schools were closed; farming virtually stopped; many markets closed; major roadways were frequently blocked; massive displacement ensued; banditry increased; and attacks and kidnappings became more commonplace.^{4,5}

The inauguration of President Buhari in May 2015, and the subsequent change in military leadership, now presents an opportunity to chart a new course for Nigeria. This course must put civilian protection at the center of Nigeria’s strategy to counter Boko Haram and secure communities. Indeed, this is our main recommendation to all stakeholders with an interest in Nigeria’s future.

Throughout 2015, the United Nations Security Council—of which Nigeria is an elected member—and the African Union’s Peace and Security Council have stated that Nigeria (and the Multi-National Joint Task Force, or MNJTF) have the primary responsibility and mandate to protect civilians in their territories.⁶ There are some positive indications that President Buhari embraces this understanding, and is committed to building a better strategy.

Buhari’s new strategy has garnered support from many civilians. Among the initiatives proposed are: the consolidation of regional military support, effectively putting Nigeria in the lead of the joint regional (MNJTF) effort, and moving Nigeria’s Joint Military Command headquarters to Maiduguri.

2 This figure is based on open source reports, which estimate that since 2009 Boko Haram has killed more than 17,000 people and that over 8,000 have disappeared or been killed while in the custody of Nigerian security forces. The real number of civilian casualties from this conflict is likely much higher. See “Boko Haram attack caps week of bloodshed in Nigeria”, BBC, July 5, 2015, <http://www.bbc.com/news/world-africa-33401810>.

3 “Silencing Boko Haram: Mobile Phone Blackout and Counterinsurgency in Nigeria’s Northeast region,” *Stability International Journal of Security & Development*, Volume 4, Issue 1, March 4, 2015, <http://www.stabilityjournal.org/article/10.5334/sta.ey/>.

4 CIVIC interviews, Adamawa, Bauchi, Borno, Gombe, and Yobe states, May-August 2015.

5 <http://www.bbc.com/news/world-africa-23221237>; <http://www.bbc.com/news/world-africa-27323094>; <http://allafrica.com/stories/201508101510.html>; <http://www.theguardian.com/world/2013/dec/03/boko-haram-attack-nigeria-leaves-many-dead>.

6 Global Center for the Responsibility to Protect, *Populations at Risk: Nigeria*, September 15, 2015, <http://www.globalr2p.org/regions/nigeria>.

Additionally, the new strategy aims to push Boko Haram militants out of strongholds and into the Sambisa forest, while also working to win hearts and minds through pro-poor development initiatives.

Indeed, civilians overwhelmingly feel that Boko Haram is the real enemy to peace. Yet Nigerian security forces continue to fall short in their ability to protect civilians from harm, a fact which threatens to erode popular support for its robust military action. For this very reason, President Buhari and Nigeria's partners have a strategic interest in protecting communities from violence and zealously avoiding harm to civilians.

Main Findings on Civilian Harm

In 2015 alone, some reports indicate that Boko Haram has carried out more than 200 attacks, killing over 3,500 people.⁷ Since President Buhari took office on May 29, 2015 to the time of writing (August 31, 2015)—a mere three months—over 1,000 people have reportedly been killed in more than 60 attacks.⁸ Meanwhile, civilian displacement continues unabated. Over two million civilians have been forced to flee their homes since the insurgency intensified in 2013.

The six-year insurgency must be brought to an end, but in a responsible way that minimizes harm to civilians, and protects them from further violence. Our goal in writing this report is to provide policymakers with well-considered advice on a way forward.

Our findings are the outcome of in-depth desk and field research, combined with expert analysis. The resulting report is a thorough assessment of the structural and operational challenges security forces in Nigeria face that allow civilian harm to occur in the current environment. We conducted hundreds of interviews with both civilian and military actors in the hardest hit areas in order to offer a unique set of recommendations, which aim to improve operations by the Nigerian armed forces and its allies.

Our analysis considers civilian harm caused by all armed actors. With regard to Boko Haram, civilian harm is not only a by-product of its operations; it has become central to its strategy.

While most civilians feel Boko Haram has perpetrated the majority of harm to them and their families, the group does not operate in a vacuum. As such, we look at Boko Haram primarily through the lens of its symbiotic relationship with the Nigerian state, and the destructive impact of this interaction: increasing insecurity and civilian harm.

Furthermore, civilians feel that Nigerian security forces and their allies are too focused on defeating Boko Haram, but this myopic approach has resulted in serious human rights abuses and incidental civilian harm.⁹

Finally, we briefly touch on local views of self-defense groups, such as the Civilian Joint Task Force (CJTF), and the joint regional military force (MNJTF)—which has yet to be fully stood up, and is widely misunderstood by civilians.

7 "Boko Haram: Bombing campaign sees civilian deaths spiral." Amnesty International, AI Index: AFR 44/2498/2015 24 September 2015.

8 Martin Ewi, "Buhari's make or break strategy against Boko Haram", Institute for Security Studies, 4 September 2015, <https://www.issafrica.org/iss-today/buharis-make-or-break-strategy-against-boko-haram>.

9 Incidental civilian harm, distinct from violations of international humanitarian and human rights law, is defined as a loss of life, injury, or property loss that occurs as a consequence of legally conducted military or armed group action during armed conflict.

Civilian Views and Expectations

Civilian views and expectations are critical to understanding the specific instances where the Nigerian government and military must correct their operating procedures if they are to improve physical protection and security in northern Nigeria. Civilians have been deeply affected by Boko Haram's sustained campaign of suicide attacks, abductions, and massive displacement. However, they expect the group's tactics to change very little. For that reason, civilians direct their concerns and hopes for change toward the Nigerian armed forces.

One civilian in Maiduguri explained the difficulty of being a civilian in this conflict. "No one knows for sure who the enemy is. Boko Haram will attack the people, and leave. Then the military will come, and also arrest people. When the people try to cooperate with the military, Boko Haram will attack them again. Now the military thinks civilians are Boko Haram. Civilians think some military are Boko Haram. They are afraid to give information to anyone. Even the CJTF has started acting like [it's] the military sometimes, and abusing the people. We really don't know who the enemy is now."¹⁰

Explaining his perception of security forces and their behavior, a businessman in Yobe state said, "The perception of the people changed from [seeing the] government's role as security provider, to that of an aggressor. This has drawn some sympathy to Boko Haram, at least before the group started attacking civilians. However, heavy-handed government actions paved the way for easy recruitment by Boko Haram."¹¹

Similar comments were made across the five northeastern states where our research was conducted. Civilians cited the following issues as their main concerns about State armed forces: being wrongly identified as a combatant; perceiving security forces to be unprofessional, untrained, and unwilling to fight; not knowing where and how to file complaints or receive post-harm assistance; poor relations and mistrust between communities and security personnel; and abuse, unlawful detention, and intimidation.

As the new government settles in, civilians have high hopes that the new authorities will address these protection issues. Civilians specifically demand protection from Boko Haram attacks, assurances that Nigerian armed forces will do more to avoid civilian harm in their operations, and greater responsiveness on the part of the Nigerian government when harm does occur.

Security Personnel Views of Protection Challenges

Although protection of civilians falls primarily to the Nigerian government and military, our research finds that many civilians and members of the security forces often did not see this as the reality. Instead, members of both groups believed that security forces were deployed only to defeat Boko Haram, not to protect civilians. In fact, armed forces have too often defined their roles in terms of trying to take militant lives, rather than trying to save civilian lives. The lack of a strong shared understanding of state actors' roles in civilian protection has left vulnerable groups to fend for themselves.

According to our research and the views of all respondents, Nigeria's security forces have fallen short in three major ways. They have: 1) failed to protect vulnerable communities from violence; 2) failed to prevent collateral damage during counter-Boko Haram operations; and 3) directly targeted civilians with unlawful detention, harassment, destruction of property, sexual violence, indiscriminate targeting of certain groups (e.g. young men), torture, and excessive use of force causing injury and death.

¹⁰ CIVIC interview, Borno state, May 2015.

¹¹ CIVIC interview, Yobe state, July 2015.

These patterns of harm are a direct result of several factors. Most important among them, Nigeria's overall strategy to combat violent extremism lacks sufficient attention to mitigating the drivers of the conflict and incorporating non-military approaches to civilian security. This leaves the military as the sole provider of solutions to problems it cannot solve.

One member of the Nigerian security forces in Gombe explained the difficulty they face. "An important thing to note is that there is nothing on the face of a member of Boko Haram to identify him. The members have the same looks as other people around, more so as the tradition is the same and so they dress alike. When there is a tip off by concerned members of communities about some development, such as new faces and unusual movement of people, security personnel come in and do a sweep. It is true some innocent civilians have found themselves locked up or tortured due to no fault of their own."¹²

Armed forces have too often defined their roles in terms of trying to take militant lives, rather than trying to save civilian lives.

This gets to an overarching challenge highlighted by many security personnel: the inability to distinguish civilians from combatants and identify potential attackers. As one senior military official explained, "When we can't see the enemy, civilians become the enemy."¹³

While the challenges are real, military operations could be critically improved by addressing several key obstacles. First of all, there remains insufficient prioritization of civilian protection in any currently disseminated policies. Additionally, the military suffers from poor discipline and code of conduct, which is only compounded by inadequate training in ethical conduct, a weak chain of command, and poor responsibility and accountability mechanisms for bad behavior among troops.

Meanwhile, there is an inadequate police presence, which fuels instability and demands more from the military—an institution that already faces a severe misallocation of troops and troop shortages. On top of these challenges, and likely because of them, the military enjoys poor community engagement, particularly before major military operations.

Underlying all of these challenges is the widespread normalization of violence among decision makers and in the media, which has facilitated an acceptance of bloodletting.

The Way Forward

It is time for the Nigerian government to re-evaluate its military operations. New policies should be population-centric—not enemy-centric—and must put greater emphasis on addressing conflict drivers. The government must protect its civilians from Boko Haram, while simultaneously minimizing civilian harm caused by its own operations.

If the Nigerian government and regional armed forces are unable to improve security and protection, their overarching mission will be undermined. To deliver on its mission, security forces must develop a protection mindset. The military must introduce clear harm mitigation policies, tools, and practices, and it must outline appropriate standard operating procedures (SOP) to address how harm will be investigated and addressed when it does occur.

¹² CIVIC interview, Gombe state, July 2015.

¹³ CIVIC interview, Abuja, June 2015.

RECOMMENDATIONS TO ALL PARTIES TO THE CONFLICT

All parties to the conflict must:

- Adhere to international legal standards, including international human rights and humanitarian law (IHL).
- Adopt robust policies, tools, and practices to ensure that all troops understand the strategic, ethical, and legal importance of protecting civilians, as well as the need to minimize and properly address civilian harm resulting from the conflict. This should include training, enforcement, and sustained leadership from all responsible authorities and decision-makers.

Government of Nigeria

The Government of Nigeria should:

Ensure Effective Civilian Protection

- Prioritize the protection of civilians—both from its own operations, as well as attacks by armed groups—in all current and future government and security force policies and operations.
- Use strategic communications, including print media, SMS, and public radio, to improve community understanding of security actors' roles in the fight against Boko Haram, and government efforts to protect civilians.
- Given the likelihood of continued tension between communities and Nigerian forces, deploy community liaison officers alongside Nigerian forces to work with local communities to improve civilian-military communication, and to increase mission awareness and operationalization of protection needs.
- Prioritize the consolidation of security in the Northeast through peaceful and inclusive means—not solely military operations—thereby laying a foundation for improved civilian protection, judicial and security sector reform, and accountability for harm caused.
- Strengthen targeted scenario-based pre and in-deployment training for officers and enlisted personnel to improve understanding of IHL; human rights; civilian protection; harm mitigation; military code of conduct; the practical application of the concepts of distinction and proportionality. Additionally, it must strengthen relevant operational activities such as crowd control; patrolling; escalation of force; community engagement; clearing operations; how to deal with asymmetric threats; and how to appropriately respond to alleged civilian harm.
- Initiate concrete plans to demobilize and disarm the CJTF. The group has operated with little oversight, often with impunity, and its actions have begun to harm and victimize civilians. Full DDR of the CJTF and related self-defense groups should include the development of a database of their members, as well as vocational training and job placement for CJTF members. Moreover, a provision should be introduced to enable members' possible enlistment into security agencies, if they meet the legal criteria and after a rigorous vetting process.

Develop Civilian Harm Tracking and Response for the Nigerian Armed Forces

- Conduct an independent expert assessment of current military operational strengths and weaknesses. The findings should be used to garner recommendations to improve standard operating procedures and trainings. The goal of this assessment would be to increase the military's ability to effectively prevent and respond to civilian casualty incidents and allegations of military-inflicted harm. In particular, the assessment should (1) identify any existing policies and practices in place to prevent civilian harm, (2) draw up a simple and accessible harm mitigation and response plan, which can be passed on to commanders in the field for immediate implementation, (3) develop practical step-by-step training to instruct military and police officers on how to report and respond to alleged civilian harm caused

by their operations, and (4) identify existing data collection on civilian harm. This training should initially focus on ensuring consistent, timely, and accurate reporting of all alleged civilian harm from field contingents through the chain of command.

- Create a dedicated civilian harm tracking and response mechanism. The mechanism would be similar to the Civilian Casualty Mitigation Team developed by ISAF in Afghanistan, and the Civilian Casualty Tracking, Analysis, and Response Cell (CCTARC) currently under development by AMISOM in Somalia. This structure would gather reliable data and conduct analyses to help the Nigerian armed forces (and joint regional operations): (1) identify claims of civilian harm attributable to Nigerian security forces, joint regional forces, and armed non-state groups, (2) engage all parties at a tactical level to reduce civilian harm, and (3) coordinate MNJTF's efforts to mitigate and reduce civilian harm resulting from its own operations. The establishment of a civilian harm tracking and response mechanism would help security forces to better understand their operations' impact on civilians as well as give them the tools to appropriately acknowledge civilian harm, and identify best practices for avoiding harm during future operations. This improved understanding would, in turn, build community confidence.

Provide Post-Harm Assistance to Civilian Victims

- The Nigerian military should conduct full, timely investigations on all allegations of civilian harm resulting from military operations by all armed actors, including its own forces, Multi-National Joint Task Force (MNJTF), CJTF, Boko Haram, and other armed groups.
- Operationalize the Victims Support Fund, which was established by the Nigerian government in 2014 and has yet to be fully stood up. The VSF mandate should be strengthened to include comprehensive post-harm assistance, including amends and reparations (explained in the section on Expectations and Needs of Civilians) for victims harmed by all parties. The VSF should liaise with the Nigerian military to verify allegations of civilian harm, and share information on civilian harm caused by military operations by Nigerian Security Forces, MNJTF, CJTF, Boko Haram, and other armed actors. Additionally, the VSF should have an independent oversight body, and its services should be well communicated and accessible to all victims of the ongoing conflict. These groups would include IDPs, refugees, and families of victims and abductees.

Strengthen Civilian-Military Relations and Community Self Protection

- Strengthen coordination and collaboration between security institutions and communities. Priority areas for improvement include: information sharing; community policing; early warning systems; and community self-protection mechanisms.
- Understanding the likelihood of continued attacks, security forces should develop contingency and evacuation plans with local communities. These plans should include measures to facilitate safe passage across state and international borders (when necessary), and consider a humanitarian corridor to facilitate access and support for displaced persons and victims of attacks.
- Security personnel must strengthen measures to maintain informants' anonymity and ensure their protection.
- The government and the media should empower civil society organizations to create public information campaigns in order to facilitate a national dialogue, which would humanize the conflict and help shift the views of all Nigerians toward a mindset of civilian protection.

MNJTF

The Nigeria-led MNJTF command needs to effectively champion and implement a proactive civilian protection approach. Furthermore, as the MNJTF takes shape, it must develop a framework to assess risk factors and threats to civilians during its operations planning process. There are a number of emerging best practices from the conflicts in Afghanistan, the DRC, and Somalia that could help the MNJTF mitigate harm to civilians.

MNJTF should:

Support Civilian Casualty Tracking

- Under the leadership of the Nigerian Joint Military Command and the Nigerian-led MNJTF, regional militaries should support the creation of a dedicated civilian harm tracking mechanism (outlined above) that helps all regional security actors better understand the impact of their operations on civilians.
- Routinely release credible information on civilian harm resulting from MNJTF military action in order to increase operational transparency and accountability.

Deploy Community Liaison Officers and Strategic Communications

- Given the likelihood of tension between communities and MNJTF forces, deploy community liaison officers alongside MNJTF and Nigerian forces to work with local communities. These liaisons would work to improve civilian-military communication, and to increase mission awareness and implementation of protection measures.
- To improve community understanding of the role and limit of its military engagement, and its ability to protect civilians, the MNJTF should use strategic communications. Messaging should address community concerns and confusion around the MNJTF's rules of engagement (ROEs) versus those of the Nigerian security forces, as well as any potential future cooperation with other allied armed groups (e.g. CJTF).

Ensure Civilian Protection and Harm Mitigation Training

- In addition to ensuring that all MNJTF forces receive training on International Humanitarian Law (IHL) and human rights law before their deployment, all units should receive advanced scenario-based training on proactive protection and civilian harm mitigation. Such scenario-based training should include practical application of the concepts of distinction and proportionality, as well as relevant operational activities such as crowd control; patrolling; escalation of force; community engagement; clearing operations; and how to appropriately respond to alleged civilian harm.
- Pre- and post-training assessments of soldiers' mindsets and skill levels should be conducted to ensure trainings are appropriate and effective.
- Support the Nigerian government in the administration and delivery of victim's assistance mechanisms. Means of support might include conducting investigations, and sharing information on civilian harm resulting from military operations by Nigerian Security Forces, MNJTF, CJTF, Boko Haram, and other armed groups.

METHODOLOGY

This assessment of civilian harm in northeastern Nigeria was carried out from April to August 2015 across dozens of Local Government Authorities (LGAs)¹⁴ in five conflict-affected states in northeastern Nigeria and in Chad. All five states—Adamawa, Bauchi, Borno, Gombe, and Yobe—have experienced varying levels of violence over the course of the 6-year insurgency. Adamawa, Borno, and Yobe were under a protracted state of emergency due to the intensity and frequency of Boko Haram’s attacks, while Bauchi and Gombe experienced attacks and heavy IDP flows at a later date, but these have been no less devastating.

In Adamawa state, interviews were conducted with IDPs and other persons from Madagali, Michika and Mubi North LGAs. In Bauchi state, the study was conducted in the following LGAs: Alkaleri, Bauchi, Darazo, Dass, Ganjuwa, Katagum, Kirfi, Tafawa-Balewa and Toro. In Borno state, the research was carried out in Jere, Baga, Billiri, and Maiduguri LGAs. In Yobe, the research was conducted in Potiskum, Gujba, and Damaturu. In Gombe, research was conducted in Funakaye, Gombe, Nafada and Yamaltu-Deba LGAs, all of which had witnessed attacks by the insurgents.

The persistent attacks and pervasive insecurity made it practically impossible to access certain areas—especially the northern parts of Borno state—within the duration of this research. However, a CIVIC researcher was able to visit Ndjamena and several border regions of Chad to speak with Nigerian refugees. CIVIC also held meetings with dozens of stakeholders in Abuja, including foreign missions; humanitarian partners; CSOs; UN agencies; and key government and security institutions.

The research was carried out through semi-structured interviews, focus group discussions, one-on-one interviews, and, where this was not possible, questionnaires. Over 250 persons representing a wide range of affected demographics were interviewed for this research. Among the interviewees can be found internally displaced persons (IDPs); civilians living in affected communities; civilians helping IDPs, civilians abducted by Boko Haram; religious and traditional leaders; members of civil society organizations (CSOs); international humanitarian aid workers; members of community based organizations; members of faith based organizations; local government council officials; women and youth leaders; officials from multiple security agencies; government officials; relatives of suspected Boko Haram members; and members of the Civilian Joint Task Force (CJTF).

It is important to note the risks involved in this research. For security reasons, our field researchers remain anonymous, as do the many individuals that trusted us with their stories. As one researcher put it, because “the enemy is invisible” in Nigeria, field research can arouse suspicion and bring real risks for both the interviewer and the interviewee. Our assessment was often disrupted because the conflict is ongoing, and one can never be absolutely sure who belongs to, or actively supports Boko Haram.

Because of the difficulty of confirming information in Nigeria related to attacks, perpetrators, victims, and motivations, CIVIC has corroborated and/or supported its months of field research in the hardest hit areas of Nigeria with a review of authoritative literature and media reports.

¹⁴ The World Bank, “State and Local Governance in Nigeria”, August 2, 2001, http://info.worldbank.org/etools/docs/library/5783/State_and_Governance_Nigeria.htm.

INTRODUCTION

Nigeria's struggle against Boko Haram is one of the gravest security threats in the world today. Violent extremism has devastated communities in the northeast of the country, but so too has the response to Boko Haram. Civilians have been harmed by Nigeria's security forces, neighboring states' forces, and allied armed groups. Civilians told us that the fight against Boko Haram is being conducted at their expense, rather than with their safety as the goal.

While most civilians feel Boko Haram has perpetrated the majority of harm to them and their families, they also feel that Nigerian security forces and their allies are not adequately protecting civilians. In fact, many civilians believe Nigerian and ally forces are responsible for serious human rights abuses and incidental civilian harm.¹⁵

This report argues that the only effective way to restore security and combat violent extremism is to put civilian protection at the heart of Nigeria's military operations. The military must not only actively protect civilians from Boko Haram, it must also work to ensure its operations to combat the extremist group do not harm those same civilians. By creating a secure environment, the armed forces will help break the cycle of violence, and gain the trust and support of affected communities.

¹⁵ Incidental civilian harm, distinct from violations of international humanitarian and human rights law, is defined as a loss of life, injury, or property loss that occurs as a consequence of legally conducted military or armed group action during armed conflict.

There are numerous media and human rights reports that recount individual attacks on civilians, as well as cases of civilian suffering as a result of the ongoing conflict in Nigeria. Since 2009, Boko Haram's attacks against civilians have been the main cause of harm. These attacks have been mostly asymmetric, and unconventional in nature, with frequent targeted attacks, suicide bombings, abductions, and assassinations. Boko Haram's scale of violence against civilians is among the highest of any armed group in Africa—over 15,000 civilians have reportedly been killed as a direct result of the group's actions.¹⁶

Nigerian security forces have also been involved in serious human rights problems. Sadly, the list of human rights violations is long, including extrajudicial killings; torture; rape; arbitrary detention; mistreatment of detainees; and destruction of property. In addition to the aforementioned human rights violations, there have been numerous other allegations of exploitation; trafficking in persons; discrimination; sexual violence; and restrictions of basic rights.¹⁷

This report works to give voice to civilian experiences in the assessment of the current environment, in which structural and operational issues currently allow civilian harm to occur. In section one, we provide a brief background of the current conflict. This section includes an overview of patterns of

harm, and impediments to civilian protection. Section two examines the perspectives of civilians, security personnel, and self-defense groups living through the ongoing conflict. Section three presents civilians' key expectations and demands for action on the part of the government and all security actors. Section four pulls together these various perspectives, offering recommendations to improve civilian protection and human security.

As we know, civilian harm is not only a by-product of Boko Haram operations; it has become central to their strategy. For this reason—and given the difficulty of changing

their underlying strategy, mindset, and operational posture—we have focused our analysis and recommendations on the government, military, regional actors, allied armed groups, and civil society groups. We believe these actors can become more effective at proactively protecting civilians, and can better enable communities' self-protection.

While civilians attest that Boko Haram is the primary perpetrator of civilian harm, our examination of the group is oriented toward its destructive symbiotic relationship with the Nigerian government and military, and its ultimate impact on the civilian population. By considering hundreds of perspectives from the hardest hit areas, this report offers unique and relevant insight for improving ongoing operations by the Nigerian armed forces and its allies.

In order to avoid the mistakes of the past—wherein Nigerian forces failed to protect civilians or caused them harm—this report analyzes civilian views, state policy, and military doctrine and actions in order to identify where improvements can be made. Although international law holds the Nigerian government and military primarily responsible for civilian protection, our research found that civilians and security forces often did not share this understanding. Instead, many believed that security

The only effective way to restore security and combat violent extremism is to put civilian protection at the heart of Nigeria's military operations.

¹⁶ "Boko Haram fighters on horseback' kill villagers", Aljazeera, 31 Aug 2015, <http://www.aljazeera.com/news/2015/08/haram-fighters-horseback-kill-villagers-150831164417967.html>.

¹⁷ U.S. Department of State, Bureau of Democracy, Human Rights and Labor, Country Reports on Human Rights Practices for 2014: Nigeria, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.

forces were deployed only to defeat Boko Haram, not to protect civilians. Without a stronger shared understanding of the role each actor plays in protecting civilians, vulnerable groups will be left to fend for themselves, while armed forces will too often define their role in terms of taking lives, instead of trying to save them.¹⁸

18 Laura de Castro Quaglia, Luiza Bulhøes Olmedo, "Civilian Protection in Conflicts – The Principle of Responsibility to Protect", UFRGSMUNI/UFRGS Model United Nations Journal, ISSN: 2318-3195| v1, 2013| p. 98-131, <http://www.ufrgs.br/ufrgsmun/2013/wp-content/uploads/2013/10/Civilian-Protection-in-Conflicts-%E2%80%93-The-Principle-of-Responsibility-to-Protect.pdf>.



Image © Ed Kashi/VII.

Refugees wait for medical care at a makeshift clinic at a primary school turned into a refugee camp in the village of Fadan Attaker, Nigeria on April 3, 2013.

CURRENT CONFLICT OVERVIEW

“No one knows for sure who the enemy is. Boko Haram will attack the people and leave. Then the military will come and also arrest people. When the people try to cooperate with the military, Boko Haram will attack them again. Now the military thinks civilians are Boko Haram. Civilians think some military are Boko Haram. They are afraid to give information to anyone. Even the CJTF has started acting like the military sometimes and abusing the people. We really don’t know who the enemy is now.”¹⁹ – Civilian in Maiduguri

The conflict in Nigeria has deep roots. The current chapter began in July 2009, when Mohammed Yusuf, the Salafist founder and spiritual leader of Boko Haram, was killed in police custody in Maiduguri during a violent government crackdown on the fundamentalist group. Yusuf’s killing, as well as the deaths of hundreds of Boko Haram members, initiated a violent insurgency.²⁰ The group’s stated goal of establishing a fully Islamic state in Nigeria was quickly commandeered by aggrieved members and its new leader, Abubakr Shekau, intent on exacting revenge on the government and anyone that targeted their members or disavowed their cause. Six years later, after killing more than 20,000 people and displacing millions, the extremist group’s rebellion rages on.²¹

¹⁹ CIVIC interview, Borno state, May 2015.

²⁰ Boko Haram is the colloquial name of “Jamā’at Ahl as-Sunnah lid-Da’wah wa’l-Jihād” or JAS for short. In 2015 the group pledged its allegiance to ISIS and rebranded to Wilāyat Gharb Ifriqiyyah, or the Islamic State’s West Africa Branch.

²¹ Aminu Abubakar, “Death toll in Nigeria Boko Haram massacre rises to 160: locals”, Yahoo News, August 19, 2015, <http://news.yahoo.com/150-drowned-shot-fleeing-boko-haram-ambush-ne-141658417.html>.

The previous government's strategy to defeat Boko Haram was criticized for committing too few troops and resources. The military's equipment and support for deployed troops were also inadequate. Meanwhile, the command structure was not adjusted to meet the needs of actual conflict, and its sharp-edged approach deprioritized non-militarized, population-centric approaches to restoring security.²²

Despite an uptick in violence following President Muhammadu Buhari's inauguration on May 29, 2015, many of the Nigerians interviewed feel the new strategy to aggressively address the security crisis in the Northeast is the right one.²³ This strategy includes an increased troop presence in the region; non-militarized approaches to win hearts and minds; efforts to rehabilitate defectors; and the relocation of the Nigerian armed forces' and the joint regional forces' (MNJTF) joint headquarters to Borno state. What the new approach lacks, however, is an effective and clear strategy to protect civilians, and mitigate harm resulting from ongoing military operations.

Since the adoption of the new strategy, Boko Haram has again escalated its campaign to target civilians. The extremist group has carried out dozens of attacks since May 2015, killing thousands of people across the Northeast.²⁴ However, the group's shift to indiscriminate targeting of civilians is not new. While the group's insurgency began with attacks on authority figures in the North—for instance members of the security services, politicians, and civil servants—attacking civilians has been a feature of the group's insurgency since 2010, with a noticeable spike in 2013.

In mid-2013 several events changed the lives of civilians, as well as the operating environment for Boko Haram militants. The result: increased targeting of civilians.

Following an escalation of violence by Boko Haram, the federal government declared a State of Emergency in Yobe, Borno, and Adamawa states in May 2013. Proponents argue the SOE helped to facilitate federal oversight of security issues, while concurrently disrupting the Boko Haram's movements and communications. On the other hand, opponents of the SOE argue that Boko Haram gained more ground, and carried out more attacks, thanks to a partial shutdown of telecommunications and media—both vital for information sharing and self-protection.²⁵

Civilians told us that the SOE crippled early warning systems. Meanwhile, everyday life was disrupted—schools were closed, farming virtually stopped, many markets closed, and major roadways were frequently blocked. In addition to these interruptions, massive displacement ensued, banditry increased, and attacks and kidnappings became more commonplace.^{26,27}

Feeling frustrated with the lack of state-sponsored security and protection, community self-defense groups began to mobilize in 2013. The main focus of their operations was to identify and apprehend suspected Boko Haram members. These groups, such as the Borno-based Civilian Joint Task Force (CJTF²⁸), are common across Nigeria, and reflect a critical security gap—a gap that has been filled by

22 Tomi Oladipo, "Will moving army to Maiduguri help Nigeria against Boko Haram?," BBC, June 9, 2015, <http://www.bbc.com/news/world-africa-33052423>.

23 Martin Ewi, "Buhari's make or break strategy against Boko Haram", Institute for Security Studies 4 September 2015, <https://www.issafrica.org/iss-today/buharis-make-or-break-strategy-against-boko-haram>.

24 Ibid.

25 Jacob Zenn, Idorenyin Akpan, "Silencing Boko Haram: mobile phone blackout and counterinsurgency in Nigeria's Northeast region", *Stability: International Journal of Security and Development*, 4(1), Art. 8, March 4, 2015, <http://www.stabilityjournal.org/article/10.5334/sta.ey/>.

26 CIVIC interviews, Adamawa, Bauchi, Borno, Gombe, and Yobe states, May-August 2015.

27 "Nigeria school massacre: Yobe secondary schools closed", BBC, July 7, 2013, <http://www.bbc.com/news/world-africa-23221237>; "Nigeria confirms market massacre blamed on Boko Haram", BBC, May 8, 2014, <http://www.bbc.com/news/world-africa-27323094>; Ibrahim Sawab, Hamisu Kabiru Matazu, "Nigeria: Boko Haram – plying Borno roads still a nightmare", *AllAfrica*, August 9, 2015, <http://allafrica.com/stories/201508101510.html>; David Smith, "Attack by Boko Haram Islamists in Nigeria leaves many dead, say witnesses", *The Guardian*, December 3, 2013, <http://www.theguardian.com/world/2013/dec/03/boko-haram-attack-nigeria-leaves-many-dead>; <http://www.theguardian.com/world/2013/dec/03/boko-haram-attack-nigeria-leaves-many-dead>.

28 CJTF: In response to Boko Haram's attacks, a self-defense vigilante group in Maiduguri calling itself the Borno Youth Association of Peace and Justice - also known as the CJTF - was formed by local residents to protect their town and neighboring villages. Borno's local and state governments see the CJTF as a necessity. The group maintains checkpoints, searches pedestrians, vehicles and residences, and provides intelligence to the Nigerian security services.

local youth, hunters, and former armed actors. The rise of these vigilante and self-defense groups in the Northeast became an important resource for improving community self-protection. However, their members and supporters also quickly became targets of Boko Haram's unrelenting campaign to cleanse the region of any perceived opposition. Civilians have also grown increasingly worried that vigilantes are acting with impunity, and could spoil any potential peace.

Due to the near constant escalation of violence on all sides, civilians feel that they have become legitimate targets of Boko Haram. Available numbers do not prove them wrong: civilian casualties skyrocketed in 2015. In fact, some reports indicate that Boko Haram has carried out more than 200 attacks this year, killing over 3,500 people. Since President Buhari took office on May 29, 2015 (through August 31), over 1,000 people have reportedly been killed in over 60 attacks.²⁹³⁰

Patterns of Harm and Impediments to Protection

Based on interviews with hundreds of individuals in the hardest hit areas, civilians feel that security forces have fallen short in three major ways:

1. They have failed to protect vulnerable communities from violence by Boko Haram.
2. They have failed to prevent civilian harm (collateral damage) during counter-Boko Haram operations.
3. They have directly targeted civilians, including through unlawful detention, harassment, destruction of property, forced displacement, sexual violence, indiscriminate targeting of certain groups (e.g. young men), torture, and excessive use of force causing injury and death.

The views expressed below help us to better understand the experiences of individuals—civilians and combatants—living through this conflict, and the specific ways in which security actors have fallen short. As a result of their perspectives, we can gain a clearer picture of the tactics, approaches, and operational challenges security forces currently face. In a subsequent section, we will also discuss potential opportunities for better civilian protection and harm reduction.

Common across many interviews is the belief that Boko Haram violence has, at times, intensified due to the Nigerian security forces' aggressive and sharp-edged counter-insurgency campaign. This campaign, civilians feel, has not only failed to adequately protect civilians, but has also caused significant harm—both directly and indirectly. While civilians acknowledge some positive shifts in recent months, many challenges remain.

Civilian harm is not systematically tracked in Nigeria. As a result, its impact is neither well understood, nor sufficiently factored into military planning and operations. To remedy this state of affairs, this report aims to put civilian concerns—directly from the mouths of those currently living through the war—in front of policy makers, with the hope that the government and armed forces will begin to develop policies, tools, and mechanisms to fully account for the civilian harm their operations have caused.

Based on hundreds of interviews with civilians and security personnel, we have identified the following gaps to protection. They are listed below and discussed in subsequent sections through the perspective of the civilians and armed actors that experience them.

◀ See Ashionye Ogene, "Nigerian vigilantes aim to rout Boko Haram", Aljazeera, May 31, 2014, <http://www.aljazeera.com/indepth/features/2014/05/nigerian-vigilantes-aim-rout-boko-haram-2014526123758444854.html>.

29 Martin Ewi, "Buhari's make or break strategy against Boko Haram", Institute for Security Studies, 4 September 2015, <https://www.issafrica.org/iss-today/buharis-make-or-break-strategy-against-boko-haram>.

30 "Boko Haram: Bombing campaign sees civilian deaths spiral," Amnesty International, AI Index: AFR 44/2498/2015 24 September 2015.

1. Lack of Clear Policies to Protect Civilians
2. Challenges of Distinction between Civilians and Militants
3. Inadequate Troop Deployment and Unwillingness to Fight
4. Lack of Professionalism and Accountability
5. Normalization of Violence
6. Lack of Training and Equipment
7. Lack of Complaint Mechanisms
8. Lack of Due Process and Unlawful Detention
9. Poor Community Relations and Communications
10. Perceived Corruption and Mistrust of Security Forces
11. Poor Intelligence and Information Collection
12. Asymmetric Warfare Tactics
13. Extraordinary Circumstances and the SOE
14. Growing Vigilantism

Many of these protection gaps are interconnected. For example, inadequate troop presence and unwillingness to fight were often linked to troops' lack of training and equipment. Similarly, poor intelligence and information collection is largely a result of poor community relations and communications, both of which negatively impact the ability of security forces to distinguish between civilians and militants. Asymmetric (and heavy-handed) warfare tactics are increasingly embraced as due to the normalization of violence.

These gaps in protection have led security personnel to be prone to excesses—abusing their power, and often violating the human rights of the civilians they are meant to protect. This state of affairs has led many communities to distrust the institutions responsible for protecting them.

It is a vicious cycle that will not be stopped without significant attention and political will. Furthermore, the Nigerian people can—and must—do more to push their government to protect its citizens in the fight against Boko Haram. If national public opinion does not demand a culture of protection, there will be little political incentive to create a strategy in which civilian protection is considered to be just as important as defeating Boko Haram.



Image © Ed Kashi/VII.

Nurses attend to the burns of a male survivor of a Boko Haram bomb attack at the National Orthopedic Hospital in Kano, Nigeria on March 29, 2013.

CIVILIAN VIEWS ON BOKO HARAM

We spoke with civilians and communities directly targeted by Boko Haram to better understand the harm they've endured, their needs now, and their expectations of the Nigerian government and military (highlighted in subsequent sections).

Boko Haram attacks against Nigeria's general populace have been the main cause of civilian harm since the insurgency began in 2009. Boko Haram attacks have been mostly asymmetric and unconventional in nature, with frequent targeted attacks against civilians, suicide bombings, abductions, and assassinations. Boko Haram's scale of violence against civilians is among the highest of any armed group in Africa, with over 15,000 civilians reportedly killed as a direct result of the group's actions.

A State Emergency Management Agency (SEMA) official in Bauchi state argued that Boko Haram's targeting has become increasingly erratic and indiscriminate: "At the beginning of the conflict, Boko Haram targeted security agencies and government institutions, but now they target everyone, including young boys and girls."³¹

31 CIVIC interview, Bauchi state, July 2015.

A female civil servant from Askra Uba (Borno state) said that Boko Haram focused their recruiting efforts on adolescent boys and men, even when they refused to join them. She explained that women—including married women—were kidnapped to become the militants' wives. Many of these women were forcibly raped and abused.³² As a result of these practices, all civilians live in fear.

Some Boko Haram attacks appear to directly target specific groups, who, as a result, may need additional protection. A young man from Bauchi said he witnessed the direct targeting of Christians. "We were fleeing when we saw people in military uniform. They stopped us. It was the insurgents dressed like the military... They held up many buses. They checked if you were Christian, in which case they would kill you. If you were Muslim you were allowed to pass. They identified them [Christians/Muslims] by their style of dress. After searching and killing, and because it was getting dark, they assembled us to go to a camp. Many people were taken captive."³³

The following is a detailed account by a middle-aged man from Mubi (Adamawa state), describing a Boko Haram attack on his village in November 2014:

"It never occurred to our people that Boko Haram was to attack the area that faithful Wednesday, early [in the] morning at about 6am. Heavy gunshots were heard all over the place. People thought that the Nigerian armed forces were responsible. Everybody was taken by surprise because some people had very early made their way to the farm when the terrorists came. The only thing people could hear them say was that they came to do the work of Allah, chanting Allahu Akbar (Allah is great). Nobody was spared as they made their way into the area from Askira-Uba, through Mararaba Mubi. They intensified their shootings around Mararaban Mubi. This entrance was strategic because that is the only main road leading out of Mubi town. People were trapped in Mubi, because all the roads into and out of Mubi were blocked, and the only options were either to run to the hills or into Cameroon."

The effect of the Mubi attack was tragic on the people of the area. Many people were killed and many displaced. Families were separated. Houses were burned. Livestock was taken away. Shops were looted, and churches [were] destroyed around Mararaba-Mubi. (It should be noted that Nigerian military fighter jets later destroyed the mosques because they were rallying points for Boko Haram.)

Mubi was under Boko Haram's control from November 19, 2014 until July 2015, when the Nigerian armed forces regained control of the area. Most people from the Mubi area are returning to their communities, though with some reservations. Some have decided to delay their return, due to fear of the unknown. In any case, for those who do return, resuming their "normal" daily lives is still a distant prospect, as the economic activities of the area have been thoroughly disrupted. For example, Mubi had the largest international cattle market in the Northeast, but because of the activities of Boko Haram, it has been closed for fear of attacks.

Boko Haram attacks not only kill innocent civilians, they displace thousands, separate families, destroy houses and livelihoods, create a legacy of fear and trauma, and make returning to life as normal almost impossible.

The group often abducts civilians to further its goals, as well as to instill fear in the general population. Boko Haram made international headlines in May 2014 when it abducted hundreds of Christian schoolgirls from Chibok village in Borno state. This event—and the related worldwide

³² CIVIC interview, Bauchi state, July 2015.

³³ CIVIC interview, Bauchi state, July 2015.

“Bring Back our Girls” campaign—increased global awareness of the conflict in Nigeria, and its impact on civilians.

Unfortunately this was neither the first, nor the last time that the group abducted scores of innocent civilians.³⁴³⁵ CIVIC was able to interview several women that had been abducted by Boko Haram, and managed to escape. Their stories reveal where abductions are happening, and expose the government’s inability to protect vulnerable residents, or rescue civilians once they have been abducted.

A woman in her 30s from Gujba, Yobe state recounted her experience being abducted by Boko Haram:

“The impact is beyond measure to the whole community. You are always exposed to danger not knowing when an attack will happen. Out of 15 of us in our family, only 6 people are now alive. All the rest were killed by Boko Haram insurgents. Civilians are the targets. I was abducted together with other women on our way to find firewood in the bush nearby our house. Two days later I was released while the other women were retained with them. I was blindfolded on the day of the abduction, and I was sexually abused. The day we were abducted, they threatened to kill us, and the other insurgents said we will be slaughtered like goats if we dared to escape.”³⁶

As a result of the ongoing conflict, the roles of women in affected communities continue to change. Based on our interviews—and despite contrary information from the media—women’s participation in Boko Haram attacks is minimal. One respondent presented a useful classification to better understand women’s roles in Boko Haram. Some women serve as logisticians who courier money and weapons to various terrorist cells. Some act as recruiters, who seek out new members and filter through grassroots volunteers, typically by exploiting family ties or other personal relationships. Some women, as has been highlighted in recent media reports, become suicide bombers, fighters, and operational leaders who carry weapons during combat. But more often than not, women are victims of Boko Haram, and are forced to serve the traditional role of companion.

34 “Boko Haram crisis: ‘About 500’ Nigerian children missing”, BBC, March 24, 2015, <http://www.bbc.com/news/world-africa-32044695>.

35 “Attackers from Nigeria kill time, kidnap scores from Cameroonian villages”, Japan Times, August 5, 2015, <http://www.japantimes.co.jp/news/2015/08/05/world/attackers-nigeria-kill-nine-kidnap-scores-cameroonian-villages/#.VgL1Vp1Vikp>.

36 CIVIC interview, Borno state, August 2015.

Below is a detailed firsthand account from a woman who was abducted by Boko Haram in 2014, in Borno state. She was forced to live alongside its leader, Shekau, for nearly a year, and managed to escape in 2015.

"Boko Haram came to our community that is situated a few kilometers from Gwoza (Borno state), and overran it. I was abducted together with some other women and children. Some of the men were killed, while others ran away, either alone or with their children. My husband was among those who ran away. He left with our son and is now somewhere in Cameroon where he is working to raise money and come and meet me here.

"I lived with Boko Haram for about a year, during which we were forced to convert to Islam. During that time, we were ill fed, though they and their families fed well. Sometimes we even ate tuwo (corn flour) without sauce....just dry like that. They fed us and themselves with foodstuff they stole during their raids on communities.

"Most of the women and girls they abducted were raped. I was kept where Shekau, their leader, lived. He had four wives. Many men and women they captured were slaughtered. His oldest wife was the one who slaughtered the women. That was her assignment.

"If they see us sitting down and resting with our eyes closed, they will shout at us and ask if we were doing our stupid infidels' thing (praying the Christian way). We had to keep thinking positive thoughts. That was what kept us going there. A voice in my head kept telling me one day I will see my family again. It was that voice that kept me strong.

"Some women and I made up our minds to run away. So, late one night when everywhere was quiet, we made our way to the main entrance to the camp, after having prayed and asked God for help.

"I will say God really answered our prayers. There was no one at the gate. Those who kept guard had gone in to sleep. We were 30 together, with some children, but they did not hear us leave. News had filtered in to us at the camp that the Nigerian soldiers had recaptured Gwoza, so we made our way. The terrain is very rocky, and the journey on foot was terrible for all of us. We spent two days walking, with no food, until we got to Gwoza.

"I remember a woman who left with us. Her feet were badly swollen, and she was slowing down our progress. We had no option but to leave her behind in the bush, as she could no longer walk. I have not seen her since then, and never heard what became of her: whether she made it to Gwoza, or was recaptured by Boko Haram. I feel bad each time I remember her, but we could do nothing. We were all weak and tired. We could not carry her.

"As we approached Gwoza, the soldiers keeping watch there saw us from afar and ran toward us. They helped us to the town because they believed we must have escaped from the terrorists' camp. We were taken to an IDP camp in Maiduguri. While there, I found out that some of my relatives had made their way to Gombe, so I also decided to come and be with them, and see how I can start rebuilding my life again. Sometimes I wonder if one day they will come and invade this place, and take me away again. Although I am now free, my heart is not free because of the things I have been through. My life can never be the same again."



*Image © Ed Kashi/VII.
Armed guards protecting the Emir of Kano's palace, in Kano, Nigeria on April 1, 2013.*

CIVILIAN VIEWS OF SECURITY AND SECURITY FORCES

“In the past, people were afraid of the military much more than Boko Haram because of the kind of destruction and brutality they caused whenever they got to the scene where the [Boko Haram] boys had committed their dastardly act. This was worsened by the fact that the military was suspicious of the civilians, seeing them as conspirators.”³⁷

The discussion below fuses civilian perspectives with analysis in order to better understand the overarching patterns of harm, and impediments to civilian protection.

While most civilians do not understand the security forces’ mandates, rules of engagement, or SOPs (standard operating procedures) in this particular conflict, the United Nations Security Council—of which Nigeria is currently an elected member—and the African Union’s Peace and Security Council have repeatedly stated that Nigeria (and now MNJTF countries) have the primary responsibility and mandate to protect civilians in their territories.³⁸ However, given the history of Nigeria’s armed forces, which existed primarily to protect the State (not the people), as well as the lack of explicit guidance from military doctrine and military leaders, there is a gulf between where the military is, and where it should be with regard to the protection of civilians.

³⁷ CIVIC interview, Adamawa state, July 2015.

³⁸ Global Center for the Responsibility to Protect, Populations at Risk: Nigeria, September 15, 2015, <http://www.globalr2p.org/regions/nigeria>.

Among civilians interviewed, there is near unanimity that Boko Haram is the real enemy to peace and security. However, security forces continue to inadequately protect civilians, and do not make a concerted effort to mitigate civilian harm in their operations. Furthermore, as civilians' expectations increase with the new administration and its revised military strategy, collective frustration and impatience with state forces' lack of civilian protection and poor security have also grown.

This failure to protect is a direct result of the policies (or lack thereof), culture, and mindset of political and military leaders. The current political atmosphere has empowered security personnel to “take all necessary action” in their fight against Boko Haram—often to the detriment of the citizens they are sworn to protect.³⁹

The current political atmosphere has empowered security personnel to “take all necessary action” in their fight against Boko Haram—often to the detriment of the citizens they are sworn to protect.

The military's emphasis on destroying the enemy, with little regard for the fate of the civilian population, has occasioned minimal opposition from key leaders (or the general public) as a result of the normalization of violence in Nigeria. Civilian deaths are no longer seen as an appalling and unacceptable byproduct of war. Instead—especially in the Northeast—many leaders see civilian harm as a natural outcome of the conflict. In fact, numerous reports have highlighted some of the most brutal abuses that have been carried out by national security forces.⁴⁰ We also found that—in addition to intentional harm to civilians—Nigerian forces caused significant so-called “collateral damage” while battling Boko Haram.

The normalization of violence as a root cause of these abuses was often repeated in interviews in the Northeast and Abuja. Civilians feel the government has given tacit permission to the military to do whatever it takes to end the Boko Haram crisis. Victims expressed frustration with Nigerian society for not doing more to hold the Nigerian armed forces to a higher standard.

When we asked civilians what they saw as the key factors to preventing civilian casualties during military operations, they named several factors, including: weak policies to protect civilians; poor military discipline and professionalism; lack of complaint mechanisms available to civilians harmed by military operations; poor military training; lack of troops employed from the northeast; an overall strategy that lacks sufficient thinking about root causes of conflict; and an absence of non-military approaches to strengthening security. These factors are further developed below.

Acknowledging the need for serious review and reform of the security sector, newly elected President Buhari tried to reassure the world of his intentions to do so, saying, “We shall overhaul the rules of engagement to avoid human rights violations in operations. We shall improve operational and legal mechanisms so that disciplinary steps are taken against proven human rights violations by the armed forces.”⁴¹

39 “Nigeria: Goodluck Jonathan declares emergency in states”, BBC, May 15, 2013, <http://www.bbc.com/news/world-africa-22533974>.

40 Adam Nossiter, “Nigerian Army facing questions as death toll soars after prison attack”, New York Times, March 20, 2014, <http://www.nytimes.com/2014/03/21/world/africa/nigerian-army-facing-questions-as-death-toll-soars-after-prison-attack.html>.

41 Adam Nossiter, “Abuses by Nigeria’s Military found to be rampant in war against Boko Haram”, New York Times, June 3, 2015, http://www.nytimes.com/2015/06/04/world/africa/abuses-nigeria-military-boko-haram-war-report.html?_r=0.

As of the completion of this research in August 2015, it is too early to tell if there has been a noticeable shift in the behavior and conduct of security forces. Many high-ranking military officials have been replaced, signaling a shift in the command structure and strategy going forward, but these changes rarely occur quickly.⁴²

As has been indicated, public opinion of security and security forces is rapidly changing. As with any research project, this research is a snapshot in time, and is largely colored by a series of recent events.

The inauguration of President Buhari in May 2015 resulted in increased civilian support for the military, and optimism in the Northeast. Many of our interviews reflect both this collective optimism and individual anxiety as Boko Haram increases its violence against civilians. This creates compelling narratives that are emotionally charged, and often at odds with each other.

Despite the ongoing challenges listed below, opinions are improving in many areas. According to a civil servant from Borno state: “The ongoing military activity made us safer. Their activities have made us have confidence that the crisis will be over. If you watch the local news, you will be assured that the war against the terrorists is being won by the Nigerian troops. The military have re-captured most territories, towns, and villages seized by the insurgents. Without the troops you cannot be comfortably interviewing me here. So they are helpful.”⁴³

What follows is a sampling of civilian experiences with Nigerian security forces, and their perspectives on how these forces have impacted the conflict. Across Nigeria, some civilians are becoming aware that security forces are there to protect them. However, many respondents continue to express frustration with their performance. “Security agencies are responsible for the protection of civilians,” said a young woman in Bauchi, “but sometimes they violate civilians’ rights.”⁴⁴

Below are some of the overarching challenges that civilians believe Nigerian security forces must address in order to improve civilian protection, and boost the public’s confidence in their abilities. These civilian perspectives form the basis for the report’s recommendations.

Challenges of Distinction between Civilians and Militants

The principle of distinction is a central component of IHL, which states that all parties to a conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Under the Statute of the International Criminal Court, “intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities” constitutes a war crime in non-international armed conflicts.⁴⁵

In Nigeria, this component of IHL is especially difficult to obey, as Boko Haram members are usually indigenous to the communities they attack, speak the same language, wear the same clothes, and belong to the same ethnic group. Confrontations with the military rarely occur on a clear battlefield, and civilians are often used as human shields. Several civilians explained that these factors impede the ability of troops from other regions to distinguish civilians from suspected combatants, and as a result many civilians report being wrongly identified as a combatant during operations intended to clear areas held by Boko Haram.⁴⁶

42 “Nigerian president replaces military’s top brass”, Aljazeera, July 14, 2015, <http://www.aljazeera.com/news/2015/07/nigeria-sacks-military-chiefs-150713140039284.html>.

43 CIVIC interview, Borno state, July 2015.

44 CIVIC interview, Bauchi state, August 2015.

45 International Committee of the Red Cross, ICC Statute, Customary IHL, Article 8(2)(e)(i) https://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter1_rule1.

46 CIVIC interview, Borno state, July 2015.

When asked about her experience with security personnel, a housewife in Michika (Adamawa state) said: “They [security forces] all believe people are all suspects, whenever they go close to them, all they can do is to threaten to shoot you. You have to raise up your hands as you approach checkpoints.”⁴⁷

While civilians understand that it is not easy to identify a combatant, they want security forces to understand that communities are the best allies to defeating Boko Haram. A man in his 40s from Maiduguri expressed his concern, saying: “A common perception is that the military violates the rights of people because the operation has difficulty in separating the wheat from the chaff.”⁴⁸

When communities are unfairly and indiscriminately targeted, they often turn against security forces. Security forces must apply the basic IHL principle of distinction whereby someone is presumed to be a civilian unless proven otherwise. Furthermore, security forces must develop clearer measures to define what constitutes a “reasonable certainty,” and how to ensure positive identification of all targets prior to attacking.

Inadequate Troop Deployment and Unwillingness to Fight

Common across many interviews were stories of security forces being unwilling to fight, fleeing violence, and ultimately failing to protect civilians from Boko Haram attacks. One respondent in northern Borno state told us: “It is common to see the military fleeing an attack without their shoes or rifle. When insurgents can become a source of terror for six years, the military has lost its way, and the common man has lost hope and respect.”⁴⁹

While fleeing soldiers are often criticized, one civilian in a rural community in Adamawa state actually noted that the best thing the security forces did in his case was to flee the fighting. He explained: “The best effort the military made in our community (Adamawa state) was to run away, and that is why some of us are still alive today. Boko Haram killed all those who waited behind. What is surprising is that many Muslims who got information that Boko Haram was coming left about two weeks before they attacked our town. Many of these people hid in the hills at night, and would come back the following morning because they knew exactly when the attack was to take place.”⁵⁰

This comment raises an important point: armed confrontation with Boko Haram is not always in the best interest of civilians (or soldiers). In the case of the above story, security personnel did the right thing by helping civilians flee an attack that the military had no chance of winning.

In many cases, Boko Haram militants overpower soldiers—in both their numbers and weaponry—which often makes avoiding the fight altogether the best option. Many civilians did, however, ask for armed forces to better protect civilians fleeing violence. While securing a safe retreat for all parties should be one of the security forces’ essential tasks, helping communities create early warning and evacuation mechanisms is just as important.

Many villages that do not enjoy the protection of the security forces will mobilize to protect themselves. In northern Adamawa, one resident said, “In many villages, the hunters and vigilantes are responsible for maintaining security because soldiers don’t go there.”⁵¹ Similarly, in Borno state, a teacher expressed her frustration with the lack of security presence: “Each day at about 6PM no security actors will be seen around the checkpoints.”⁵²

47 CIVIC interview, Adamawa state, July 2015.

48 CIVIC interview, Borno state, July 2015.

49 CIVIC interview, Borno state, June 2015.

50 CIVIC interview, Adamawa state, August 2015.

51 CIVIC interview, Adamawa state, July 2015.

52 CIVIC interview, Borno state, August 2015.

A community leader in Gombe state expressed his concern: “It still baffles the people of Gombe how insurgents on the 14th of February [2015] could travel over a long distance in a convoy, wreaking havoc on the way, and still enter the metropolis without anyone intercepting. Police at checkpoints ran away and entered people’s houses, where they were given mufti to wear, and they removed their uniforms. For how long will those charged with protection run away at every invasion?”⁵³

Civilians in other, often more rural, areas across the Northeast express their frustration with the weak presence of security forces and assets in their areas. While the situation is improving as troop levels increase across the region, civilians we interviewed often cited a lack of sufficient security personnel as grounds for security forces’ unwillingness to engage an oftentimes stronger and better-equipped adversary.

A resident of Adamawa describes soldiers’ unwillingness to engage when she and her family fled a Boko Haram attack. “When people were fleeing Michika (Adamawa state) and other villages around it, God was our only protector. Security forces had already left Michika and immediately these boys [Boko Haram] attacked. There were instances where a soldier would be running for his dear life and calling on civilians to run while he is at the front and you are following. In this case, who is protecting whom? We expected that the military would stay behind and face these boys, but they ran and even abandoned their armored tanks, and these boys will just come and pick them without resistance from the security forces.”⁵⁴

Lack of Clear Policies to Protect Civilians

Many civilians we spoke with had a weak understanding of the government’s responsibility to protect its people. While the senior government and military officials we interviewed have a clearer understanding of the need to respect human rights and mitigate civilian harm, this understanding has not been successfully internalized by the military, or demonstrated by frontline troops.

In order to feel secure, civilians need to know that security forces are accountable to a certain standard of protection in their operations against Boko Haram.

According to several military officials, training on civilian protection is largely absent from infantry and officer training. This omission only further demonstrates the state’s neglect in prioritizing civilian protection in current military operations.⁵⁵ Among civilians and security personnel interviewed in the Northeast, almost everyone viewed the primary role of the military as defeating Boko Haram, not protecting civilians.

When asked about the military’s role in protecting civilians, one civilian in Borno state said, “The ongoing military operations against the insurgents made us safer than before, but

the military needs to observe the rule of engagements while in operation because many civilians were victimized or even killed wrongly as a result of the military action.”⁵⁶

Furthermore, the counter-insurgency’s guiding documents, such as the government’s National Counterterrorism Strategy, do not explicitly mention the fundamental responsibility of security personnel to protect civilians. Nor do these documents outline any plan to operationalize civilian protection and mitigate civilian harm in the conduct of hostilities. Instead, emphasis is overwhelmingly placed on protecting critical national infrastructure, transportation systems, and

53 CIVIC interview, Gombe state, June 2015.

54 CIVIC interview, Adamawa state, August 2015.

55 CIVIC interview, Abuja, June 2015.

56 CIVIC interview, Borno state, July 2015.

crowded places. The document makes no mention of measures to mitigate or respond to civilian harm caused by Nigerian combat and counter-insurgency operations.⁵⁷

In order to feel secure, civilians need to know that security forces are accountable to a certain standard of protection in their operations against Boko Haram. Policies must be strengthened at the highest level to reinforce a military culture of protection and harm mitigation. These policies need to be reinforced through bottom-up training in order to re-focus the military's collective mindset on protection.

Security forces' conduct must make every effort to not only mitigate harm in their operations, but also to better protect civilians from Boko Haram attacks. This responsibility rests primarily with the state, as well as the MNJTF, and is key to regaining the trust of affected communities.

Lack of Professionalism and Accountability

Media and human rights organizations have reported vivid examples of weak military professionalism in Nigeria. Many civilians reported harassment, discrimination, and abuse at the hands of security personnel.

In an environment where the military has often been used as an instrument to protect the government from its people—rather than an instrument to protect its people—there is a need for significant structural reform. President Buhari acknowledged some of these challenges when, in June 2015, he said, “This administration will leave no stone unturned to promote the rule of law, and deal with all cases of human rights abuses.” He further enforced this message in July 2015 when he publicly dismissed several senior military officers.⁵⁸ What is still lacking are political incentives to reform and reshape the military to become not only more professional, but more oriented toward soft power and civilian protection.

Speaking about the military's professionalism, a teacher in Gujba (Yobe state) strongly criticized the security forces deployed to her area. Her story provides insight on the need for better communications and outreach to affected communities. “The initial military operation in my home town did not make life safe. You are always afraid the military will harass people because they don't trust anyone. They tend to protect themselves. The Nigeria Armed Forces need more training in human rights. Nigeria armed forces don't show any respect to individuals. When the military was deployed to our village, they searched our houses. They will not alert us that they are coming to our houses. They get in, abused and harassed individuals.”⁶¹

When asked if ongoing military operations against Boko Haram had made her and her community safer, a 68 year old widow in Michika (Adamawa state) said: “No, there is no safety for civilians. When there will be [a] house search, the military don't even show respect to persons. They would enter into your room even if you are naked. They should respect the rule of law, and they should also note that they are human like us.”⁶²

One Gombe resident from a minority group noted that he had been unfairly targeted and mistreated at checkpoints. “Security personnel discharge their duties in an abusive way, including by forcing bribes and harassing minority groups.”⁶³

57 Nigeria's National Counterterrorism Strategy, Pg. 23.

58 “Nigeria's President Muhammadu Buhari replaces military chiefs”, BBC, July 13, 2015, <http://www.bbc.com/news/world-africa-33511431>.

59 Emile Ouedraogo, “Advancing military professionalism in Africa”, a research paper from the Africa Center for Strategic Studies, July 2014, <http://africacenter.org/wp-content/uploads/2014/07/ARP-6-EN.pdf>.

60 “Buhari to review Amnesty International's allegations against Nigerian Military”, Premium Times, June 3, 2015, <http://www.premiumtimesng.com/news/headlines/184338-buhari-to-review-amnesty-internationals-allegations-against-nigerian-military.html>.

61 CIVIC interview, Yobe state, July 2015.

62 CIVIC interview, Adamawa state, July 2015.

63 CIVIC interview, Gombe state, July 2015.

Furthermore, several civilians reported aggressive and abusive behavior by security forces, including sexual harassment and poor discipline.⁶⁴ One university student in Maiduguri recounted an act of sexual violence that he witnessed first-hand. “The ongoing military activity was helpful. But in a few cases they were found wanting. For example, I had witnessed a rape by military once at a checkpoint. I was passing by when I saw them corner a female hawker, who was young, and they raped her. One of them threatened to shoot me, so I ran. It happened a year ago [in 2014]. I can identify only the check point but the military have been changed on and off.”⁶⁵

While a military code of conduct does exist, many civilians were not aware of its content, and claimed that young soldiers often lacked discipline. In these civilians’ experiences, many soldiers demonstrated abusive behavior, and sexually harassed members of their communities.

Military leaders need to re-train rank and file security personnel if they are to curb such unprofessional and aggressive tactics, and ensure accountability for infractions. A new emphasis on professionalism during training would help decrease instances of civilian abuse by soldiers—a change that would improve civilians’ confidence in the military, and greatly increase its ability to win the hearts and minds of civilians.

Lack of Training and Equipment

Many civilians interviewed feel that security personnel are ill trained and ill equipped to handle the threat posed by Boko Haram. Whether or not they are well trained to protect civilians was rarely discussed, since few civilians saw the role of security forces as providers of protection.

A resident of northern Adamawa said: “There is not enough modern fighting equipment for the armed forces to use in conventional warfare. And [there is a] lack of trust between the military and civilian administration, lack of confidence in its own armed forces by the civilians in Nigeria.”⁶⁶

While many civilians felt that relevant combat readiness training was critical, many expressed concern with training (or lack thereof) related to conducting patrols; manning checkpoints; building trust in affected communities; gathering intelligence without endangering civilians; mitigating harm during operations; and protecting civilians from Boko Haram attacks. Civilians repeatedly criticized the military’s ability to effectively protect civilians, believing soldiers did not see their role as protectors.

A large gap identified through our research—and recognized at high levels of government and the military—is the need for more targeted and practical training on civilian protection and harm mitigation for soldiers deployed to the Northeast. Based on the experiences of civilians interviewed, such training should be more scenario-based, and should be conducted during pre-deployment, and continue once troops are deployed to help them deal with evolving circumstances.⁶⁷

Several foreign donors and governments, such as the United States and United Kingdom, are involved in advising, training, and equipping the Nigerian security forces. These actors should themselves invest more time and effort to understand the current gaps in training and equipment that impede the Nigerian military’s ability to effectively protect its civilians, and mitigate collateral damage. Efforts led by groups such as the British Military Advisory Training Team (BMATT) should expand their capacity building to include scenario-based training on the Rules of Engagement, IHL, and IHRL. When such policies are in place, training should then be expanded to include civilian

64 “Nigerian Army dismisses four soldiers over rape, abduction”, Niger Reporters, January 14, 2013, <http://www.nigerreporters.com/nigerian-army-dismisses-four-soldiers-over-rape-abduction/>.

65 CIVIC interview, Borno state, July 2015.

66 CIVIC interview, Adamawa state, July 2015.

67 CIVIC interview, Abuja, June 2015.

protection and harm mitigation. Specifically, our research found operational challenges that relate to clearing operations; pre-strike assessments; post-strike investigations; community engagement during long-range patrols and at checkpoints; tracking civilian harm; and better understanding on how to apply IHL principles of necessity, proportionality, and distinction.

Lack of Complaint Mechanisms

Although the police and military have developed extensive complaint mechanisms, civilians are largely unaware of their existence, particularly those that deal with the abusive conduct of security forces operating in their communities. When incidents of abuse or misconduct do occur, civilians fail to report them because 1) they do not know the proper procedure, 2) they do not have access to superiors, and 3) they are afraid that they will be unfairly targeted by their abuser or falsely accused of supporting Boko Haram.

Although the police and military have developed extensive complaint mechanisms, civilians are largely unaware of their existence...

Because of these challenges, communities often openly obstruct the work of security forces, believing they are not on their side. In several instances, communities have retaliated through mob justice.

A civilian in northern Borno state explained: “Because civilians do not see proper channels of redress or complaint filing, they often take justice into their own hands. For example, a soldier on the road to Baga in Maiduguri shot a civilian and was attacked by a mob. The community has resorted to violence, believing that no other justice is possible.”⁶⁸

When asked about filing complaints regarding security incidents, a man in northern Adamawa said: “You cannot file a case. To whom and through whom in the first place? No justice is done. Sometimes they say such cases can be filed through the Bulamas, Maiangwas, Jauros (traditional leaders in Hausa and Fulani communities). The problems we face sometimes are that even when you take a case to them, you will not know how they have handled the matter. If a Bulama is having problems with a member of your family, for instance, if you take any complaint to him, he will not treat it because of the problem he has with one of the members of your family.”⁶⁹

A widow from Borno state cautioned against filing complaints. “In a situation where, by mistake or intent, a military or police injured civilians, it is a waste of time to file a case or complain. You should not attempt going to the police division or military base for complaints. It’s a way of risking your life.”⁷⁰

A teacher from Adamawa state expressed his frustration with the rampant lack of institutional accountability. “In the end, if you have a problem or complaints you must devise ways of resolving them yourself because nobody will attend to you. It is even better not to report, especially members of the security agencies, because they will not let you go free. As for Boko Haram, to whom will you complain when all the security agencies are running away from them? There is no confidence because there is a total lack of trust. There is no authority in Madagali where to file a complaint. The police had since run away, the soldiers followed thereafter so no body to complain to.”⁷¹

⁶⁸ CIVIC interview, Borno state, July 2015.

⁶⁹ CIVIC interview, Adamawa state, July 2015.

⁷⁰ CIVIC interview, Borno state, June 2015.

⁷¹ CIVIC interview, Adamawa state, July 2015.

Past reports by groups such as Human Rights Watch, the National Human Rights Commission, and the CLEEN Foundation have noted that a well-established system of complaint mechanisms exists, but that many civilians still do not know where to file complaints, particularly in rural areas.⁷² While there are complaint boxes and hotlines available in many states, complaint mechanisms against the police and military still lack the resources needed to investigate the complaints received, and lack an effective and accessible database on complaints and the military's discipline management.⁷³⁷⁴

As the military increases its presence in the Northeast—the headquarters of the Nigerian security forces and multi-national forces have been moved to Borno—the mechanisms to track civilian harm, and also to receive and respond to civilian complaints, must be developed and well communicated to local populations. Furthermore, those individuals reporting allegations must be protected from retaliation by military actors.

Lack of Due Process and Unlawful Detention

Civilians recognize that the current conflict presents extraordinary circumstances for security personnel. However, the constitution and military justice procedures demand that these forces abide by certain rules for detaining and treating suspects. Many civilians we spoke with know about these laws and procedures, but are afraid to file complaints. This fear stems from many personal stories of mistreatment, and several publicized reports that document hundreds of cases where detainees have suffocated, starved, or been tortured to death by armed forces.

A local official in Gombe state explained: “There is the golden rule that a person is innocent until proven guilty. Thus they [security forces] need to respect and uphold the fundamental rights of people under their custody, and not subject them to dehumanizing acts.”⁷⁵

A resident of Maiduguri (Borno state) said on the subject: “Many young people die in military custody. In 2013, our neighbor's sons died in military custody in Damaturu (known as ‘Guantanamo’ detention facility). They were arrested just for being suspects. [What is worse is that] when there is a rumor that the Boko Haram militants will attack the police division, the police and the soldiers will run away leaving them [detained civilians] to protect themselves.”⁷⁶ This demonstrates the inability of the police and military to provide adequate protection to detainees in their custody.

When asked about justice and due process, a female teacher in Bumi Gari (Borno state) said: “In many instances, youth were arrested for being suspected of belonging to Boko Haram. They will be beaten and they may sustain a high degree of injuries. These same injured youth will be locked in stores along Maiduguri Road such as Guantanamo. Many youth in their teens and twenties died in that place.”⁷⁷

These cases are evidence that ongoing operations not only fail to protect civilians, they also victimize and alienate entire communities. As a result of cases like these, communities have grown to openly fear and distrust security personnel, believing that proactively providing information or collaborating with security forces will put them and their families at greater risk. Military officials must investigate and publicly address these allegations. A failure to do so will continue the trend of harm to civilians, and undermine the government's credibility and counter-radicalization efforts.

72 Human Rights Watch, “Everyone's in on the game: corruption and human rights abuses by the Nigeria police force”, August 17, 2010, <https://www.hrw.org/report/2010/08/17/everyones-game/corruption-and-human-rights-abuses-nigeria-police-force>.

73 Canada: Immigration and Refugee Board of Canada, “Nigeria: complaints mechanisms available for cases of police misconduct, including effectiveness (2013-October 2014), November 7, 2014, NGA104979.E, <http://www.refworld.org/docid/54816ad04.html>.

74 CLEEN Foundation, “Accountability and Justice”, <http://www.cleen.org/accountability.html>.

75 CIVIC interview, Gombe state, July 2015.

76 CIVIC interview, Borno state, July 2015.

77 CIVIC interview, Borno state, July 2015.

Poor Community Relations and Communications

Several reports indicate that the military and government are aware that civilian-military relations and cooperation need to be improved.⁷⁸ However, many civilians are still suspicious of the military due to past abuses. Likewise, many security personnel are suspicious of civilians because many do not cooperate with military forces to identify Boko Haram militants, and some allege that communities, in fact, shelter militants.

The intensification of the counter-insurgency has brought these grievances to the forefront. Many civilians and combatants are fleeing contested areas and changing sides. Among the tens of thousands of IDPs relocating each month are ex-CJTF and ex-Boko Haram members. Without better relationships with local communities—including IDPs—and clear channels of communication, including anonymous and confidential methods, security forces do not have all the information they need to protect communities.

While structural mechanisms for communication must be improved, simple face-to-face communication between soldiers and civilians is often impeded by a more basic problem: they do not speak the same language.

When the language barrier can be overcome, interactions often go much more smoothly. In fact, one civilian in Gombe state complimented security forces in his community. “For instance during Friday prayers they [security personnel] know how to respectfully conduct an inside out search of the mosque and all its surrounding without stirring anger or resentment on anyone’s part. They pray in the same mosque too. Added to this is the advantage that they speak our language. Speaking the same language makes it easy to question people without angering them.”⁷⁹

This well-articulated point is a critical insight into a challenge faced by many security personnel in the Northeast. A large percentage of the security forces sent to the Northeast as part of counter-Boko Haram operations are reportedly not from the region. Many come from different ethnic groups in the southern and central regions, and therefore do not speak the languages of the region (Hausa and Kanuri, among others). Nor do these soldiers know the terrain, traditions, or customs of the region, and are overwhelmingly Christian, whereas most people in the Northeast are Muslim.

Civilians understand the government’s hesitation to deploy soldiers to the region who might have connections to communities that are seen as sympathetic to Boko Haram. But if community relations are to be strengthened, the various security forces should increase their recruitment and deployment of Nigerians of northeastern origin to states affected by Boko Haram.

Perceived Corruption and Mistrust of Security Forces

Many civilians interviewed were fearful of security forces. When asked why he did not provide information about threats to security personnel, one Gombe resident said “We are afraid because many believe that Boko Haram has infiltrated the security set up and there are personnel who are sympathetic to them.”⁸⁰

Several civilians made similar claims about the Civilian JTF, arguing that Boko Haram members and recent defectors had infiltrated the group. These rumors have led civilians to mistrust security forces.

Civilians need to be given the assurance that their identities will not be revealed when they give information. As mentioned above, they also need to know the right channels to go through in order to report security personnel that behave inappropriately.

78 “Robust army, civilian relations’ll enhance peace in N’East-COAS”, Nigeria Daily News, September 16, 2015, <http://www.nigeriannewspapers.today/robust-army-civilian-relations-ll-enhance-peace-in-neast-coas/>.

79 CIVIC interview, Gombe state, July 2015.

80 CIVIC interview, Gombe state, August 2015.

The growth of the Civilian JTF is a key concern of many civilians, especially in Borno state, and is addressed in a subsequent section of this report.

Poor Intelligence and Information Collection

In order to effectively protect civilians, security forces need to have effective mechanisms to assess risks, and to receive and vet intelligence. Unfortunately, many civilians feel that security forces do not have the right information.

One civilian explained the impact of poor intelligence and information. “What they [security personnel] do poorly is collecting adequate intelligence and information. Inadequate intelligence always leaves them a step behind, thereby making the job frustrating. They still haven’t devised a sound plan on how to combat the insurgency.”⁸¹

As highlighted above, many civilians feel that the more they cooperate with security forces, the more their rights are protected. However, many civilians still refused to cooperate with security forces because it would likely make them more vulnerable to Boko Haram revenge attacks and illegal detention (see above). As such, security personnel must strengthen measures to maintain informants’ anonymity, and ensure their protection.

When asked how the military can defeat Boko Haram while still respecting human rights and protecting civilians, one Maiduguri teacher said, “The only way is by information gathering between civilians and military and aiding each other in terms of alertness.”⁸²

The statements above prove accurate when civilians recount their personal experiences of Boko Haram attacks. Despite many early warning indicators and probable attack patterns, security personnel have failed to prevent hundreds of attacks over the past few years. As a result, tens of thousands of civilians have been killed, many more injured, and millions displaced.

The next page contains a vignette on a civilian’s experience living through such an attack in Gombe state. The deficiencies of local security personnel are laid bare. Among these failings are abandoning posts; restricting movement of civilians; failing to protect potential targets such as schools and churches; and a general lack of intelligence and early warning for local residents.

As this story illustrates, what likely saved the lives of these students and teachers was the ability they had to communicate with officials to plan for their escape and coordinate transportation. This ability was largely unavailable to residents in Yobe, Borno, and Adamawa states—the states hardest hit by Boko Haram attacks—given restrictions on telecommunications, media broadcasting, and movement imposed as part of the 18-month state of emergency. As with many decisions made during the military’s counter-insurgency, the SOE was more focused on disrupting Boko Haram than increasing the protection of civilians.

⁸¹ CIVIC interview, Gombe state, July 2015.

⁸² CIVIC interview, Borno state, August 2015.

"I work at the Federal Government Girls College Bajoga in Funakaye LGA of Gombe state. I was lying in my room in the morning when I heard shouts from outside, 'Come out! Come out! Come out! We need to run away. These people have come again!' I ran out and together with other staff and our families, learned that Boko Haram had invaded the town of Bajoga after attacking and overpowering the police personnel who were at the checkpoint just before one comes into Bajoga town. We therefore rallied the students who were in the dorms (all girls) and ran away into the bush. We later learned that they went and bombed ECWA church and then began to head for the school, but found out that there were no students there.

"All the while there were no security personnel that came to the assistance of the school. In fact, some police personnel had changed into mufti and were also running with us into the bush. It was a terrible experience. I really felt sorry for the girls who ran for a long time in very difficult terrain. We ended up in a remote village. The villagers received us warmly, gave us water to drink and cooked food for us to eat. We then called the Commissioner of Gombe state Ministry of Education, who called the Governor and informed him of our plight. The governor gave directives for Gombe Line buses to come and pick us up. However, because news of the attack had gone out, the buses were stopped in Kwami LGA by the soldiers at the checkpoint, who were not willing to let any vehicles pass that point in order to minimize casualties. The speaker of the Gombe state House of Assembly learned of our situation, and also that the buses were denied passage. He personally went to the checkpoint and asked the soldiers to allow the buses to pass through, claiming full responsibility for anything that will happen. The soldiers obliged and let them through. He drove to Bajoga with the buses. All this while, we were communicating with them and informed them of our location. When they came somewhere close, I had to go down from the hills and meet them, and directed the buses to come as close as possible to where we were. The students and staff then came down and all of us got into the buses and were taken to Gombe. The Federal Ministry of Education instructed us to go to Federal Government College Billiri, which we did.

"As I speak to you now, the school has reopened but there is no government security personnel attached to us. We only have the local school security made up of civilians who are not armed. Once in a while a patrol van comes and then leaves. That is all. Many students have been withdrawn by their parents/guardians. They really suffered when we were running. There was no water for them to drink. Some of them even fainted and we had to carry them, and this slowed us down considerably. I know of some staff who are from Southeast and Southwester who sought for and obtained transfers from Bajoga.

"What can those of us who are indigenes of the State do? Where will we run to? And so we are still here. I really commend the State Governor. He has always responded promptly to our calls for assistance. About two weeks earlier when the town was under attack, he immediately sent buses that took us back to Gombe, and we were kept at the Girls Science Secondary School, Doma. We have experienced terrible things at Bajoga since the insurgents began to invade the place. I cannot even explain the trauma of hearing the sounds of bombs blasting and shootings. I cannot wish that even my enemies go through this experience."

Views on the Police

While not the main focus of this report, the Nigerian Police Force (NPF) plays an important role in this conflict. Similar in many ways to civilians' views of the military, civilians regard some elements of the police as abusive, unprofessional, and unwilling to protect civilians.

Many civilians said that the primary responsibility for protecting civilians should reside with the Nigerian Police Force. However, the reality is that, with military operations across much of the country, internal security is not solely the police's responsibility. Civilians have seen the military take the lead on many internal security issues, while other police functions such as monitoring criminal activity, making criminal arrests, investigating crimes, and protecting people and their property were often neglected.

Where security forces take the lead on internal security, they must also assume the responsibility to protect civilians. As such, their mandate and policies must be amended to reflect this priority.

Civilians reported that armed criminality is on the rise in many parts of the Northeast because of a breakdown in police functions. A group of community leaders in Borno state explained that some attacks credited to Boko Haram have, in fact, been carried out by unaffiliated criminals. "Whatever bad happens, it's blamed on Boko Haram," noted one civilian.⁸³

Furthermore, the government and police's failure to investigate crimes has allowed criminals to exploit societal fears. They have settled scores, and carried out politically motivated attacks against individuals under the pretense of violent extremism.

Many civilians strongly criticized the lack of police presence and action in their communities. For example, one 18 year-old IDP from Adamawa said he will not return home until he feels that all Boko Haram members have been cleared. He fears they are still around, and will attack his village again. "I have lost confidence in the police," he said, "and now I prefer soldiers to protect my community because police cannot withstand the strength of Boko Haram."⁸⁴

A Maiduguri teacher in his 40s said, "They [NPF] are primarily charged with protecting lives and property. Their performance is below standard and largely incompetent, likely because they are not motivated or compensated well. The police have also been a direct target of Boko Haram, but the military was brought in through the SOE."⁸⁵

While there are institutional issues related to the payment of salaries, police training, police deployment, and coordination with security forces, the overarching issue is that most civilians do not understand the roles and responsibilities of the respective security actors in their communities. The military and police must better coordinate their efforts to ensure civilians are better protected from crime and revenge attacks. Security forces must also improve their strategic communications efforts so civilians know what to expect.

As has been advocated by President Buhari and several military leaders, community policing should be a more prominent feature of the government's counter-Boko Haram strategy. In order to regain the trust of civilians, community policing must extend beyond effectively extracting information from civilians. It must include measures to increase their protection as well.

⁸³ CIVIC interview, Borno state, June 2015.

⁸⁴ CIVIC interview, Adamawa state, July 2015.

⁸⁵ CIVIC interview, Borno state, June 2015.

Views on the MNJTF

The role of the Multi-National Joint Task Force (MNJTF⁸⁶) is increasingly important in this conflict. Not only is the MNJTF essential in the fight against Boko Haram, but also in the protection of civilians from ongoing violence by all sides.

However, civilians have little knowledge about the group or its activities. On the topic of MNJTF, a resident of northern Borno state said, “Little is known about MNJTF operations because of the remoteness.”⁸⁷

This and many comments like it confirm that the roles and responsibilities of the MNJTF—particularly in states neighboring Borno—are not well understood by local communities. Those that have some knowledge of the MNJTF believe that the MNJTF’s priority is to “prevent the insurgency from spreading and gaining grounds in their country.”⁸⁸

While most civilians interviewed had little to no exposure to MNJTF (largely Chadian) forces, most felt that they are respectful of civilians, in the sense that they do not try to interfere in the affairs of the local population or occupy territory.

One Borno resident displaced to Gombe explained how Chadian troops interacted with local communities. “They strictly stick to their patrol routes and do not cultivate too much familiarity. Whenever they have to interrogate or investigate people in a certain neighborhood, they come with a local leader or someone familiar with the community so as not to transgress in anyway. They reportedly coordinate with the security operatives on [the] ground before proceeding in any way. This is so they get the right pointers on how to approach without stirring trouble in any way.”⁸⁹

Civilians also pointed out that, like other security forces, the MNJTF have their shortcomings. For example, civilians feel the MNJTF troops have failed to adequately address civilian needs. They lack knowledge of the conflict and terrain, and they don’t have personnel who speak the local languages. Because of these issues, the MNJTF “may still transgress on the people’s laws without even knowing it.”⁹⁰

Other civilians interviewed from Borno said there was often tension and poor coordination between Chadian and Nigerian armed forces. For example, civilians alleged that some towns that Chadian troops had cleared of militants were not secured because Nigerian troops failed to hold the town and prevent the return of Boko Haram. Chadian forces ultimately left, since their mandate is not to hold territory or provide services. This has made many civilians wary of returning to towns previously held by Boko Haram.

As joint regional operations are consolidated and expanded, the MNJTF must increase its commitment and capacity to gain the trust of local communities. Many civilians are suspicious of foreign troops on their soil, as well as troops from other parts of Nigeria. This new phase is an opportunity to show civilians that security actors are serious, not only about defeating violent extremism, but also about restoring security and increasing protection for those most affected.

86 The Multi-National Joint Task Force (MNJTF) is a joint regional offensive led by the Lake Chad Basin Commission (LCBC) that took shape in early 2014 and formalized in January 2015 between neighboring states Benin, Cameroon, Chad, and Niger, with authorization from the African Union Peace and Security Council. The MNJTF should consist of 8,700 troops from the same countries, a unified command structure in Borno state, and is designed to improve regional coordination and intelligence exchange, border policing, the ultimate defeat of Boko Haram. See International Coalition for the responsibility to protect, “The Crisis in Nigeria”, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-nigeria>.

87 CIVIC interview, Borno state, June 2015.

88 CIVIC interview, Gombe state, July 2015.

89 CIVIC interview, Gombe state, July 2015.

90 CIVIC interviews, Gombe and Borno states, July-August 2015.

Nigerian and MNJTF forces should develop a mechanism to track civilian harm committed by all parties, including their own operations. This mechanism was, in fact, included in the draft UNSC resolution discussed in March 2015, which:

“Encourages the MNJTF to establish a Civilian Harm Tracking, Analysis, and Response Cell (CHTARC) to understand and assess the impact of its operations on the civilian population and to identify changes in military tactics required to reduce harm to civilians. The CHTARC will also support human rights efforts to promptly and thoroughly investigate and prosecute all credible allegations or known incidents of civilian harm, to include harm incidental resulting from military operations and harm which may be a violation of international human rights and humanitarian law such as arbitrary arrests, extra-judicial killings, and sexual violence, sexual exploitation and abuse, in the conduct of counter-terrorism operations.”⁹¹

The MNJTF mandate should reflect the reality of the environment, and should have an express POC focus. From many reports, the MNJTF is designed much like a traditional peacekeeping force, which, from experiences in Somalia and Mali, has not proven to be a successful tool for protecting civilians while fighting insurgents.⁹²

⁹¹ Unpublished Draft UN Resolution on MNJTF, March 2015, 15BIS.

⁹² Martin Ewi, “Buhari’s make or break strategy against Boko Haram”, Institute for Security Studies 4 September 2015, <https://www.issafrica.org/iss-today/buharis-make-or-break-strategy-against-boko-haram>.



Image © Ed Kashi/VII.

Cadi (senior sharia court judge) Ibrahim Sarki Yola, dispense justice over family, business and property disputes at the City No. 3 Sharia Court in Kano, Nigeria on April 15, 2013.

Civilian Views on Self-Protection

In order to deal with many of the security issues addressed above, civilians in northern Nigeria have developed strategies to cope with and evade violence. As Boko Haram has shifted from a loose network of insurgents to a more closed, centralized command structure, civilians have also made adjustments to how they protect themselves.⁹³

Avoiding both Boko Haram attacks and military suspicion is incredibly complex, and requires unique self-protection strategies. The National Human Rights Commission and civil society organizations, such as the Human Rights Agenda Network (HRAN), could play a vital role in helping civilians strengthen self-protection and early warning mechanisms. Self-protection measures work better when citizens understand their rights, including the right to due process and equal access to justice.

Boko Haram is not the only threat facing civilians in the Northeast. Food insecurity, rising youth unemployment, climate change (e.g. the shrinking Lake Chad basin), livelihood-based conflict, and the proliferation of small arms are all trends that negatively impact communities' resilience and their ability to protect themselves.

Furthermore, this ability depends on many factors, both internal and external. For example, external factors such as working telecommunications and safe roadways play a crucial role in civilians' ability to first be notified of attacks, and to flee them. Meanwhile, internal factors such as a lack of assets with which to barter, negotiate, or relocate in the face of threats greatly impedes mobility.

⁹³ Jacob Zenn, Idorenyin Akpan, "Silencing Boko Haram: mobile phone blackout and counterinsurgency in Nigeria's Northeast region", *Stability: International Journal of Security and Development*, 4(1), Art. 8., March 4, 2015, <http://www.stabilityjournal.org/article/10.5334/sta.ey/>.

Nigerian civilians' primary method of self-protection—reported by both civilians and security forces—is to hide or flee from imminent threats or direct violence. Below we describe this and other self-protection strategies used by Nigerian communities. These strategies should be studied, supported, and strengthened by the Nigerian government in its efforts to protect civilians. We note that other studies have made important contributions to understanding civilian self-protection strategies in South Sudan and the Democratic Republic of the Congo.^{94 95}

Fleeing and Hiding

For the over two million people who have fled their homes—including some 300,000 to Chad, Cameroon, and Niger—knowing where to flee or where to hide is a paramount concern. It is complicated when there is no frontline to the conflict, and it is unclear who is supporting Boko Haram militants. There are few people to trust, with Boko Haram militants and their informants often hiding among civilians, including in IDP and refugee camps. According to several male IDPs, mature-aged males are often treated with suspicion, while there are hundreds of allegations that young men are disappeared or killed in detention by security forces.

The main strategy of civilians that experience violence is to hide or flee the immediate threat. In many cases civilians and soldiers noted they had survived attacks only because they had escaped.

A widow in Damaturu explained, “The best thing one can do is flee into the bush or hide inside their houses, since all main roads and paths would be blocked by the militants.”⁹⁶

Understanding the likelihood of continued attacks, security forces should develop contingency and evacuation plans with local communities, including measures to facilitate safe passage across state and international borders (when necessary). Security forces should also consider a humanitarian corridor to facilitate humanitarian access and support to displaced persons and victims of attacks. To be effective, such a measure would require a permanent protective military presence.

Collaborating with Armed Groups and Security Forces

To protect themselves from injury or worse, many civilians have provided information for whichever side controls their community, including Boko Haram and armed self-defense groups.

So as not to stand out, some civilians have even protected themselves by converting to Islam, wearing more traditional clothing, and agreeing to have sex with or marry militants or their family members. Other civilians reported aligning themselves temporarily with thugs or criminals to survive.

Local hunters also assist the military's campaign against Boko Haram. These groups have been replicated in many states, including Gombe, Bauchi, Adamawa, and Yobe to protect communities from further attacks and to apprehend suspected Boko Haram members. Other vigilantes interviewed feel the current approach is unreliable because most vigilantes do not have arms or proper training.⁹⁷

(As is widely known, to improve community self-protection, youth in Maiduguri organized vigilante groups, such as the Civilian JTF. Their views are discussed below.)

94 This report makes use of existing research from organizations like the Stimson Center, which have conducted extensive research to better understand community self-protection mechanisms and civilian perceptions of security. See Alison Giffen, “Community Perceptions as a Priority in Protection and Peacekeeping”, Civilians in Conflict Issue Brief No. 2, October 2013, Stimson, <http://www.stimson.org/images/uploads/CIC-IssueBriefNo2.pdf>.

95 Aditi Gorur, “Community self-protection strategies: how peacekeepers can help or harm”, Civilians in Conflict, Issue Brief No. 1, August 2013, Stimson, http://www.stimson.org/images/uploads/research-pdfs/Stimson_Community_Self-Protection_Issue_Brief_Aug_2013_1.pdf.

96 CIVIC interview, Borno state, July 2015.

97 CIVIC interview, Bauchi state, July 2015.

Early Warning

Many communities have developed grassroots early warning mechanisms to improve protection. For example, in Tafawa Balewa (Bauchi state), a SEMA official said: “To protect ourselves we have created awareness of conflict early warning systems and are conducting focus group discussions on security threats.”⁹⁸ However, in other communities, these mechanisms were disrupted when telecommunications infrastructure was shut down and roadways were blocked during the SOE.

Security forces and civil society groups could greatly strengthen community protection by helping vulnerable communities develop and refine early warning capabilities. Groups like West Africa Network for Peacebuilding (WANEP), Search for Common Ground (SFCG), and Inter Faith Mediation Center (IMC) have all been involved in developing early warning mechanisms in different parts of Nigeria.⁹⁹

Community Policing

A strategy discussed above is the importance of community-based policing. In Borno state, one civilian reported that their community had done just that: “We rely firmly on community policing as each member of our area is a vigilante in the sense that we share information and report any indiscriminate act. There is proper monitoring by the Civilian Joint Task Force and anything that surpasses our power we report directly to the relevant authorities (police and military). We have special numbers to security personnel and our collaborative responsibility of being our brothers’ keeper really helps a lot.”¹⁰⁰

Protection in IDP Camps

Many IDPs had a heightened sense of personal security, and described their self-protection strategies in the camps: “[We protect ourselves] by creating well-fortified and secured camps to safeguard lives and property, conducting aggressive intelligence gathering on activities of insurgents, educating ourselves about humanitarian activities like free medical treatment, and, condemning erring personnel of rape and sexual offences accordingly.”¹⁰¹

Furthermore, as strategies are developed to counter Boko Haram, decision makers and military leaders need to prioritize efforts that strengthen communities’ resilience Boko Haram attacks, and their ability to be involved in their own protection.

98 CIVIC interview, Bauchi state, July 2015.

99 Michael Olufemi Sodipo, “Early warning and early response for peacebuilding in Nigeria”, Insight on Conflict, May 16, 2014, <http://www.insightonconflict.org/2014/05/early-warning-early-response-peacebuilding-nigeria/>.

100 CIVIC interview, Borno state, August 2015.

101 CIVIC interview, Adamawa state, August 2015.



Image © Ed Kashi/VII.

The Nigerian Army forces man to the ground at a checkpoint during Sunday Christian prayer services in Sokoto, Nigeria on April 14, 2013.

SECURITY PERSONNEL VIEWS ON PROTECTION CHALLENGES

It is a significant challenge to interview members of Boko Haram, and speaking with defectors or former members raises concerns about whether they accurately represent the radical sect's motivations and perspectives. As a result, CIVIC has primarily obtained the perspective of Nigerian security personnel, including the police (NPF), military (including the JTF, 7th Division, and other divisions deployed across the Northeast), the Nigerian Security and Civil Defense Corps, security guards, members of the Civilian JTF, and other independent vigilantes.

For reasons of safety and confidentiality, the 50+ security personnel interviewed remain anonymous. These individuals vary in rank, education, ethnicity, and opinion on the causes of the conflict. Many were, for the most part, aware of the challenges they faced, the harm they caused, and how operations could be improved to better protect the civilian population while still combating Boko Haram.

The lack of motivation among security personnel to engage in military operations was often cited as a structural problem in the way operations are planned and carried out. Service members lack incentives and proper logistical support to conduct their missions.

Many security personnel interviewed also complained of a lack of material support, which impacts their combat readiness, ability to patrol and man security checkpoints, communicate with their superiors, and conduct investigations. Soldiers often lack adequate shelter, water, food, health facilities—malaria is very common among security forces—and mental health services—PTSD is also common. Others spoke of being poorly trained to face an enemy that had better weaponry, oftentimes better combat training, and (frequently) the element of surprise on their side. Frontline soldiers worried the military's budget was often hijacked by high-ranking officers, further undermining command and control challenges.

Security personnel interviewed feel there is little connection between official military policy and the acts of frontline soldiers deployed to combat Boko Haram. The military's failure to operationalize its mission is largely a result of low morale among the rank and file, and their mistrust of senior leadership.

Security personnel mentioned one overarching challenge to civilian protection: the inability to distinguish civilians from combatants...

Many security personnel frequently mentioned one overarching challenge to civilian protection: the inability to distinguish civilians from combatants, and identify potential attackers. Consider that Boko Haram increasingly relies on young boys and girls to carry out their suicide missions, and that most militaries are not trained to identify children as threats.

As one senior military official in Abuja explained, "When we can't see the enemy, civilians become the enemy."¹⁰² To complicate matters, security personnel lack cooperation from local communities, which have reasons to mistrust state security, and at times, side with insurgents because some communities self-identify with those of their faith and ethnicity, and find it difficult to expose the Islamic sect.

Security officers expressed a great deal of fear and uncertainty, and complained of being too visible in an environment where militants often target them. This, and tense relations with communities, makes gathering information and protecting civilians very challenging.

Most of the themes we identified are outlined below using, wherever possible, the exact language and ideas of those interviewed. Many of the themes identified (above) by civilians were also identified by security personnel.

Challenges of Distinction

As was highlighted above, both civilians and security forces recognized the challenge of distinguishing legitimate targets from civilian targets. As a result of unclear and inadequate policies, information, and training, civilians were occasionally harmed during the conduct of hostilities. One member of the Nigerian security forces in Gombe explained it this way:

*"An important thing to note is that there is nothing on the face of a member of Boko Haram to identify him. The members have the same looks as other people around, more so as the tradition is the same and so they dress alike. When there is a tip off by concerned members of communities about some new developments such as new faces and unusual movement of people, security personnel come in and do a sweep. It is true some innocent civilians have found themselves locked up or tortured due to no fault of their own."*¹⁰³

¹⁰² CIVIC interview, Abuja, June 2015.

¹⁰³ CIVIC interview, Gombe state, July 2015.

During the conflict in Nigeria, Boko Haram has forcibly used civilians as human shields, wives, suicide bombers, thieves, and informants. These roles blur the lines between civilian and combatant, but are often defined by a temporary or spontaneous role, rather than a continuous function or direct participation in hostilities (DPH). As such, security forces need to respect and fully apply the IHL principle of distinction, which says that civilians are not targetable.

According to an official of the Nigerian Security and Civil Defense Corps in Bauchi state, “Civilians always see us as threat to them, but security personnel are trying their best to see that civilians feel safe in their communities. We cannot differentiate between insurgents and civilians. At the process of trying to arrest, both local and international communities will complain that the Nigerian securities are violating human rights.”¹⁰⁴

Lack of Training and Equipment

The lack of necessary equipment was cited as a key problem that directly impacts soldiers’ ability to fight Boko Haram, or defend themselves and civilians from Boko Haram attacks.

One Adamawa resident explained why he and his fellow soldiers often flee during militant attacks. “One of the reasons is that their weapons are more sophisticated than that of the Nigerian military. This makes soldiers run away, rather than wait to confront Boko Haram in most cases.”¹⁰⁵

A mid-ranking security officer in Adamawa explained: “There is a lack of adequate manpower and equipment to secure the vast area threatened by the insurgents.”¹⁰⁶ Troops are therefore unable to patrol and secure the vast territories in the region.

According to a member of the Nigerian Security and Civil Defense Corps: “The insurgents carry more sophisticated arms than the security which really affected security.”¹⁰⁷ This comment goes back to the belief of some civilians and members of the military that Boko Haram is being supported—both domestically and internationally—through funding and sophisticated weaponry. Many security personnel also feel that, despite Nigeria’s large defense budget (roughly \$5 billion per year), much is wasted through corruption and mismanagement of resources. They feel these resources should be directed toward building the operational capacity soldiers in active conflict areas require.

Several security personnel admitted to deserting their posts when their weapons broke down. This is a serious issue that is being addressed by a panel set up under new Chief of Army Staff, General Buratai. According to one report, the investigation panel will conduct an inventory of army weaponry and other security challenges. Despite increased defense budget provisions each year following the rise of Boko Haram in 2009, large quantities of weaponry and logistics equipment are unaccounted for in the army’s armament depots.¹⁰⁸

Poor Community Relations and Communications

Several security forces in Gombe shared that measures taken to mitigate challenges are most successful when they have liaised with existing leadership structures in the community, and formed alliances among both male and female leaders.¹⁰⁹ This finding mirrors the perspectives of civilians. In order to better facilitate civilian-military relationships and communications, SOPs and mechanisms should be developed to empower local groups to take positions of leadership, and coordinate around the community’s well-being.

¹⁰⁴ CIVIC interview, Bauchi state, July 2015.

¹⁰⁵ CIVIC interview, Adamawa state, July 2015.

¹⁰⁶ CIVIC interview, Adamawa state, August 2015.

¹⁰⁷ CIVIC interview, Bauchi state, June 2015.

¹⁰⁸ Kingsley Omonobi, “Nigeria: arms purchase - Buratai sets up panel to probe his predecessors”, AllAfrica, September 7, 2015, <http://allafrica.com/stories/201509070469.html>.

¹⁰⁹ CIVIC interview, Gombe state, August 2015.

Individuals interviewed expressed interest in the military devising better tactics for community engagement, including developing more assets in affected communities, and going under cover to better understand community allegiances and potential threats.

A security official interviewed in Gombe stated: “The military operations against Boko Haram in my community haven’t made me or civilians safer. This is because they have not been able to play it smart enough. Security forces need to be able to play on the side of the insurgency without actually being on their side.”¹¹⁰

Perceived Corruption and Mistrust

Both civilians and security personnel interviewed cited corruption within and across the security forces as perhaps the greatest structural factor contributing to the failure of operations to defeat Boko Haram. One police officer in Yobe state said: “Our superiors only know themselves,” expressing a frustration shared by many about the neglect they feel from military and police leadership.¹¹¹ For example, many families of officers or soldiers killed reported not receiving any benefits or assistance from the state.¹¹²

Similarly, a member of the Nigerian Security and Civil Defense Corps in Bauchi state complained that soldiers’ families were not supported adequately. “Most of the allowances made for the personnel in the forefront of the issue are hijacked by the higher officers, and most of the gallant officers lost their lives at the war front, leaving their families hopeless without giving them any compensation, especially the lower ranks. But for the other senior officers affected, their families were compensated immediately.”¹¹³

Poor Intelligence and Information Collection

While civilians perceive security forces as reactive (not proactive) in their approach to identifying and mitigating violence, many security forces interviewed feel that civilians and community leaders frustrate their efforts by hiding suspected militants and concealing information that could improve their safety.

...mutual distrust is a great and enduring challenge of security operations in the Northeast.

A security official in Gombe explained: “We feel some civilians are obstructing us in the discharge of our duties. We also feel others are frustrating our efforts by collaborating with Boko Haram, and providing them with information and even a safe abode to hide in, thereby endangering the lives of all those living nearby.”¹¹⁴

This mutual distrust is a great and enduring challenge of security operations in the Northeast. The government is aware that it should deepen its commitment to community policing—a stated priority of President

Buhari—as a vehicle for strengthening relations and communications between local communities and security personnel.

Speaking at an August 2015 National Security Summit President Buhari said, “The need for community input to policing and crime management in Nigeria has even become more imperative considering our current national security challenges in which kidnapping, armed robbery, murder,

¹¹⁰ CIVIC interview, Gombe state, August 2015.

¹¹¹ CIVIC interview, Yobe state, July 2015.

¹¹² CIVIC interview, Yobe state, July 2015.

¹¹³ CIVIC interview, Bauchi state, August 2015.

¹¹⁴ CIVIC interview, Gombe state, July 2015.

transnational crimes, terrorism and other organized crimes have evolved to threaten our national values and developmental strides.”¹¹⁵

Scaling efforts, such as more robust community policing, could facilitate intelligence gathering and investigations. As one security official in Borno state explained: “Nigerians expect a proactive response from government, police, and military to combat terrorist attacks in the northeastern states. Intelligence must be gathered to act before violence occurs.”¹¹⁶

Furthermore, many civilians agreed that the more people cooperate with security forces, the more their rights are protected. However, many civilians still refused to cooperate with security forces because it would likely make them more vulnerable to Boko Haram revenge attacks. As such, security personnel must strengthen measures to maintain anonymity of informants and ensure their protection.

Asymmetric Tactics

A defining feature of the conflict with Boko Haram is the use of asymmetric warfare tactics, including the use of suicide bombs, Improvised Explosive Devices (IEDs), Vehicle-Borne Improvised Explosive Devices (VBIEDs), large coordinated attacks, and heavy assaults from motorcycles and pick-up trucks.¹¹⁷

Asymmetric warfare instills fear not only in civilian populations, but also in soldiers on the frontline

Boko Haram has launched hundreds of attacks over the past 6 years, which are estimated to have killed over 15,000 people. Asymmetric warfare instills fear not only in civilian populations, but also in soldiers on the frontline. This point is important, as many of those on the frontline report being ill-trained to deal with these threats. If soldiers are not properly trained, they may return fire indiscriminately and risk harming civilians.

According to several high-ranking officials, many soldiers now fighting Boko Haram previously served as peacekeepers—including in Liberia (ECOMOG)—and were accustomed to very different security risks, armed actors, and operated under vastly different rules of engagement.¹¹⁸

A civilian from Adamawa state said: “The security forces did not target civilians in my community but still people are not happy. They complain bitterly about the inability of the Nigerian security agencies to protect them against these terrorists, despite the much talked about strength of the Nigerian military in peacekeeping operations in other parts of the world.”¹¹⁹

One officer explained that his greatest challenge is “the group’s use of civilians as human shields and for espionage by the insurgents.”¹²⁰

Given the reality of an asymmetric conflict, several security personnel talked about “extraordinary circumstances” as a way of explaining their excessive behavior and actions that deviated from the norm.

115 “Buhari to employ 10,000 police officers, puts CCRV in major towns”, Vanguard, August 17, 2015, <http://www.vanguardngr.com/2015/08/buhari-to-employ-100000-police-officers-put-cctv-in-major-towns-cities/>.

116 CIVIC interview, Borno state, July 2015.

117 Jacob Zenn, “Boko Haram’s evolving tactics and alliances in Nigeria”, CTC Sentinel, Vol.6, Issue 6, June 2013, <https://www.ctc.usma.edu/posts/boko-harams-evolving-tactics-and-alliances-in-nigeria>.

118 CIVIC interviews, Abuja, June 2015.

119 CIVIC interview, Adamawa state, July 2015.

120 CIVIC interview, Adamawa state, July 2015.

One MOPOL (Nigerian Mobile Police) in Gombe state described this by saying there have been scenarios where the military failed to show respect. He called these scenarios “cases of emergency.” The official said,

“For instance in the case of an explosion and the commandant orders you to secure the area ASAP, respect is the last thing on your mind. People are running, they’re confused, afraid, and in shock. To get your job done, you’re going to have to yell at them, shout at them, and maybe physically handle them to get them moving in the right direction. Without this there is no way you can cordon off a road where an explosion has just taken place.”¹²¹

While security forces were reluctant to give detailed information about combat operations, many said they need more training on how to deal with asymmetric threats. Security forces need, and want, additional training in how to assess risks, properly identify suspicious individuals, and disarm or neutralize threats without causing excessive harm to civilians. While Nigeria has significant

experience in peacekeeping and combat operations, foreign actors, such as the US and UK, are well placed to train and advise on tactical-level counter-insurgency measures related to the risks faced by Nigerian security forces.

Growing Vigilantism

While not expressed as a concern, many soldiers highlighted the CJTF and other self-defense vigilantes as groups that need to be clearly defined and incorporated into formal security efforts. In fact, many security personnel were grateful for the CJTF.

A police officer in Maiduguri said, “This group is one of the most important. They are locals in the region, and are familiar with the towns around them and some are hunters. They help a lot in the physical combat and information sharing.”¹²²

Similarly, a Borno MOPOL said the following of the CJTF: “These are civilian formed organizations which are comprised of civilians, hunters, and youths who sacrifice their time in order to track down Boko Haram militants. They supply security personnel with sensitive information since they are locals from the region.”¹²³

Several people we spoke with were concerned at the changing behavior of the CJTF, which includes carrying weapons, detaining suspects, harassing and injuring civilians, and even carrying out justice. While they have played an important role, the CJTF often operate independent of the military chain of command, and lack training in human rights and IHL.

Many civilians worry that self-defense groups and freelance vigilantes could quickly become spoilers to long-term peace. Several security personnel (as well as civilians) shared the opinion that some CJTF members may already be informants to insurgents. There were many rumors that some CJTF members are former Boko Haram fighters, which is the reason they are so successful in identifying suspected Boko Haram militants. The concern is that some of these individuals may return to Boko Haram if they are not trained or given employment.

¹²¹ CIVIC interview, Gombe state, August 2015.

¹²² CIVIC interview, Borno state, August 2015.

¹²³ CIVIC interview, Borno state, July 2015.



Image © Ed Kashi/VII.

Janet Elisha Daniang, 15, bears the scars of a Boko Haram suicide attack on St. Rita Catholic church in Kaduna on October 28, 2012, where 4 people died and 192 were injured.

VIEWS OF SELF-DEFENSE GROUPS

“When many military personnel were running away out of fear, the CJTF took action at great personal risk. Their stipend by Borno state was held for months. Some have started begging and have begun extorting local populations. They may soon become a security threat.”¹²⁴ – Civilian in Borno

The Civilian JTF is a group of mostly young males from affected communities that help the Nigerian military identify and apprehend suspected Boko Haram militants. This group of community vigilantes was widely commended in 2013 and 2014 for its efficiency and bravery in disrupting Boko Haram. In recent months, the group has been the subject of domestic and international scrutiny for its abuse of power, impunity, and increasingly violent approach to justice.

While present in many states across the country, vigilantes in Borno state have assumed a formal role in northeastern Nigeria, and filled a critical security gap. The Civilian JTF in Borno state has become a state-sponsored security actor, funded by the Borno state government.

The rise of these vigilante neighborhood security groups in the Northeast has become a divisive issue. On the one hand, they have become an important resource for improving community self-protection. On the other hand, whether they are formal or informal vigilantes, many have been increasingly accused of causing harm to civilians.¹²⁵

¹²⁴ CIVIC interview, Borno state, July 2015.

¹²⁵ Amnesty International, “Nigeria: stars on their shoulders: blood on their hands: war crimes committed by the Nigerian military”, AFR 44/1657/2015, June 2, 2015, <https://www.amnesty.org/en/documents/afr44/1657/2015/en/>.

Furthermore, the presence of the CJTF has made its members and its supporters targets for Boko Haram's unrelenting campaign to cleanse the region of any perceived opposition. As a result, Boko Haram views civilians as legitimate targets, and civilian casualties have increased dramatically.

The Civilian JTF has become a major security actor in the current conflict. As such, it's important to understand their views on ongoing protection gaps, and their motivations for joining the conflict. To this end, CIVIC spoke with several self-defense groups, including CJTF members in Borno, Bauchi, and Gombe, as well as former CJTF members that had been displaced to surrounding states. Here is an overview of those conversations.

Motivations for Joining

When asked their motivations for joining the Civilian JTF, most individuals expressed concern at the increasing harm against civilians, and the lack of a sustained security presence in their communities. Several individuals said they were directly affected by the conflict, and wanted to see safety and justice served in their communities. As one self-described vigilante from Bauchi state said: "We formed vigilante groups to safeguard the community."¹²⁶

Security was not the only motivation. Some members wanted justice. One displaced individual in Gombe said, "Back home in Borno, I joined the voluntary vigilante group to make sure that all the people feeding and aiding Boko Haram were severely dealt with. I want to see them arrested, captured, and made to face trial for their atrocities. It will mean a great deal of happiness and satisfaction to me because I have lost friends and persons close to me."¹²⁷

Filling the Protection Gap

Members of the CJTF described their role as filling a gap that existed in the duties of official security personnel. When asked where the CJTF operates, one member said, "In many villages, the hunters and vigilantes are responsible for maintaining security because soldiers don't go there."¹²⁸

Another individual from Borno state calmly expressed his frustration with the police. "The primary responsibility of protecting the civilians is the police, but their performance in this regard is very poor and not encouraging at all because they were not doing what is expected of them professionally."¹²⁹

Capacity Challenges

Many individuals of the CJTF noted they faced capacity challenges—mainly a dearth of men and equipment—that impaired their operations. "Our main challenge in responding to the crisis in our state (Borno) is that we lack the sufficient manpower and proper training to handle crisis."¹³⁰ A self-described vigilante from Bauchi state noted that, "We formed vigilante groups to safeguard the community, but this approach has been unreliable because we do not have arms."¹³¹

The capacity of vigilante and self-defense groups varies greatly from state to state and community to community. Most are unregulated, and lack training and equipment from the government or military. Many are volunteer hunters, unemployed youth, and suspected former armed actors with limited education. In several instances, civilians reported poor conduct and aggressive tactics used by the CJTF. To ensure civilians are protected from all armed actors, the government should either formalize and train these groups in civilian protection, or fully disarm and disband them.

¹²⁶ CIVIC interview, Bauchi state, July 2015.

¹²⁷ CIVIC interview, Gombe state, August 2015.

¹²⁸ CIVIC interview, Adamawa state, July 2015.

¹²⁹ CIVIC interview, Borno state, July 2015.

¹³⁰ CIVIC interview, Borno state, June 2015.

¹³¹ CIVIC interview, Bauchi state, July 2015.

Distinguishing Civilians a Challenge

The inability to easily identify insurgents among civilians has been cited as an issue not only in effectively fighting Boko Haram, but also as a present and future concern for the personal safety of CJTF members. One individual stated, “The main threat to the security actors in the civilian communities is the inability to identify who is an insurgent and who is not, because the civilians sometimes harbor the insurgents.”¹³²

Another individual noted the fear that exists in trying to report threats, stating: “The main security threats to the civilians in our area is the proliferation of fake military and mobile police in the community, where you cannot differentiate between real and fake security personnel, to whom you can lodge complaint in case of anything.”¹³³

To prevent Boko Haram from posing as security personnel, there must be better efforts to secure military equipment, weaponry, assets, and uniforms. Many civilians reported incidents where militants in stolen uniforms and vehicles approached them.

Community Relations

Individuals from the CJTF found that their role allowed them a unique position in their communities in the fight against Boko Haram. One stated, “Our relationship with the civilians is very cordial, because we are not military personnel or security agents; we are part and parcel of the community where civilians live. Therefore, we were there to protect and defend them from harm by the insurgents.”¹³⁴

Handling Infractions

CJTF members noted that they self-regulated when it came to ill conduct on the part of other CJTF members. One individual stated specifically, “When one of us violates any right of civilians by either harming him/her, or any act of criminality we usually suspend that person from duty and put him under surveillance in order for him not to go and harm the victims who caused his suspension. If he does something bad again, we hand him over to the military for disciplinary action.”¹³⁵

The Future

Another fear expressed by several members of self-defense groups was how they would be treated—and what they would do—if they were demobilized. One Gombe CJTF member said, “For us, the Civilian Joint Task Force members, our fear is the future when this insurgency issue is over. What shall we do? And how will the community accept us? And finally, where shall we earn our livelihood?”¹³⁶

¹³² CIVIC interview, Gombe state, June 2015.

¹³³ CIVIC interview, Borno state, July 2015.

¹³⁴ CIVIC interview, Borno state, July 2015.

¹³⁵ CIVIC interview, Borno state, July 2015.

¹³⁶ CIVIC interview, Gombe state, June 2015.



Image © Ed Kashi/VII.

Petitioners pay attention to the Cadi (senior sharia court judge) Ibrahim Sarki Yola, who dispenses justice over family, business and property disputes at the City No. 3 Sharia Court in Kano, Nigeria on April 15, 2013.

EXPECTATIONS AND NEEDS OF CIVILIANS

“Much is being expected from government and its agencies toward relieving those harmed by both the Nigerian armed forces and Boko Haram.”¹³⁷ – Civilian in Adamawa State

Throughout this report we have identified civilian views on conflict dynamics and security actors in order to better understand what can be done to improve civilian protection in violent areas, and to support efforts to mitigate and respond to harm caused by all parties to the conflict.

Nigerian views and expectations vary greatly in this regard. For example, when asked the best route to resolve the conflict with Boko Haram, some civilians are open to an amnesty deal with the group, believing it is the only durable solution (as was offered to MEND rebels in the South). Meanwhile, others insist on justice, accountability, and reparations for all crimes committed, believing that Boko Haram militants have no interest in peace or reintegration into society.

All civilians condemned the abuses by Boko Haram, and most agreed that the Nigerian armed forces should do more to protect civilians and prevent harm. Most civilians agreed, “Equal response should be given if a person is harmed by Boko Haram or if the person is harmed by police, military, or vigilantes.”¹³⁸

¹³⁷ CIVIC interview, Adamawa state, August 2015.

¹³⁸ CIVIC interview, Adamawa state, July 2015.

Below are some of the main issues civilians highlighted as priorities for protecting civilians, and creating appropriate response mechanisms to help those harmed.

Restore Security

In order for civilians to return to their communities, and for communities to rebuild, civilians must feel secure. Every aspect of their lives has been threatened, including their schools, places of worship, homes, markets, and roadways. One teacher from rural Borno explained:

“We want the government to rebuild our community; the places of worship, schools and houses burnt in the crisis. I will love the government to help the residents in my community with stipends to help compensate part of the loss in properties we have suffered. I will like the government to make our community safer again. I will love the government to make provisions for our farmers to have access to farm loan and input to help them in recovery of lost farm produce.”¹³⁹

In order to prevent competition over scarce resources and a continuing cycle of violence, these communities must be supported by the government and other organizations with seed donations, loans, and assistance. While many civilians want to leave the IDP camps and temporary host communities, the reality is the hard work only begins when the over two million displaced persons return to their devastated communities.

As a victim of Boko Haram in Borno state told us, “We want the government to recapture the villages so that we can go back and continue with our farming activities. We also want the government, both at the state and national level, to help rebuild our lost homes that were burnt by the Boko Haram militants. [We want] military troops to be deployed to the villages to protect them since the Boko Haram militants may return any time.”¹⁴⁰

Address Civilian Harm

This report does not focus on accountability for violations of human rights and IHL. These issues remain a separate priority and are addressed by other organizations such as the UN’s Office of the High Commissioner for Human Rights, Human Rights Watch, and Amnesty International.

This report advocates for “amends” for victims of incidental harm—recognition, apologies, monetary compensation, or other forms of assistance. Amends are a critical component of addressing civilian harm, and are distinct from reparations, which are a legal remedy to which victims are entitled for violations of international human rights, humanitarian, and criminal law. While reparations and amends share a common foundation and take similar forms in some contexts, the making of amends is not legally mandated for civilian victims harmed within the course of warring parties’ lawful combat operations. Post harm assistance encompasses both amends and reparations, and can also include additional programs created by the government to assist victims in their recovery. Examples include free medical care, pension systems, and livelihood assistance projects.

CIVIC seeks to ensure, as a matter of policy, that all victims receive recognition and assistance from warring parties. In line with its focus on amends, CIVIC strongly supports the rights of all victims to justice and accountability for harm they have suffered as a result of violations, including the provision of reparations. CIVIC believes that warring parties that are committed to the practice of amends must comply with their existing international legal obligations to take all feasible precautions to minimize civilian harm in the first place.

¹³⁹ CIVIC interview, Borno state, June 2015.

¹⁴⁰ CIVIC interview, Borno state, June 2015.

Civilians want security forces to be more proactive and consistent in protecting communities from violence, and also in addressing the harm they cause. In addition to ethical (and legal) reasons, our research finds that addressing harm can positively influence the perceptions and loyalty of local populations. Whether harm is simply acknowledged by the responsible party, or amended with compensation or tangible assistance, the process of dignifying loss and recognizing fault is critical to breaking the cycle of violence, and gaining the support of those most affected.

When asked what kind of response civilians specifically wanted to see from their government, the majority of civilians expressed support for the creation of a mechanism to address civilian harm. This mechanism, according to many civilians, should begin with public acknowledgement of harm caused by all sides. Such a process, it was argued, is critical to begin the healing process. But without any process to recognize harm or assist victims, civilians believe the government and military are not sincere in their effort to protect civilians, or rebuild communities.¹⁴¹

A woman in her 20s fled fighting between the military and Boko Haram in Borno state. She lost everything, including members of her family. She hopes that the government will not neglect civilians at the expense of rehabilitating combatants. “We do not understand why militants and defectors of Boko Haram are receiving comprehensive care and rehabilitation programming, while those of us that were abducted, raped, or victimized have not received trauma counseling, rehabilitation services, or other government assistance.”¹⁴²

Going beyond recognition and support services, several civilians insisted they are incapable of recovering without direct financial support from the government. According to an IDP in Borno state, “We feel the government should compensate victims of abuse by security forces. Other people lost their property and livelihoods and need government support to get back on their feet.”¹⁴³

Such a mechanism for assistance to victims has, in fact, been established by the Nigerian government, and is discussed below. However, when asked about any post-harm assistance mechanism—whether local or government-run—most civilians said they were not aware of any such assistance or how to benefit from it.

In addition to responding to harm, civilians want security forces to better prevent and mitigate harm. This could be improved by undertaking pre-mission planning and training, rapid investigations when allegations of harm occur, and developing appropriate tactics, techniques, and procedures (TTPs) to mitigate harm in the conduct of their operations.

Offer Assistance (Victims Support Fund)

In July 2014, Nigeria’s federal government set up the Victims Support Fund (VSF) as a means to shore up funding and support to address the debilitating impact of the conflict on individuals in the Northeast. Its mandate includes identifying sources of sustainable funding to support victims; ascertaining who the victims are; developing support strategies for victims; and advising the government on appropriate responses to support victims of the conflict.¹⁴⁴

¹⁴¹ CIVIC interview, Bauchi state, July 2015.

¹⁴² CIVIC interview, Borno state, July 2015.

¹⁴³ CIVIC interview, Borno state, July 2015.

¹⁴⁴ The VSF Committee is comprised of representatives of the government, private sector, religious bodies, United Nations, international development partners, humanitarian agencies, civil society, political parties, women and youth groups. At its inception, N10billion was pledged by the Federal government for the VSF. N5billion of this sum has been redeemed. Another N58billion was pledged by the private sector and only N24 billion has been redeemed. It has so far disbursed N2.5 to N3bn on direct intervention. The VSF is registered as a foundation in Nigeria. The VSF is developing strategies to support the women who have emerged from the conflict as new heads of households to play that role. They are doing this through capacity building programs, skills acquisition and may also provide capital. The support programs plan to go beyond the traditional and generic skills like head dressing and soap making to more viable skill sets. To achieve this, meetings are being facilitated with the victims to discuss their needs and ensure that the strategies are tailored to fit and meet those needs. The VSF is also providing support for the Safe School Initiative to fill the educational gaps created by the conflict. For more information, see <http://victimssupportfund.ng/>.

The VSF has begun working with communities, state governments, and relief agencies, such as NEMA and the ICRC, to identify and verify victims. They are also working with religious bodies such as the Christian Association of Nigeria (CAN), and the Islamic Council to ensure inclusion and buy-in from key constituencies.

However, its operationalization has been slow and limited. Other than the early appointment of the director, most other VSF staff began in mid-2015. The director remarked to us: “The VSF is new and small, but there are lots of expectations.”¹⁴⁵ For now, the VSF’s focus is on the economic losses of women, children and elderly persons.

To meet the needs of civilians, the VSF should bolster its mandate to cover post-harm assistance for victims of all parties. This mechanism should be transparent and accessible to all civilians, including displaced persons. While there were many concerns about the potential for corruption and resource allocation involved in such a fund, many local and international organizations have advocated for the billions of dollars in looted Abacha funds to be repatriated and used to set up an independent mechanism for assisting victims of Boko Haram.¹⁴⁶

Provide Medical Assistance

While the ICRC and other groups have extended their presence, a key challenge faced by many civilians often goes unreported: preventable deaths resulting from inadequate and insecure health infrastructure in many parts of the Northeast.

“We need better security and medical care,” one woman in Michika (Adamawa state) reported. “My brother was shot in his stomach at the police headquarters along Gujba road. He called me and told me was bleeding seriously, but no one could go out because of the heavy gun battles and bomb blasts. I called his numbers. No one picked and I just concluded that my brother died. In the early hours of the morning, we were called to go to the hospital to retrieve the corpse of my brother. The doctors report says reason for death was gunshot in his stomach and most likely over-bleeding.”¹⁴⁷

Similarly, a widow from Gujba (Yobe state) explained what she wishes to see: “We expect free medication and rehabilitation for the injured and victimized. The injured persons are at times taken to the hospital for medical treatment, which is sponsored by the state government and other agencies such as NEMA, SEMA, and the Red Cross.”¹⁴⁸

Provide Trauma Counseling

The growing understanding of trauma is an important development in Nigeria. The ONSA’s office has pioneered many innovative programs, including building the capacity of Nigeria’s national mental health institutions to treat post-traumatic stress disorder (PTSD).¹⁴⁹ While a center was to open in Maiduguri in May, the services are not readily available for the millions of civilians that have been collectively and individually traumatized by over six years of direct exposure to violence and fear.

One woman in Gombe shook while describing her abduction by insurgents in her village. “Many people have been traumatized as a result of the conflict. [After being abducted], I lived with them for almost a year before I escaped.” She feels stigmatized as a returnee, knowing that many people will believe the insurgents must have raped her. She spoke of not seeing her husband or son. She saw many people brutally killed in the insurgents’ camp. She needs counseling and direct support, not only to regain her self-worth, but also to be able face life again.¹⁵⁰

¹⁴⁵ CIVIC interview, Abuja, July 2015.

¹⁴⁶ David Smith, “Switzerland to return Sani Abacha ‘loot’ money to Nigeria”, The Guardian, March 18, 2015, <http://www.theguardian.com/world/2015/mar/18/switzerland-to-return-sani-abacha-loot-money-to-nigeria>.

¹⁴⁷ CIVIC interview, Adamawa state, July 2015.

¹⁴⁸ CIVIC interview, Borno state, July 2015.

¹⁴⁹ Obinna Anyadike, “No longer at ease: tackling the trauma of Boko Haram”, IRIN, February 23, 2015, <http://www.irinnews.org/report/101150/no-longer-at-ease-tackling-the-trauma-of-boko-haram>.

¹⁵⁰ CIVIC interview, Gombe state, August 2015.

Aware that such services were available, several civilians interviewed recommended that the government have “counselors to talk to victims through private sessions or focus group discussions.”¹⁵¹

Ensure Justice and Reconciliation

While civilians want to see justice for crimes and abuses committed by all parties, the civilians we interviewed are divided over whether any reconciliation and reintegration of Boko Haram militants is possible. Many civilians believe dialogue is critical for lasting peace, and expect the national government to engage Boko Haram defectors, affected communities, and, where possible, current militants in a dialogue. As one civilian put it, “that is the best way the crisis can be addressed.”¹⁵²

Dialogue and reconciliation are often preferred, as many civilians have little confidence in legal institutions and the rule of law. A woman in rural Adamawa state explained her experience with the justice system: “It will be useless for me to report if anybody I know is a member of Boko Haram, since I know that even if they arrest him, he would be freed tomorrow and I will be his next target. We caught a member of Boko Haram, took him to the military and after four days he was released.”¹⁵³

Improve Community – Government Relations

Civilians are often unaware of the roles and responsibilities of security personnel in their communities. Most civilians interviewed felt that security forces did not have a protection mindset, and fell short in communicating effectively about their roles and responsibilities.

Some civilians also felt their traditional leaders were causing tensions between communities and the government. For example, many civilians were frustrated with their traditional leaders, who they alleged had harbored insurgents and withheld information out of distrust of the state. Civilians want these leaders to collaborate with the military.¹⁵⁴

To improve this mutual distrust, civilians recommended that the military improve its communications with civilians. Among the methods suggested, the most favored was a joint dialogue forum with affected communities to regain trust and prioritize civilian concerns.

Bolster Civil Society Engagement

While government and military actors bear the ultimate responsibility for protecting civilians, the civil society organizations we interviewed also want to play a larger role in supporting local communities by strengthening their coping and self-protection strategies.

Civilians in affected communities agree that CSOs should do more. One teacher from Borno state explained how: “Civil society organizations should gear up awareness campaigns and sensitization of conflict early warning systems, and collaborate with response agencies as well as strengthen relationships between civilians, securities, and civil society organizations (CSOs). CSOs should create a platform for CSOs and the state representative from different sectors to meet monthly to discuss issues pertaining to security and governance and offer solutions.”¹⁵⁵ Furthermore, civilians want CSOs to work with security actors to better track conflict indicators and protection concerns.

¹⁵¹ CIVIC interview, Borno state, August 2015.

¹⁵² CIVIC interview, Borno state, July 2015.

¹⁵³ CIVIC interview, Adamawa state, June 2015.

¹⁵⁴ CIVIC interview, Borno state, July 2015.

¹⁵⁵ CIVIC interview, Borno state, July 2015.

When asked what role CSOs have played in this conflict, one Bauchi resident explained, “Most of the affected victims had no idea of reporting any conduct by the military, JTF, or Boko Haram. But the civil society organizations, and some of the communities, have helped with reporting any violation or conflict early warning sign to Bauchi Human Rights Network (BAHRN), and Centre for Human Rights and Citizen Advocacy (CHRCA).”¹⁵⁶

Resettlement or Return

Given IDPs’ increased vulnerability—including the September 11, 2015 attack on an IDP camp in Adamawa state—IDPs have called on the government to increase security measures in order to ensure the protection of IDPs and humanitarian actors in camps.

According to UN reports, over two million people have been forced to flee their homes since Boko Haram intensified its insurgency in 2013.¹⁵⁷ Through dozens of conversations with IDPs in several states, CIVIC learned more about the experiences of civilians living in camps or with host families.

While most of the individuals are fleeing violence, many reported that they are also fleeing a humanitarian crisis defined by food insecurity, loss of livelihoods, insufficient services, and inadequate protection. Their stories shed light on the circumstances under which civilians in different states had to flee their homes and, oftentimes, abandon their loved ones. Their stories highlight the lack of protection provided by Nigerian armed forces in the face of attacks by Boko Haram militants.

Despite the security risks, most civilians wanted to be resettled: “To live in a place which is not your home is difficult. We have to manage everything.”¹⁵⁸

Many remarked of the challenges facing civilians in IDP camps. “It is indeed difficult because you don’t have freedom. There is congestion in the rooms. The tents are too hot to live in on sunny days. The food served cannot satisfy your hunger. The quality of the food should be improved. The water supplied should be treated. And there is need to provide more toilets for convenience.”¹⁵⁹

In Gombe, the growing IDP population has put strains on resources and relationships. “Here in Gombe, the population is growing everyday as people arrive with their luggage from mostly Yobe and Borno IDP camps, while others settle in far areas out of town. For a long time, they had nothing to do and the young boys among them take to hawking, or even stealing, while young girls among them are hurriedly married off cheaply—probably to avoid unwanted pregnancies since they walk around.”¹⁶⁰ Some civilians feel that SEMA and NEMA are underequipped, largely as a result of government funding, and complain that the distribution of the materials in camps has been politicized.¹⁶¹

¹⁵⁶ CIVIC interview, Bauchi state, June 2015.

¹⁵⁷ UN News Centre, “Nigeria: UN rights expert condemns ‘heinous’ attack against displaced persons’ camp”, September 16, 2015, <http://www.un.org/apps/news/story.asp?NewsID=51897#.VftTeJIVikp>.

¹⁵⁸ CIVIC interview, Borno state, August 2015.

¹⁵⁹ CIVIC interview, Borno state, July 2015.

¹⁶⁰ CIVIC interview, Gombe state, July 2015.

¹⁶¹ CIVIC interview, Adamawa state, June 2015.



Image © Ed Kashi/VII.

The Madrassa Tarbiyyatul Aulad koranic school teaches both almajiris, or street kids, and locals from this impoverished area of Sokoto, Nigeria on April 13, 2013.

THE WAY FORWARD

It is time for the Nigerian government to re-evaluate its military operations, and emerge with a population-centric doctrine that puts greater emphasis on addressing conflict drivers, protecting its civilians from Boko Haram, and simultaneously minimizing harm from its own actions.

The security calculus of the Nigerian State has often failed because it does not prioritize critical aspects of social and national development. For instance, the basic social, economic, and even military conditions necessary for effective national security are not met.

As one Nigerian author wrote, “This state of inequality, unfairness, and injustice has toughened the people, forcing them to take their destiny in to their hands.”¹⁶² The result has been a normalization of violence, and a collapse of the social contract that requires civilians in a modern society to be protected at all costs. This disruption occurs in part because Nigeria still suffers from a colonial security apparatus that was established to control and extort the people, and not protect them.¹⁶³

¹⁶² Egwu, S. (2000). The Origin, Nature and Politics of the Niger-Delta Crisis: The consequence of violence on the future of youths. A paper at workshop on the reorientation of youths / students for the cause of peace and democratic stability in the Niger Delta, Akwa-Ibom Uyo (May).

¹⁶³ Jibrin Ibrahim, “The norms for civil-military relations in Nigeria”, Premium Times, October 28, 2013, <http://www.premiumtimesng.com/opinion/147394-norms-civil-military-relations-nigeria-jibrin-ibrahim.html>.

As Nigeria reforms its military and reshapes its strategy to effectively restore security, government and military leaders need to prioritize policies to protect civilians. Efforts to empower civil society groups to take positions of leadership should also be expanded, as well as their ability to coordinate with community members to improve their community's well-being. Overall, communities must play a larger role in self-protection, policing, and security. Schools, markets, places of worship, and roadways must be secured. The preeminence of protecting the "civilian" against threats must be the defining element of contemporary Nigeria. The acquiescence to bloodletting in the Northeast must end immediately. Civil society organizations, with support from grassroots media, can play an important role in creating public information campaigns, and facilitating a national dialogue to humanize the conflict, thereby shifting the views of all Nigerians toward a mindset of protection.

At its most basic level, the key to counter-insurgency rests in protecting the population and gaining their trust. Our research confirms that government legitimacy and effectiveness will be critical to addressing the underlying issues that give rise to Boko Haram. If the Nigerian government and regional armed forces are unable to maintain legitimacy and improve protection, their overarching mission will be undermined.

To deliver on this mission, security forces must develop a protection mindset: clear harm mitigation policies, tools, practices, and appropriate standard operating procedures (SOP) to address how harm will be investigated and responded to when it does occur. This has been done effectively in other recent conflicts, and best practices exist for Nigerian leaders to draw from.

First and foremost, this shift to civilian protection has to begin with Nigeria's leaders. Following strong leadership and adequate resourcing, security personnel must then be better equipped and trained to shift their mindset—and their operational approach—to one of proactive civilian protection and harm mitigation. This must include revising existing rules of engagement, strengthening complaint mechanisms, developing clearer communication strategies, ensuring robust pre-deployment training, putting in place mechanisms for tracking incidental harm, and operationalizing measures to assist victims of the conflict.

The likelihood that Boko Haram and related threats will be eradicated in three months—as called for by President Buhari in August 2015—is low.¹⁶⁴ Boko Haram will continue to adapt to changing circumstances. Some elements will remain ideologically driven, while other components will be driven by individual grievances, political manipulation, and opportunism. While creating strategies to deal with these evolving threats will be difficult, a civilian protection-centered approach is the best option for long-term peace.

¹⁶⁴ "Boko Haram crisis: Nigerian military chiefs given deadline", BBC, August 13, 2015, <http://www.bbc.com/news/world-africa-33913305>.



RECOGNIZE. PREVENT. PROTECT. AMEND.

About the Report

This report explores the experiences of civilians and armed actors living through the conflict in northeastern Nigeria. The ultimate goal is to better understand the gaps in protection from all sides, how civilians perceive security actors, and what communities expect from those who are supposed to protect them from harm. With this understanding, we analyze the structural impediments to protecting civilians, and propose practical—and locally informed—solutions to improve civilian protection and response to the harm caused by all armed actors in this conflict.

About Center for Civilians in Conflict

Center for Civilians in Conflict (CIVIC) works to improve protection for civilians caught in conflicts around the world. We call on and advise international organizations, governments, militaries, and armed non-state actors to adopt and implement policies to prevent civilian harm. When civilians are harmed we advocate the provision of amends and post-harm assistance. We bring the voices of civilians themselves to those making decisions affecting their lives.

The organization was founded as Campaign for Innocent Victims in Conflict in 2003 by Marla Ruzicka, a courageous humanitarian killed by a suicide bomber in 2005 while advocating for Iraqi families.