

# NIGERIA

## Protection in the Northeast

### Key findings

- |   |  |
|---|--|
| <b>Physical safety and security</b>     | <ul style="list-style-type: none"> <li>• Sporadic and asymmetric attacks continue in Borno, Adamawa and Yobe states despite claims that the insurgency group Boko Haram (BH) has been defeated. Children and women with infants strapped to their backs are being used as suicide bombers.</li> <li>• Use of improvised explosive devices (IEDs) continue to increase the number of casualties, limit movement, and access to livelihood opportunities, especially in areas like Damboa, Marte, Gwoza and Bama where operations are still ongoing..</li> <li>• In the last month, there have been two accidental attacks by the military on IDPs, in Ngala and Kala-Balge LGAs, raising concerns.</li> <li>• Referral, report and treatment mechanisms are lacking for many victims of sexual and gender-based violence (SGBV), which is underreported.</li> </ul> |
| <b>Forced relocations</b>               | <ul style="list-style-type: none"> <li>• Indications are that relocations are being induced, and may not always be voluntary, because of the government’s plan to close all camps by 29 May 2017.</li> </ul>   |
| <b>Housing, land, and documentation</b> | <ul style="list-style-type: none"> <li>• 99% of people in newly accessible areas lack legal documentation, which prevents access to essential services.</li> <li>• Tensions are reported between IDPs occupying abandoned buildings and returnees to those buildings.</li> </ul>   |

### Child protection

- 9,555 internally displaced households have children at risk of exploitation and abuse in Borno state.
- 78% of the 6,848 unaccompanied and separated children in newly accessible areas in Borno state have lost both parents due to the conflict.
- The increase in poverty has resulted in more girls being married, both to generate revenue from the bride price and to reduce the economic burden on parents. Girls abducted by BH are reportedly married to fighters as trophies.

### Report limitations

Underreporting of SGBV incidents from fear of stigmatisation and further victimisation. Some longstanding cultural or religious practices such as early marriage and child labour are underreported as they are culturally accepted. Little information is available on the situation in inaccessible areas. Comprehensive information is lacking regarding missing people.

### Overview

The BH insurgency and the military’s counterinsurgency has resulted in a severe crisis in Nigeria’s northeast. More than 20,000 people have been killed and 4,000 women and girls abducted since the conflict began eight years ago (OCHA 13/01/2017). 1.6 million people remain internally displaced (UNICEF 15/01/2017).

The number of people with protection needs has grown from 2.6 million in 2015 to 6.7 million in 2017, as areas that were previously held by BH have been become accessible (OCHA 15/03/2015; 13/01/2017). Needs result from attacks on communities, chronic insecurity, and violations of human rights and international humanitarian law. Women and children, who make up 55% of the displaced population, are most critically affected. Many men have been killed, detained, or are otherwise unaccounted for (UNICEF 15/1/2017; MSF 31/11/2016). Sexual and gender-based violence is frequent, as vulnerable populations adopt negative coping strategies like transactional sex and the sale and use of illicit drugs (UNHCR 11/2016).

## Physical safety and security

The security situation in many areas remains volatile and returnees are at risk of repeat attacks. Of the 95% of IDPs with an intention to return home, 76% stated that they would not return home without being sure of improved security (IOM 10/2016).

However, in displacement sites there are also security challenges. Security incidents such as hostilities between IDPs and host community members or between IDP groups, destruction of property, and physical violence have been reported, especially in newly accessible areas (UNHCR 11/2016).

### Mines and UXO

The risk of encountering road-planted IEDs and other unexploded ordnance (UXO) persists, restricting movement and return of IDPs. BH has used anti-personnel, anti-vehicle and road-planted IEDs since 2011. They have planted IEDs to prevent farmers from returning to their land and to discourage their captives from trying to escape (UNHCR 11/2016).

39% of households in Dikwa, Ngala and Munguno LGAs, all in Borno state, have witnessed or heard reports of mines or unexploded devices around their current displacement sites (UNHCR 11/2016).

The military carries out demining activities.

### Suicide bombings

Despite a statement from the government that BH has been defeated and chased out of its home base in the Sambisa Forest, attacks continue, primarily on soft targets (Premium Times 23/12/2016, Daily Trust 25/12/2016). As it has lost territory, BH has returned to earlier tactics, carrying out suicide attacks rather than storming villages. In the last two months, civilian populations in crowded places like markets, a university, mosques, and IDP camps have been targeted (Premium Times 16/01/2017; The Guardian 31/01/2017). BH has shown its capacity to launch coordinated attacks in extreme locations and in different states. The use of IEDs results in a higher number of casualties, more severe damage and is said to be more effective than the use of guns (PI 01/02/2017). The twin suicide bombing in Madagali market, Adamawa state, in December 2016, for instance, left 56 people dead and 177 others injured (Vanguard 09/12/2016).

19 children, mainly young girls, have so far been used in suicide attacks. Babies are also being used as cover for person-borne improvised devices (PBIED) (Channels TV 25/01/2017).

## Accidental attacks

Also of note are two assaults on IDP populations by the military that have been described as accidents based on misinformation. Last month, soldiers shot and killed 16 IDPs fetching firewood in Ngala LGA, having mistaken them for members of BH. The Air Force dropped bombs on an IDP camp in Rann, Kala-Balge LGA. While some sources report 50-57 people died, 235 bodies were buried (Punch 18/01/2017; OCHA 31/01/2017; Vanguard 25/1/2017). A few days later BH attempted to attack the same camp (Premium Times 20/01/2017).

Beyond needing immediate protection from injury and death, populations at risk of such attacks also face restricted movement and disrupted livelihoods.

## Sexual and gender-based violence

31% of displaced households in eight local government areas (LGAs) in Borno state include women and girls with protection needs (UNHCR 11/2016). Rape, sexual exploitation, and other forms of SGBV are high risks among displaced women and girls. Camp officials and soldiers use their position of authority, gifts of food, promises of marriage, material/financial assistance to pressure women into sex. Reports that women and girls still have to trade sex for freedom of movement in and out of camps in order to access livelihood opportunities persist (OCHA 13/01/2017). If women and girls become pregnant from such relations, they are commonly abandoned (HRW 31/10/2016; Punch 02/02/2017).

Harassment of women and girls has been reported in both camps and host communities, often in the course of conducting daily activities such as fetching water, collecting firewood, and using latrines and showers (UNHCR 11/2016). Overcrowding in IDP settlements, lack of privacy in shared accommodation, and limited WASH facilities place women and girls at heightened risk of SGBV (UN 20/12/2016).

Absence of referral or reporting mechanisms for victims, and the stigma and fear of further victimisation, make it difficult for victims to seek redress and treatment where available (IOM 31/12/2016).

## Other forms of sexual abuse

Traditional family roles have changed with an increase in the number of female and child headed households. With 5,626 female headed households in eight newly accessible areas in Borno state alone, many women are now responsible for providing for their families. This is made particularly difficult because cultural practices put them at a disadvantage in economic terms.

## Stigmatisation and discrimination

Women and girls known or suspected to have associated with BH members, voluntarily or by force, suffer stigma, and they and their children are often marginalised. Children born after consensual or forced sexual intercourse with BH fighters are perceived as a security threat by their family and the community. It is frequently believed that they will grow up to be just like their fathers (UNHCR 11/2016).

The military has detained some wives and children of BH members in a holding centre for extended periods of time. They are held under heavy guard, prevented from leaving the premises, and regarded as security threats (ICG 05/12/2016). Even after being screened by the military, the fear that they may have been radicalised persists within their communities, bringing about further stigmatisation. The government's widely publicised investigations into allegations of abuse by officials have been flawed. The names and contact information of victims are said to be recorded for easy identification, exposing them to more harm (PI 21/12/2016).

## Extrajudicial punishment

Extrajudicial executions have been carried out by members of the security forces. Inhumane treatment and deaths of civilian detainees, including children have also been reported. The military's struggle to combat BH's tactics has led to indiscriminate killing, abuse and detention.

Video footage and testimonies have shown Nigerian forces and vigilante groups killing BH suspects and dumping their bodies in mass graves (SCMP 05/08/2014, HRW 12/01/2017).

The militarisation of areas of return is a growing concern. The military controls many camps and has a strong presence in liberated areas. While they provide security and maintain peace and order, they have also replaced the civilian democratic authorities and do not always comply with the law and due process (PI 27/01/2017).

## Illegal detention

Considerable evidence also exists on the deaths and inhumane treatment of civilian detainees, including children who are suspected of collaborating or having links with the insurgents (PI 27/01/2017).

Individuals suspected of either being insurgents or associated with insurgents are detained upon entering IDP camps without due process and without access to legal services (PI 27/01/2017). Human rights groups have claimed there is no proper legal process for civilians detained by the army during the counter-insurgency (BBC 28/10/2016).

In early 2016, 1,200 people were held in Giwa Barracks Detention Centre, Maiduguri, including at least 120 children (NYT 18/08/2016). 149 people died in Giwa due to neglect in the first five months of 2016. Evidence from interviews, photos, and videos show that detainees died from disease, hunger, dehydration, and gunshot wounds (Amnesty 11/05/2016).

Many, especially men of fighting age, may not be immediately detained after military screening, but are repeatedly arrested and detained by the police, Department of State Security (DSS), or Nigeria Security and Civil Defence Corp (NSCDC) (PI 2/3/2017).

## Child detention

The exact number of under-18 detainees and their verified location is yet to be ascertained. Difficulties are reported gaining access to detention centres to monitor well-being, assess needs, and prepare for release and reintegration (UNHCR 11/2016).

In November 2016, the UN negotiated the release of 876 children held in a military barracks in Maiduguri (BBC 28/10/2016). At least four babies and seven children under the age of six died of neglect while held captive in the Giwa barracks detention centre during the first half of 2016. Boys were held in a separate cell and were not allowed to communicate with their families (Amnesty 11/05/2016).

## Forced returns

98.5% of displaced persons wish to return to their place of origin if the security and economic situation allows and if they have access to livelihood opportunities (IOM 10/2016). The return of IDPs is not being carried out in a manner that guarantees security and safety, and their access to essential services (PSWG 19/01/2017). Some returning IDPs are finding themselves in situations of secondary displacement, as insecurity prevents them from reaching their villages, and instead they have to stay in sites in their LGA headquarters (UNHCR 10/2016; UNHCR 11/2016). Some villages have been entirely destroyed, and IDPs have nothing to return to. Many have been induced to leave camps and return home. Despite factors such as massive destruction to their homes and communities, IDPs from Ngala, Borno state who are living in camps are being asked to return in order to create space for IDPs coming from further away (CCCM Sector 23/01/2017). The government's plan to close all camps by May 29, 2017 has been criticised for lacking a policy and legal framework for the transition from the state of emergency to civilian control (PSWG 24/01/2017).

## Child protection

In Adamawa, Yobe, and Borno, the three most affected states, more than 50% of the seven million people in need of humanitarian assistance are children. Over 380,000 children have been displaced in the area and others have been killed, maimed, or abducted. Physical and emotional abuse of children separated from their families is reported (IOM 20/12/2016). 78% of the 20,000 unaccompanied/separated children have lost both parents and, as well as other vulnerabilities, face an increased risk of detention as a result of counter-terrorism operations. Children born of sexual violence are at particular risk of abandonment and violence, as it is perceived that they will eventually turn on the community (UNICEF; OCHA; UNHCR 10/2016; UNHCR 11/2016;).

Two 'baby factories' have been discovered in Borno state by the government since September 2016 (Premium Times 12/1/2017). At such factories, new babies born to women who do not want them or cannot keep them are sold (Premium Times 20/6/2014).

The almajiri religious concept of educating young children away from home in Koran studies has been a practice since long before the crisis. Separated or orphaned children are increasingly given into the care of religious teachers - 'mallams' - who run these learning centres. Use of students by religious teachers for child labour is common. It is also a fertile ground for recruiting young boys to carry out violent and politically motivated crimes.

Maiduguri has seen an increase in the number of children begging in the street. This increase is linked to the increase in the IDP population in the area since 2015. (PI 31/1/2017; The Nation 5/1/2017).

## Child labour

4,901 children in eight newly accessible areas in Borno state are engaged in hawking or begging, some as young as five. Others collect firewood for sale, an activity that puts girls at particular risk of assault. Similar situations could be found in Monguno, Bama, Damboa, Dikwa, Konduga, Mafa, Magumeri and Shani (UNHCR 11/2016). In Kaga LGA, 45% of children in Benisheikh and Ngamdu reportedly engage in hawking or begging while 18% engage in work (Coopi 30/11/2016).

## Illegal recruitment

BH has recruited children to support roles and in combat, including as human shields for its fighters and as suicide bombers (Daily Times 16/01/2017). The civilian joint task force (CJTF) uses children as spies and messengers.

Children as young as 10 are being killed by the military or CJTF in their effort to foil suicide bomb attacks. Children make up a growing proportion of suicide bombers, which makes them more likely to be suspects and targets, and more likely to be killed or detained. The serious threat of arrest by the military or forced recruitment by BH has forced many men and young boys to flee their communities (UNHCR 10/2016). IDP camps are reportedly grounds for BH recruitments (PI 20/12/2016).

## Housing, land and property

The humanitarian crisis has brought to the fore longstanding issues regarding housing, land, and property (HLP). Lack of information about security of tenure and proper documentation puts IDPs in host communities in a more vulnerable position and at the mercy of landlords. IDPs are evicted at will and terms of agreements frequently change.

Women have greater difficulty obtaining accommodation and securing legally binding tenancy agreements because of traditional gender roles. In addition, oral evidence from women is believed to carry less weight, therefore landlords often prefer not to do business with them. With the increase in the number of female-headed households, there are more households facing tenancy problems.

The absence of documentation and signed agreements on land ownership or tenancy is likely to lead to problems as IDPs return home (PI 18/1/2017).

## Lack of documentation

Lack of legal documentation hinders access to financial services, livelihood opportunities, education and other essential services. It is a longstanding issue that has become more problematic since the crisis erupted. Many IDPs did not have any legal documentation before the crisis. This includes 99% of people in newly accessible areas (UNHCR 11/2016).

Members of many communities have gone for decades without legal documentation. The insurgency has however changed lifestyles, and increased need for documentation. Many of those who had some documentation lost it when they fled for safety. Those affected face challenges in recovering their lost documents. Survivors have difficulty claiming the property of people who have died (NRC 04/10/2016).

Donors and agencies require the identity of beneficiaries, making the lack of legal documentation more problematic; biometric data registration done by implementing partners does not suffice (PI 02/02/2017). Without a valid means of identification, the difference between arrest or freedom can be physical recognition by a community leader or fellow IDPs, whose assessment may not always be objective.

Births most often occur at home, and registration can be challenging. At public hospitals, particularly in rural areas, birth certificates are only issued upon request and a fee must be paid. The distance to registration centres like National Identity Management Commission (NIMC), Federal Road Safety Commission (FRSC) and the Nigerian Immigration Service (NIS) coupled with the cost of these documents make access impossible (PI 18/01/2017).

## Information gaps and needs

- No comprehensive record of the number of missing people or those otherwise unaccounted for.
- Limited information is available for many specific issues, for example the number of women and girls forced into marriage, the number of children abandoned and IDPs who have been forced or induced to return.
- More comprehensive assessment to ascertain the extent of increase in forced marriage and abandonment of children is needed.

## Lessons learned

- More protection mainstreaming as part of sectoral intervention efforts is necessary.
- More education about the importance of legal documents and HLP rights is needed.
- The process of acquiring legal documents and contractual agreements needs to be eased, as current difficulties like distance, cost and requirement discourage interested individuals.
- Stronger and more referral/report mechanisms for victims of SGBV should be present in camps, particularly in host communities where the majority of IDPs are.
- With no information from areas newly liberated by the army and accessible to humanitarian partners, protection intervention is limited.
- Lack of basic infrastructure and services in place to respond to protection needs.
- Number of protection partners not enough to address the needs of the very high number of IDPs.

- Cultural values mask the extent of protection needs. Practices that are considered abuse may be disregarded.