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# Spiraling Violence

Boko Haram Attacks and Security Force Abuses in Nigeria



# **Spiraling Violence**

**Boko Haram Attacks and Security Force Abuses in Nigeria**

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# Spiraling Violence

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## Glossary

**Boko Haram:** The name commonly used by Nigerian and foreign media to refer to the militant Islamic group. *Boko* in Hausa means “Western education” or “Western influence” and *haram* in Arabic means “sinful” or “forbidden.”

**Hausa:** The lingua franca of northern Nigeria.

**Jama’atu Ahlus-Sunnah Lidda’Awati Wal Jihad:** The formal name for Boko Haram and the name the group prefers to use when referring to itself. It means “People Committed to the Propagation of the Prophet’s Teachings and Jihad.”

**Joint Military Task Force (JTF):** Hybrid government security forces, primarily comprised of military, police, and State Security Service personnel, deployed to various northern Nigerian states to respond to the Boko Haram violence.

**Naira:** Nigeria’s currency, with an approximate value of 160 naira to 1 US dollar in this report.

**Police Mobile Force (MOPOL):** Nigeria’s anti-riot police, commonly dressed in black and green uniforms.

**Sharia:** Religious legal, civic, and social code in Islam based on the Quran, sayings of the Prophet Mohammed, and judgments of Islamic scholars.

**State Security Service (SSS):** Nigeria’s secret police and its internal intelligence agency.







## **Summary and Recommendations**

Rescue workers evacuate a wounded man from the United Nations building in Nigeria's capital, Abuja, following a suicide car bomb attack on August 26, 2011 that killed 25 and injured more than 100. Boko Haram claimed responsibility for the attack.  
© 2012 Getty Images/Henry Chukwuedo





# SPIRALING VIOLENCE

Boko Haram Attacks and Security Force Abuses in Nigeria



Nigerian police and soldiers view the scene of a suicide car bomb attack on the St. Theresa Catholic Church in Madalla, Niger State, on December 25, 2011 that killed 43 and injured dozens. Boko Haram claimed responsibility for the bombing.

© 2011 Reuters/Afolabi Sotunde



**Since July 2009, suspected members of Boko Haram, an armed Islamic group, have killed at least 1,500 people in northern and central Nigeria. The group, whose professed aim is to rid the country of its corrupt and abusive government and institute what it describes as religious purity, has committed horrific crimes against Nigeria’s citizens.**

Boko Haram’s attacks—centered in the north—have primarily targeted police and other government security agents, Christians worshiping in church, and Muslims who the group accuses of having cooperated with the government. Boko Haram has carried out numerous gun attacks and bombings, in some cases using suicide bombers, on a wide array of venues including police stations, military facilities, churches, schools, beer halls, newspaper offices, and the United Nations building in the capital, Abuja. In addition to these attacks, the group has forced Christian men to convert to Islam on pain of death and has assassinated Muslim clerics and traditional leaders in the north for allegedly speaking out against its tactics or for cooperating with authorities to identify group members. Following Boko Haram attacks on Christians this year, United Nations High Commissioner for Human Rights Navi Pillay said that the attacks may constitute crimes against humanity if judged to be deliberate acts leading to population “cleansing” based on religion or ethnicity.

**Forty-three people were killed in the December 25, 2011 bombing of the St. Theresa Catholic Church in Madalla, Niger State. According to church officials, twenty-six people were church members and seventeen were passers-by.**



Police Inspector Titus Eze was a 45-year-old father of four.



Jonathan Obasi was a 46-year-old father of four and employee at the Julius Berger construction company.



Peter Ehiawaguan, a 27-year-old iron bender, was working as the traffic controller for the church on the day of the bombing.



Uche Esiri (26 years old) was three months pregnant and is survived by her husband.



Linda Obiukwu (23 years old) died with her three younger sisters, Linderlin and Queenderlin (16-year-old twins), and Cynthia (13).



Clara Iwuozor was a 44-year-old mother of one from Imo State.

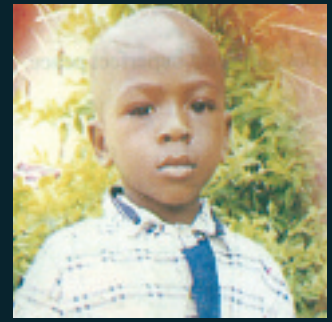


Sunday Ajah was a 22-year-old business person from Ebonyi State.



Florence Nwachukwu (37 years old) died with her 7-month-old son, Chiemerie.





| Williams Dike, a 40-year-old father died with three of his children, Lillian (10), Richard (6), and Emmanuel (4).



| Onyinye Okonkwo was a 19-year-old banking and finance student at the University of Abuja.

| Judith Oluwa was a 22-year-old IT student at Ebonyi State Polytechnic.

| Ann Aigbadon was a 38-year-old mother of four from Edo State.

| Cecilia Ebku was a 31-year-old business person from Cross River State.



| Anthony Okoronkwo, a 52-year-old civil engineer, died with his son, Innocent, a 22-year-old mechanical engineering student.

| Oluebube Pius (10) died with her sister, Chidera (5).



| Eucharia Ewoh was a 60-year-old teacher and a mother of six.

| Joseph Daniel was a 20-year-old law student at Ibrahim Badamasi Babangida University in Niger State.

Photographs of church members killed in the Madalla bombing courtesy of Our Lady Mother of Comfort Counseling/Welfare Centre







(above) A police officer executes an unarmed man in July 2009 outside the front gate of the police headquarters in Maiduguri, Borno State.

A still from video footage courtesy of Al Jazeera

(opposite) The mother of Gaddafi Soda holds up a photograph of her son who was allegedly shot and killed by police on the street in front of his house in the northern city of Kano on May 16, 2012.

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Nigeria's government has responded with a heavy hand to Boko Haram's violence. In the name of ending the group's threat to citizens, security forces comprising military, police, and intelligence personnel, known as the Joint Military Task Force (JTF), have killed hundreds of Boko Haram suspects and random members of communities where attacks have occurred. According to witnesses, the JTF has engaged in excessive use of force, physical abuse, secret detentions, extortion, burning of houses, stealing money during raids, and extrajudicial killings of suspects. These killings, and clashes with the group, have raised the death toll of those killed by Boko Haram or security forces to more than 2,800 people since 2009.

This report is based on three trips to Nigeria between July 2010 and 2012 and continuous monitoring of media report of Boko Haram attacks and statements. It explores the crimes committed by the Islamist group and also exposes and sheds light on the underreported role of Nigeria's government, whose actions in response to the violence have contravened international human rights standards and fueled further attacks. Human Rights Watch's research suggests that crimes against humanity may have been committed both by state agents and members of Boko Haram.

On December 31, 2011—after a series of Boko Haram bombings across northern Nigeria—President Goodluck Jonathan declared a state of emergency, which suspended constitutional guarantees in 15 areas of four northern states. The state of emergency, which remained in effect for six months, did not ameliorate insecurity. Nor did regulations issued in April 2012 that detailed emergency powers granted to security forces to combat the Boko Haram threat. The group carried out more attacks and killed more people during this six-month period than in all of 2010 and 2011 combined. Nigeria has kept Boko Haram suspects in detention often incommunicado without charge or trial for months or even



A police officer walks through the crime scene of a suicide car bomb attack on April 26, 2012 on the offices of *ThisDay*, a private newspaper, in Abuja. A bomb was also detonated the same day outside the newspaper's offices in the northern city of Kaduna. Boko Haram claimed responsibility for the two bombings, which left seven people dead.

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years and has failed to register arrests or inform relatives about the whereabouts of detainees. In the northern cities of Maiduguri and Kano, for example, Human Rights Watch found that the authorities no longer even bring formal charges against Boko Haram suspects. The fate of many of these individuals after their arrest remains unclear.

Civil society activists in Nigeria say that ordinary citizens fear both Boko Haram and the JTF, whose abusive tactics at times strengthen the Islamist group's narrative that it is battling government brutality. Indeed, the police's extrajudicial execution of Boko Haram's leader, Mohammed Yusuf, and dozens of other suspected members in July 2009 became

a rallying cry for the group's subsequent violent campaign. In addition, civil society activists said that because community members themselves are subjected to JTF abuses they are often unwilling to cooperate with security personnel and provide information about Boko Haram, which impedes effective responses to the group's attacks.

A complex mixture of economic, social, and political factors had provided a fertile environment for Boko Haram. These include endemic corruption, poverty (which is more severe in large parts of the north than in other parts of the country), and impunity for violence, including horrific inter-communal killings and human rights abuses by security forces. These deeply entrenched problems cannot be easily resolved. Nonetheless, all parties should respect international human rights standards and halt the downward spiral of violence that terrorizes residents in northern and central Nigeria.

The group's new leader, Abubakar Shekau, took over after Yusuf's death in July 2009, but since then the group has gone underground leading to much speculation about the



composition of the group's leadership and organizational structure, and possible factions, sponsors, and links with foreign groups, such as Al Qaeda in the Islamic Maghreb (AQIM). While some analysts believe the group is divided into factions, others argue that Boko Haram has evolved into a cell-based organization that remains unified under Shekau's control. Complicating the matter are criminal gangs in the north, including political thugs, that are suspected of committing crimes under the guise of Boko Haram. Despite Boko Haram's clandestine nature, the largely consistent pattern of attacks documented in this report suggests a degree of coordination or organizational control within the group.

Although Boko Haram is a non-state actor and is not party to international human rights treaties, it has a responsibility to respect the lives, property, and liberties of Nigerians. The group should immediately cease all attacks on Nigeria's citizens, including attacks on the right to freedom of expression and religion, such as assaults on media and

Two victims, Umaru Garba (front) and Femi Johnson (rear), of a suicide car bomb attack by a suspected Boko Haram member in the northern city of Kaduna on April 8, 2012, receive treatment at St. Gerard's Catholic Hospital. The Easter Day bombing killed at least 41 people, both Muslims and Christians.

© 2012 AP Photo/Sunday Alamba

churches, and attacks on schools that undermine children's right to education.

For its part, Nigeria's government has a responsibility to protect its citizens from violence, but also to respect international human rights law related to the use of force by its security forces, treatment of detainees, prohibition of torture, and the obligation to hold speedy and open trials. These rights are guaranteed by various international treaties, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, which Nigeria has ratified. Nigerian authorities should also prosecute the perpetrators of crimes, by either Boko Haram or



A police officer walks past shops destroyed in a suicide car bomb attack at the entrance to the Bompai police barracks near the police headquarters in the city of Kano. At least 185 people were killed during coordinated attacks by Boko Haram members on police facilities in the city on January 20, 2012.

© 2012 AP Photo/Sunday Alamba

government security forces—something they have so far largely failed to do.

Nigeria's international partners, including the United States and United Kingdom, have expressed concern about the intensifying violence in Nigeria, human rights violations, and government failures to address the underlying causes of the violence. They should continue to press Nigeria's government to protect human rights, increase security for citizens at risk of further attacks, rein in abusive security forces, bring to justice the perpetrators of violence, and meaningfully address corruption, poverty, and other factors that have created a fertile ground for violent militancy.

In 2010 the situation in Nigeria was placed under preliminary examination by the Office of the Prosecutor of the International Criminal Court (ICC)—to which Nigeria became a party in 2001. In July 2012 the ICC prosecutor visited Nigeria. The ICC should continue to monitor Nigeria's efforts to hold perpetrators to account and press the government, consistent with its obligations under the Rome Statute and the principle of complementarity, to ensure that individuals implicated in serious crimes in violation of international law, including crimes against humanity, are thoroughly investigated and prosecuted.



Police officers stand guard outside the police headquarters in the city of Kano following a suicide car bomb attack on January 20, 2012 by Boko Haram.

© 2012 AP Photo/Sunday Alamba

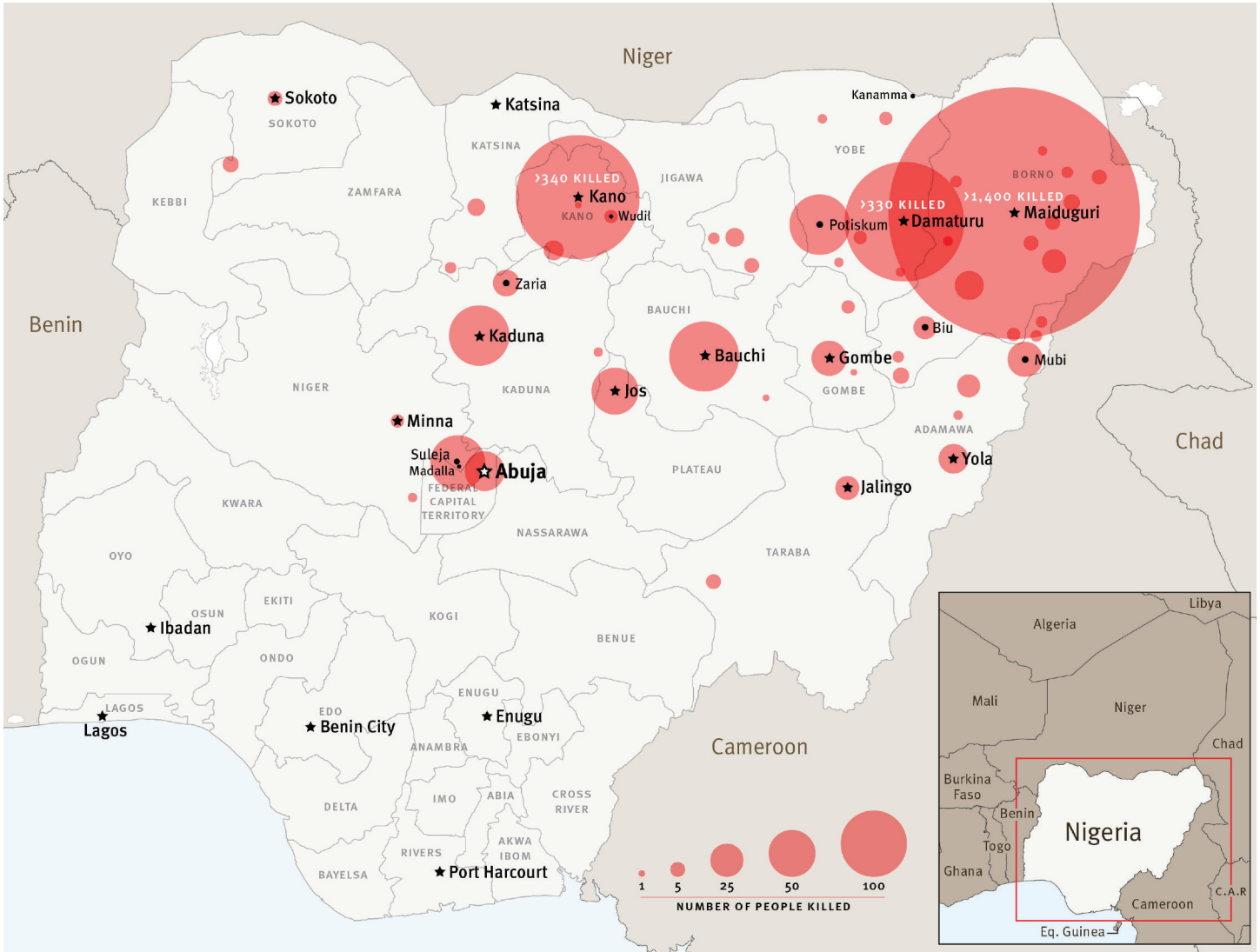


Primary school students on May 12, 2012 stand outside the main auditorium of the Maiduguri Experimental School, a private school in Maiduguri that was burned down by suspected Boko Haram members.

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# ESTIMATED NUMBER OF PEOPLE KILLED BY BOKO HARAM OR GOVERNMENT SECURITY FORCES BETWEEN JULY 2009 AND SEPTEMBER 2012



Circles are sized according to the estimated number of deaths and are placed at the city, town, or local government area where the deaths occurred. Information is based on Human Rights Watch monitoring of Nigerian and foreign media reports of suspected Boko Haram attacks, clashes between Boko Haram and government security forces, and alleged killings by the security forces of either Boko Haram suspects or members of communities where Boko Haram has carried out attacks.

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# RECOMMENDATIONS

## TO THE GOVERNMENT OF THE FEDERAL REPUBLIC OF NIGERIA

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- Provide additional security personnel to protect vulnerable communities, including Christian minorities in the north and Muslims, among them clerics and traditional rulers, who oppose Boko Haram.
- Ensure that prompt and thorough investigations are conducted into allegations of arbitrary detention, use of torture, enforced disappearances, and deaths in custody. Ensure that the relevant authorities prosecute without delay and according to international fair trial standards all security force personnel implicated in any of these abuses.
- Repeal or reform portions of the Terrorism (Prevention) Act that contravene international human rights and due process standards, including the designation and banning of organizations as terrorist groups without providing judicial appeal, and the power to detain suspects for prolonged periods without formal charge.
- Enact legislation to domesticate the International Criminal Court's Rome Statute, which Nigeria ratified in 2001, including criminalizing under Nigerian law genocide, war crimes, and crimes against humanity, consistent with Rome Statute definitions.
- Enact legislation that criminalizes torture under domestic law according to international standards, including the Convention against Torture.
- Protect the due process rights of all detainees.
  - Compile, maintain, and make available to those who need it, including detention center inspectors and family members, a list of detention facilities and detainees in custody.
  - Immediately permit access to lawyers for detainees.
  - Provide immediate and unhindered access for independent monitors to all detention facilities without prior notification.
  - Bring detained suspects promptly to a public civilian court and ensure that they are either charged with a recognizable crime or released.
- Immediately order security forces to stop all harassment and abuse of citizens and the destruction of property, in line with domestic law and international human rights standards.
- Ensure, consistent with Nigeria's obligations under the Rome Statute and the principle of complementarity, that prompt and thorough investigations are conducted into allegations of serious crimes committed by government security personnel in violation of international law, including extra-judicial killings, physical abuse, stealing of property, and burning of homes, shops, and vehicles. Ensure that relevant authorities prosecute without delay and according to international fair trial standards anyone implicated in these abuses.
- Ensure, consistent with Nigeria's obligations under the Rome Statute and the principle of complementarity, that relevant authorities prosecute without delay and according to international fair trial standards all Boko Haram suspects implicated in serious crimes committed in violation of international law, including crimes against humanity.
- Enact a robust witness protection program for Nigerians who denounce Boko Haram attacks or security force abuses.

## RECOMMENDATIONS

- Provide additional protection to schools at risk of attack and take steps to mitigate the impact of attacks on children’s right to education.
  - Prepare in advance a rapid response system so that when attacks on schools occur, schools are quickly repaired or rebuilt, and destroyed education material replaced. Ensure that during construction students receive delivery of education at alternative locations and, where appropriate, psychosocial support.
  - Designate a senior official in each state affected by Boko Haram attacks on schools to implement and oversee monitoring of the rapid response system to ensure immediate repair and rebuilding of schools damaged in attacks.
- Take urgent measures to address factors that give rise to militancy in Nigeria.
  - Ensure that the progressive realization of the right to health and education is recognized and implemented for all Nigerians, without discrimination, including through budget allocations.
  - Renew efforts to tackle endemic government corruption by increasing the independence of Nigeria’s leading anti-corruption agency, the Economic and Financial Crimes Commission, through greater security of tenure for its chairperson; strengthening the capacity of overburdened federal courts by improving institutional and infrastructural support to the judiciary; and ensuring that all government officials, including police personnel, implicated in corruption are investigated and prosecuted without delay and according to international fair trial standards.
  - Ensure that relevant authorities investigate and prosecute without delay those responsible for inter-communal violence, including for ethnic and sectarian killings in Kaduna and Plateau states; and enact legislation to end divisive state and local government policies that discriminate against “non-indigenes,” people who cannot trace their ancestry to the original inhabitants of an area.

### TO THE NIGERIAN MILITARY

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- Fully investigate reports of human rights abuses committed by soldiers.
- Suspend military personnel against whom there are credible allegations of human rights abuses, pending investigations.
- Refer military suspects of human rights abuses to the civilian courts for criminal investigation. Fully cooperate with any criminal investigation into the conduct of military personnel.
- Establish effective channels for residents to report incidents of abuse carried out by military personnel, and ensure that each is followed up with a transparent and credible investigation.

## TO BOKO HARAM

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- Immediately cease all attacks, and threats of attacks, that cause loss of life, injury, and destruction of property.
- Take all necessary steps to comply with the principles of international human rights law.
- Cease all attacks on the right to freedom of expression and religion, such as assaults on media and churches.
- Cease all attacks on schools or threats that undermine children's right to education.
- Comply with international standards to refrain from incitement to acts of violence.

## TO NIGERIA'S INTERNATIONAL PARTNERS, INCLUDING THE UNITED STATES AND UNITED KINGDOM

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- Seize every opportunity to press Nigeria to fulfill its obligations under international law regarding torture, treatment of detainees, and due process guarantees.
- Press Nigeria about reports of excessive use of force and extra-legal activity among Nigerian security forces and the importance of protecting human rights.
- Condition future aid to Nigerian security forces on clear improvements in respect for human rights and on meaningful progress in holding accountable security force personnel implicated in abuses against Nigerian citizens.
- Assist Nigeria's government in creating a witness protection program and in training security and justice-sector personnel to ensure compliance with international due process standards.

## TO THE AFRICAN UNION AND THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

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- Press Nigeria to fulfill its obligations under international and regional conventions regarding torture, treatment of detainees, and due process guarantees.
- Press Nigeria to thoroughly investigate and prosecute without delay and according to international fair trial standards all members of Boko Haram and government security forces implicated in acts of violence and abuse.

## TO THE INTERNATIONAL CRIMINAL COURT

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- Continue to assess whether crimes committed in Nigeria constitute crimes under the ICC's jurisdiction, and monitor the government's efforts to hold perpetrators to account, including through periodic visits to Nigeria.
- Continue to press Nigeria, consistent with its obligations under the Rome Statute and the principle of complementarity, to ensure that individuals implicated in serious crimes committed in violation of international law, including crimes against humanity, are investigated and prosecuted according to international fair trial standards.

## Methodology

This report is based on field research in Nigeria in July 2010 and in May and July 2012, and the continuous monitoring of Boko Haram attacks and statements. It explores the crimes committed by the group and alleged abuses by Nigeria's security forces, whose actions in response to the violence have contravened international human rights standards and fueled further attacks.

Human Rights Watch conducted 135 interviews with 91 witnesses and victims of Boko Haram attacks or security forces abuses, as well as with lawyers, civil society activists, journalists, religious leaders, military and police officials, senior officials at the federal Ministry of Justice, a judge, diplomats, and foreign aid workers.

Between July 1 and 5, 2012, a Human Rights Watch researcher interviewed government officials and diplomats in Abuja, and between July 5 and 11, 2010, a researcher visited Maiduguri, Borno State, and conducted 32 interviews, including with 21 witnesses and victims of Boko Haram violence or security forces abuses that occurred during five days of violence in Maiduguri in July 2009. In addition, two Human Rights Watch researchers visited the cities of Maiduguri, Kano, Abuja, and Madalla between May 17 and 31, 2012. These locations were selected for the following reasons:

- Maiduguri, Borno State, is the scene of most of Boko Haram's attacks and alleged security force abuses. The city was the group's base before Boko Haram went underground in 2009 and remains its stronghold.
- Kano, Kano State, has suffered the second highest death toll from the violence after Maiduguri. On January 20, 2012, Boko Haram launched coordinated gun and bomb attacks on the city that killed at least 185, its single most deadly day of attacks since 2009.
- Madalla, Niger State, is the site of the December 25, 2011 bombing of St. Theresa's Catholic Church that killed 43 people—the highest death toll in a single church bombing.
- Abuja, the nation's capital, is the site of several Boko Haram bombings, including attacks on the United Nations building on August 25, 2011 and *ThisDay* newspaper offices on April 26, 2012.

Human Rights Watch has withheld the names of witnesses, many of whom expressed fear of talking openly about Boko Haram or security force abuses due to fear of reprisals. Most of the interviews were conducted in private to protect the identity of witnesses. Human Rights Watch did not give witnesses financial incentives to speak.

The report is not exhaustive. Security concerns, especially in the city of Maiduguri, hindered more extensive research. Given the sheer scope of the violence, the report has not documented numerous other incidents of suspected attacks by Boko Haram and alleged security force abuses both in the cities visited and in other locations in northern and central Nigeria. However, the research conducted, together with reports in the Nigerian and foreign media of alleged Boko Haram attacks and statements by its leaders, provides a framework for analyzing the patterns and extent of the violence.

## I. Fertile Ground for Militancy

Northern Nigeria, which is predominantly Muslim, has a long history of Islamic uprisings against the state. In the early nineteenth century an Islamic preacher named Usman dan Fodio launched a holy war against what he saw as the corrupt and unjust rule of the Hausa rulers and established the Sokoto Caliphate, and Sharia law, across much of what is today northern Nigeria.<sup>1</sup> After the British overthrew the Sokoto Caliphate in 1903, they incorporated the northern region, along with the southern territories, into the colony of Nigeria in 1914. The colonial laws in northern Nigeria, including criminal laws, retained some aspects of Sharia, but at independence in 1960 the new government limited Sharia law to civil matters.<sup>2</sup>

The first four decades following independence were dominated by a series of military coups and successive military dictatorships interspersed by short-lived civilian administrations.<sup>3</sup> During this period, radical religious groups in the north flourished and at times came into open conflict with the ruling elite, which were increasingly seen as corrupt and abusive. One such group was the Maitatsine sect, which established a large following among the urban poor in the northern city of Kano with its message that denounced the affluent elites as infidels, opposed Western influence, and refused to recognize secular authorities.<sup>4</sup> Eleven days of violent clashes between the Maitatsine and government security forces in December 1980 left more than 4,000 dead.<sup>5</sup> The military crushed the uprising and its leader

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<sup>1</sup> For a detailed history of Usman dan Fodio, see Mervyn Hiskett, *The Sword of Truth: The Life and Times of the Shehu Usman Dan Fodio* (New York: Oxford University Press, 1973). See also S.P.I. Agi, *Political History of Religious Violence in Nigeria* (Calabar: Pigasiann & Grace International, 1998), p. 29; International Crisis Group, *Northern Nigeria: Background to Conflict* (Africa Report No. 168), December 20, 2010, p. 3.

<sup>2</sup> See Human Rights Watch, “*Political Shari’a*”? *Human Rights and Islamic Law in Northern Nigeria*, vol. 16, no. 9(A), September 2004, <http://www.hrw.org/reports/2004/09/21/political-shari>, p. 13; Paul M. Lubeck, “Nigeria: Mapping the Shari’a Restorationist Movement,” in *Shari’a Politics: Islamic Law and Society in the Modern World* (Bloomington: Indiana University Press, 2011), pp. 254-57.

<sup>3</sup> The military ruled Nigeria for nearly 30 of its first 40 years of independence. Military governments were in power from 1966-1979 and from 1983-1999, with the exception of a three-month period in 1993 that saw a short-lived, military-installed interim civilian administration.

<sup>4</sup> Mohammed Marwa, the sect’s controversial leader, was accused of practicing sorcery and also allegedly claimed he was a prophet, thus alienating himself and his followers from orthodox Islam. See Paul M. Lubeck, “Islamic Protest under Semi-Industrial Capitalism: ‘Yan Tatsine Explained,’” *Africa: Journal of the International African Institute*, vol. 55, no. 4, 1985, pp. 370, 386; Toyin Falola, *Violence in Nigeria: The Crisis of Religious Politics and Secular Ideologies* (Rochester, University of Rochester Press, 1998), pp. 143-45.

<sup>5</sup> A tribunal of inquiry set up by the federal government in 1981 found that 4,177 people were killed in the violence, excluding members of the security forces who lost their lives. See Federal Republic of Nigeria, “Report of Tribunal of Inquiry on Kano

was killed, but over the next five years hundreds of people died in subsequent clashes between security forces and remnants of the group in several northern cities.<sup>6</sup>

Following the return to civilian rule in 1999, the clamor for Sharia in the north again intensified. Capitalizing on the mood, governors in 12 northern states adopted legislation that added Sharia law to state penal codes.<sup>7</sup> Christian minorities in the north opposed these moves. Although Sharia was added by state governments as a parallel law to existing penal codes, and only applied to Muslims, Christians saw it as a step toward Islamizing the north and undermining their equal rights under a secular state.<sup>8</sup> In 2000, protests against Sharia by Christians in the northern city of Kaduna led to clashes with Muslims, resulting in more than 2,000 deaths.<sup>9</sup> Regarded by many Nigerians as a ploy by northern governors to win popular support, and with limited enforcement mechanisms, implementation of Sharia soon fizzled out in most northern states.<sup>10</sup>

Meanwhile, corruption flourished. Political elites continued to enrich themselves on the nation's oil wealth, while poverty among the general population, especially in large parts of the north, deepened. Confidence in the often abusive and corrupt police eroded. Ethnic and sectarian violence further exacerbated tensions, all creating a fertile ground for Boko Haram. This section examines some of these factors in further detail.

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Disturbances,” 1981, p. 102. In addition, the police were implicated in extrajudicial killings and torture of Maitatsine members in their custody. See Paul M. Lubeck, “Islamic Protest under Semi-Industrial Capitalism: ‘Yan Tatsine Explained,’” *Africa: Journal of the International African Institute*, pp. 385-86.

<sup>6</sup> See Alan Cowell, “An Outburst of Cult Strife Tests Nigeria’s Civil Rule,” *New York Times*, November 16, 1982; “11 Killed In Clash Between Police and Outlawed Sect,” AP, April 26, 1985; “Islamic fundamentalists battle police,” Reuters, April 29, 1985.

<sup>7</sup> Under Nigeria’s federal system of government, cases tried in state Sharia courts can be appealed to Sharia courts of appeal at the state level. Decisions by the state courts can then be appealed to the federal Court of Appeal and ultimately the federal Supreme Court. See Human Rights Watch, “*Political Shari’a*”? *Human Rights and Islamic Law in Northern Nigeria*, p. 18.

<sup>8</sup> *Ibid.*, pp. 13-17, 93; International Crisis Group, *Northern Nigeria: Background to Conflict*, December 20, 2010, p. 16.

<sup>9</sup> See Human Rights Watch, *The “Miss World Riots”: Continued Impunity for Killings in Kaduna*, vol. 15, no. 13(A), July 2003, <http://www.hrw.org/reports/2003/07/22/miss-world-riots-0>, pp. 4-5.

<sup>10</sup> See Human Rights Watch, “*Political Shari’a*”? *Human Rights and Islamic Law in Northern Nigeria*, pp. 90-94; International Crisis Group, *Northern Nigeria: Background to Conflict*, December 20, 2010, p. 17; David Cook, “Boko Haram: A Prognosis,” James A. Baker III Institute for Public Policy, Rice University, December 16, 2011, pp. 7-8.

## Corruption and Police Brutality

Nigeria possesses Africa's largest oil and gas reserves—and exported US\$86.2 billion of petroleum products in 2011.<sup>11</sup> When the country gained independence from British colonial rule in 1960, such resources led many Nigerians to be optimistic about the future of their country. Human Rights Watch has documented, however, how, rather than making concrete improvements in the lives of ordinary Nigerians, oil revenues have often fueled political violence, fraudulent elections, police abuse, and other human rights violations.<sup>12</sup> Over the past few decades, poverty has increased, and key public institutions have crumbled. Several hundred billion dollars of public funds have been lost due to corruption and mismanagement.<sup>13</sup> Despite the federal government's "war on corruption," graft and corruption remain endemic at all levels of government.<sup>14</sup>

Poor governance and corruption have provided a rallying cry for Boko Haram. According to one Nigerian journalist who has interviewed senior Boko Haram leaders:

Corruption became the catalyst for Boko Haram. [Mohammed] Yusuf [the group's first leader] would have found it difficult to gain a lot of these people if he was operating in a functional state. But his teaching was easily accepted because the environment, the frustrations, the corruption, [and] the injustice made it fertile for his ideology to grow fast, very fast, like wildfire.<sup>15</sup>

As far back as 2004, early followers of Mohammed Yusuf cited corruption as motivation for their actions. Before being whisked away by the police, one of Yusuf's followers, arrested in January 2004, told a journalist: "Our group has definitely suffered a setback, but our

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<sup>11</sup> See Organization of the Petroleum Exporting Countries (OPEC), "Annual Statistical Bulletin 2012," p. 10, [http://www.opec.org/opec\\_web/static\\_files\\_project/media/downloads/publications/ASB2012.pdf](http://www.opec.org/opec_web/static_files_project/media/downloads/publications/ASB2012.pdf) (accessed August 28, 2012).

<sup>12</sup> See Human Rights Watch, "*Chop Fine*": *The Human Rights Impact of Local Government Corruption in Rivers State, Nigeria*, vol. 19, no. 2(A), January 2007, <http://hrw.org/reports/2007/nigeria0107/>; Human Rights Watch, *Criminal Politics: Violence, "Godfathers" and Corruption in Nigeria*, vol. 19, no. 16(A), October 2007, <http://www.hrw.org/node/10661>; Human Rights Watch, "*Everyone's in on the Game*": *Corruption and Human Rights Abuses by the Nigeria Police Force*, August 2010, <http://www.hrw.org/en/reports/2010/08/17/everyone-s-game-o>.

<sup>13</sup> See "Nigeria leaders 'stole' \$380bn," *BBC Online*, October 20, 2006, <http://news.bbc.co.uk/2/hi/africa/6069230.stm> (accessed September 4, 2012); Tobi Soniyi, "U.S. \$400 Billion of Oil Revenue Stolen," *ThisDay* (Lagos), August 29, 2012.

<sup>14</sup> See Human Rights Watch, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission*, August 2011, <http://www.hrw.org/sites/default/files/reports/nigeria0811WebPostR.pdf>.

<sup>15</sup> Human Rights Watch interview with Ahmad Salkida, Abuja, May 29, 2012.



objective of fighting corruption by institutionalizing Islamic government must be achieved very soon.”<sup>16</sup>

A Christian man who was abducted by Boko Haram gunmen in July 2009 and taken to Yusuf’s compound before he was released later recalled that the group’s leaders told him that:

The reason they [Boko Haram] killed government officials and police was because of corruption and injustice.... They said they are against the government because of the corruption in the government sector. Islam is against corruption, they said. If Sharia is applied, corruption would be eliminated.<sup>17</sup>

Oil provides a corrosive underpinning for official malfeasance in Nigeria. Human Rights Watch has documented how members of the governing elite have squandered and siphoned off public funds to enrich themselves at the expense of basic health and education services for most ordinary citizens.<sup>18</sup> Corrupt politicians have used oil wealth to mobilize violence in support of their political aims.<sup>19</sup>

Corruption has also infected the Nigeria Police Force, undermined the criminal justice system, and fueled police abuses. Human Rights Watch has documented how police routinely extort money from victims of crimes to initiate investigations or from suspects to drop investigations. High-level police officials have embezzled and mismanaged vast sums of money meant for basic police operations, leaving officers on the ground with few resources to ensure public security. Senior officers also enforce a perverse system of “returns,” in which rank-and-file officers pay a share of the money extorted from the public up the chain of command.<sup>20</sup> The police have been implicated in frequent extortion-related

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<sup>16</sup> “Detained Nigerian militant pledges Islamic struggle,” Reuters, January 13, 2004.

<sup>17</sup> Human Rights Watch interview with a Christian man [name withheld], Maiduguri, July 9, 2010.

<sup>18</sup> See, for example, Human Rights Watch, “*Chop Fine*”: *The Human Rights Impact of Local Government Corruption in Rivers State, Nigeria*.

<sup>19</sup> See Human Rights Watch, *Politics as War: The Human Rights Impact and Causes of Post-Election Violence in Rivers State, Nigeria*, vol. 20, no. 3(A), March 2008, <http://www.hrw.org/en/reports/2008/03/26/politics-war-0>; Human Rights Watch, *Criminal Politics: Violence, “Godfathers” and Corruption in Nigeria*.

<sup>20</sup> See Human Rights Watch, “*Everyone’s in on the Game*”: *Corruption and Human Rights Abuses by the Nigeria Police Force*.

abuses, including arbitrary arrests, torture, and extrajudicial killings. Nearly all of these crimes have been committed with impunity.<sup>21</sup>

Boko Haram leaders blame Western influence in Nigeria for corrupting the country's leaders and corroding the criminal justice system. The Christian man mentioned above, who was abducted by Boko Haram gunmen in July 2009, recalled what one of their leaders told the captives:

[B]efore Western education in the northern area the emir would sort it [criminal matters] out. But after Western education, the police come and take bribes from the complainant and from the accused, and the person who pays the highest gets justice.<sup>22</sup>

While professing to oppose such corruption, Boko Haram has at times openly exploited it for its own ends. In August 2011, for example, Boko Haram claimed it succeeded in carrying out a car bomb attack on the United Nations office in Abuja by bribing government security personnel at checkpoints along the 800-kilometer route from the city of Maiduguri, in northeast Nigeria, to the nation's capital. "Luckily for us," a group spokesperson said, "security agents are not out to work diligently but to find money for themselves, and 20 or 50 naira [US\$0.12 or \$0.31] that was politely given to them gave us a pass."<sup>23</sup>

## Poverty

Nearly 100 million Nigerians live on less than one US dollar a day. In January 2012, Nigeria's National Bureau of Statistics released a report showing that the percentage of Nigerians living in "absolute poverty" had increased nationwide from 55 to 61 percent between 2004 and 2010.<sup>24</sup> This rise is especially notable in a country that, in 2011, was the globe's fourth largest exporter of oil.<sup>25</sup>

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<sup>21</sup> Ibid.

<sup>22</sup> Human Rights Watch interview with a Christian man [name withheld], Maiduguri, July 9, 2010.

<sup>23</sup> Ahmad Salkida, "Face of UN House bomber," *Blueprint* (Abuja), September 5, 2011.

<sup>24</sup> National Bureau of Statistics, "Nigeria Poverty Profile 2010," January 2012, p. 15.

<sup>25</sup> In 2011, Nigeria exported nearly 2.4 million barrels of crude oil a day, behind only Saudi Arabia, Russia, and Iran. Nigeria was the twelfth largest oil producer in 2011. See Organization of the Petroleum Exporting Countries (OPEC), *Annual Statistical Bulletin 2012*, pp. 30 and 49.

Poverty is unevenly spread throughout the country and is less severe in many parts of the south than in the north. Unemployment, lack of economic opportunities, and wealth inequalities are a source of deep frustration across the country, especially in many parts of the north.

The National Bureau of Statistics' report, for example, shows that 70 percent of Nigerians in northeast Nigeria—Boko Haram's traditional stronghold—live on less than a dollar a day, compared to 50 and 59 percent in southwest and southeast Nigeria, respectively.<sup>26</sup> According to the government's 2008 Demographic and Health Survey, less than 23 percent of women and 54 percent of men in northeast Nigeria can read, compared to more than 79 percent of women and 90 percent of men in the south.<sup>27</sup>

Chronic Malnutrition among children is also more prevalent in northern Nigeria than in the south. More than 50 percent of northern children under the age of five are moderately to severely stunted compared to less than 30 percent of their southern counterparts.<sup>28</sup> Infrastructure development also lags behind in the north. In northeast Nigeria, for example, only 24 percent of households have access to electricity, compared with 71 percent of households in the southwest.<sup>29</sup>

## Inter-communal Violence

Nigeria is the largest country in the world that is almost equally divided between Christians and Muslims. Its population of some 160 million people belongs to more than 250 different ethnic groups. The vast majority of the north is Muslim, while southeast Nigeria is largely Christian. Many parts of central Nigeria, often referred to as the "Middle Belt," are predominately Christian, though some states in this region have a Muslim majority. The population of southwest Nigeria is roughly evenly mixed among Christians and Muslims.<sup>30</sup>

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<sup>26</sup> National Bureau of Statistics, *Nigeria Poverty Profile 2010*, January 2012, p. 15.

<sup>27</sup> Literacy rates for women in the south range from 78 percent in the "South South," 80 percent in the "South West," and 81 percent in the "South East" regions of Nigeria. Male literacy rates range from 89 percent in the "South South," 90 percent in the "South West," and 94 percent in the "South East." See National Population Commission, *2008 Nigeria Demographic and Health Survey*, November 2009, pp. 35-36.

<sup>28</sup> In "North East" Nigeria, 49 percent of children are stunted, while 53 percent of children in the "North West" are stunted. In southern Nigeria, stunting rates range from 22 percent in the "South East" to 31 percent in "South South" and "South West" Nigeria. See National Population Commission, *2008 Nigeria Demographic and Health Survey*, November 2009, p. 165.

<sup>29</sup> *Ibid.*, p. 327.

<sup>30</sup> See Toyin Falola, *Violence in Nigeria: The Crisis of Religious Politics and Secular Ideologies* (Rochester, 1998), pp. 305-07.

Divisive state and local government policies that discriminate against individuals solely on the basis of their ethnic heritage and relegate thousands of state residents to permanent second-class status have exacerbated existing ethnic tensions.<sup>31</sup> Boko Haram has exploited Nigeria's history of ethnic and sectarian strife, along with chronic impunity for perpetrators of violence, including Christians accused of killing Muslims, as justification for its own violent campaign.

Though a national phenomenon, inter-communal violence has been most deadly in the "Middle Belt" region, especially in Kaduna and Plateau states. Since 2000, several thousand people have been killed in each of these states. The victims, including women and children, have been hacked to death, burned alive, and dragged out of cars and murdered in tit-for-tat killings that in many cases were based simply on their ethnic or religious identity.<sup>32</sup> Mobs have burned down both mosques and churches. Since 2010, three mass killings in which more than 100 people died in each incident took place in small towns and villages of these states.<sup>33</sup> The highest death toll occurred in an attack on April 18 and 19, 2011 in the town of Zonkwa, in southern Kaduna State, which left at least 300 Muslim men dead. The attack followed election riots and burning of churches in northern states.<sup>34</sup>

Members of ethnic groups from southern Nigeria who live in the north have also faced violence. In 1966, for example, thousands of Igbo, from southeast Nigeria, were killed in pogroms across the north that followed a military coup led by Igbo officers in which mostly northern political and military leaders died.<sup>35</sup> There have been numerous other incidents

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<sup>31</sup> See Human Rights Watch, *"They Do Not Own This Place": Government Discrimination Against "Non-Indigenes" in Nigeria*, vol.18, no. 3(A), April 2006, <http://hrw.org/reports/2006/nigeria0406/>.

<sup>32</sup> See "Nigeria: New Wave of Violence Leaves 200 Dead," Human Rights Watch news release, January 27, 2011, <http://www.hrw.org/en/news/2011/01/27/nigeria-new-wave-violence-leaves-200-dead>; "Nigeria: Post-Election Violence Killed 800," Human Rights Watch news release, May 17, 2011, <http://www.hrw.org/news/2011/05/16/nigeria-post-election-violence-killed-800>.

<sup>33</sup> See "Nigeria: Protect Survivors, Fully Investigate Massacre Reports," Human Rights Watch news release, January 23, 2010, <http://www.hrw.org/en/news/2010/01/22/nigeria-protect-survivors-fully-investigate-massacre-reports>; "Nigeria: Investigate Massacre, Set up Patrols," Human Rights Watch news release, March, 8, 2010, <http://www.hrw.org/en/news/2010/03/08/nigeria-investigate-massacre-step-patrols>; "Nigeria: Post-Election Violence Killed 800," Human Rights Watch news release, May 17, 2011.

<sup>34</sup> See "Nigeria: Post-Election Violence Killed 800," Human Rights Watch news release, May 17, 2011.

<sup>35</sup> See Ministry of Information, Eastern Nigeria, "Nigerian Pogrom: The Organized Massacre of Eastern Nigerians," (Enugu, The Government Printer, Eastern Nigeria, 1966); *Massacre of Ndi-Igbo in 1966: Report of the G.C.M. Onyiuke Tribunal of Inquiry* (Ikeja, Tollbrook Ltd., 2001); D.J.M. Muffett, *Let Truth Be Told: The coups d'état of 1966* (Zaria, Hudahuda Publishing Company, 1982).

since then. In February 2006, for example, anger over the publication in Denmark of controversial cartoons of the Prophet Mohammed reached Nigeria, sparking riots by mobs of Muslims in Maiduguri that left some 50 Christians dead and more than 50 churches burned.<sup>36</sup> Subsequently, more than 80 northern Muslims were killed in reprisal killings by mobs of Christians in southeast Nigeria.<sup>37</sup>

In all but a handful of cases, the Nigerian authorities have failed to prosecute the perpetrators of inter-communal killings, and the cycle of violence has continued.

Boko Haram has often referenced these attacks in justifying its own atrocities.<sup>38</sup> For example, in December 2011, when it claimed responsibility for the 2011 Christmas Day bombing of a church in Madalla, Niger State, the group cited an attack on Muslims on August 29, 2011, in Jos, Plateau State, during a religious service at the end of the Muslim holy month of Ramadan. A dozen Muslims reportedly died.<sup>39</sup> A Boko Haram spokesperson said: “What we did was a reminder to all those that forgot the atrocities committed against our Muslim brothers during the Eid el-Fitr celebrations in Jos.” When Muslims were killed, the spokesperson asserted, “the Federal Government and the international community maintained sealed lips.”<sup>40</sup>

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<sup>36</sup> See Christian Association of Nigeria, Borno State, *Christianity in Crisis: Lessons From Borno State*, 18 Feb. 2006, no date, pp. 109-10.

<sup>37</sup> See “‘Graveyard peace’ as Nigerian city cremates scores of clash victims,” AFP, February 23, 2006.

<sup>38</sup> For example, in January 2012, Abubakar Shekau claimed that the group was carrying out attacks on Christians in retaliation for the killing of Muslims by Christians in central Nigeria, including Kaduna and Plateau states. See “Boko Haram leader ‘Imam Abubakar Shekau’ Message to President Jonathan,” *Sahara Reporters* (New York), translation of Shekau’s video, January 12, 2012, <http://saharareporters.com/video/video-boko-haram-leader-imam-abubakar-shekau-message-president-jonathan> (accessed August 20, 2012). Similarly, in December 2010, following attacks on Christmas Eve 2010 in the cities of Jos and Maiduguri, Boko Haram released a statement claiming the attacks were to avenge “atrocities committed against Muslims.” Imam Imam and Seriki Adinoyi, “Jos Bombings –Group Claims Responsibility,” *ThisDay* (Lagos), December 27, 2010, <http://allafrica.com/stories/201012280145.html> (accessed September 5, 2012).

<sup>39</sup> See Misbahu Bashir, “Police Begin Enquiry Into Jos Eid Ground Clash,” *Daily Trust* (Abuja), August 31, 2011, [http://www.dailytrust.com.ng/index.php?option=com\\_content&view=article&id=26782:police-begin-enquiry-into-jos-eid-ground-clash&catid=2:lead-stories&Itemid=8](http://www.dailytrust.com.ng/index.php?option=com_content&view=article&id=26782:police-begin-enquiry-into-jos-eid-ground-clash&catid=2:lead-stories&Itemid=8) (accessed September 25, 2012).

<sup>40</sup> See Hamza Idris, “Boko Haram Claims Responsibility,” *Daily Trust* (Abuja), December 27, 2011.

## II. Boko Haram

We want to reiterate that we are warriors who are carrying out Jihad (religious war) in Nigeria and our struggle is based on the traditions of the holy prophet. We will never accept any system of government apart from the one stipulated by Islam because that is the only way that the Muslims can be liberated. We do not believe in any system of government, be it traditional or orthodox except the Islamic system and that is why we will keep on fighting against democracy, capitalism, socialism and whatever. We will not allow the Nigerian Constitution to replace the laws that have been enshrined in the Holy Qur'an, we will not allow adulterated conventional education (Boko) to replace Islamic teachings. We will not respect the Nigerian government because it is illegal. We will continue to fight its military and the police because they are not protecting Islam. We do not believe in the Nigerian judicial system and we will fight anyone who assists the government in perpetrating illegalities.

—Boko Haram statement, April 2011<sup>41</sup>

If it runs contrary to the teachings of Allah, we reject it.

—Mohammed Yusuf, *BBC Online*<sup>42</sup>

### Origins

Boko Haram's origins are central to the group's self-definition and justification of violent tactics used to fight Nigeria's government and perceived allies.

In mid-2003, a band of some 200 people, many of them university students or unemployed youth, migrated to a remote region of Yobe State and set up a camp near the Niger border.<sup>43</sup> The group, which was known as Al Sunna wal Jamma ("Followers of the Prophet's Teachings"), or more commonly the Nigerian Taliban, sought to withdraw from the

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<sup>41</sup> "Boko Haram gives conditions for cease-fire," Daily Trust (Abuja), April 25, 2011.

<sup>42</sup> See Joe Boyle, "Nigeria's 'Taliban' Enigma," *BBC Online*, June 31, 2009, <http://news.bbc.co.uk/2/hi/8172270.stm>.

<sup>43</sup> See Oloche Samuel and John Murray, "Nigeria's students behind bloody surprise campaign to create Taliban-style state," AP, January 14, 2004; Abdullahi Bego, "'Taliban' of Nigeria: Who Are They?" *Weekly Trust* (Abuja), January 5, 2004.

“corrupt,” “sinful,” and “unjust” secular state of Nigeria and form a new community based on Islamic law.<sup>44</sup> Following disputes between the Nigerian Taliban and local residents, the government authorities sought to disband the group.<sup>45</sup> In December 2003, the Nigerian Taliban attacked a police station in the nearby village of Kanamma, killing a police officer. Over the following week, the group launched raids on police stations and other government buildings in four other towns, including Damaturu, the state capital.<sup>46</sup> The Nigerian government deployed the military and police reinforcements to crush the uprising. The security forces killed or captured dozens of Nigerian Taliban members, and the group was dispersed from the area.<sup>47</sup> During the next year, however, the Nigerian Taliban launched several raids in neighboring Borno State, before the security forces eventually crushed them there as well.<sup>48</sup>

The police said the group’s spiritual leader, a charismatic preacher from Maiduguri named Mohammed Yusuf, had fled to Saudi Arabia, and declared him wanted.<sup>49</sup> The deputy governor of Borno State at the time, Adamu Dibal, later said he met Yusuf in Saudi Arabia. According to Dibal, Yusuf insisted he had nothing to do with the uprising and wanted to return to his family in Nigeria. “Through my discussions with him ... and through my contacts with the security agencies, he was allowed back in,” Dibal said, adding that he thought Yusuf might be “useful to the intelligence agencies.”<sup>50</sup>

After his return to Maiduguri, Yusuf acknowledged that members of the Nigerian Taliban had studied under him but insisted he had urged them not to resort to violence. “These youths studied the Koran with me and with others. Afterwards they wanted to leave the town, which they thought impure, and head for the bush, believing that Muslims who do not share their ideology are infidels,” he said. Yusuf claimed he shared their goal of an

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<sup>44</sup> See Abdullahi Bego, “Religious Sect Invasion,” *Daily Trust* (Abuja), December 31, 2003; Abdullahi Bego, “‘Taliban’ of Nigeria: Who Are They?” *Weekly Trust* (Abuja), January 5, 2004; “Detained Nigerian militant pledges Islamic struggle,” Reuters, January 13, 2004.

<sup>45</sup> See Samuel and Murray, “Nigeria’s students behind bloody surprise campaign to create Taliban-style state,” AP, January 14, 2004.

<sup>46</sup> See Tom Ashby, “Nigeria state says troops crushed Islamic uprising,” Reuters, January 4, 2004.

<sup>47</sup> See Anna Borzello, “Tracking down Nigeria’s ‘Taleban’ sect,” *BBC Online*, January, 14, 2004, <http://news.bbc.co.uk/2/hi/africa/3393963.stm> (accessed August 26, 2012).

<sup>48</sup> See Dulue Mbachu, “Clashes between security forces, Islamic militants, leave 29 dead in Nigeria,” AP, September 24, 2004; Njadvara Musa, “Islamic militants kill three policemen, abduct 12 in northeast Nigeria,” AP, October 9, 2004.

<sup>49</sup> See Oloche Samuel, “Nigeria arrests official of British-based Muslim charity in connection with Islamic uprising,” AP, February 20, 2004.

<sup>50</sup> Nick Tattersall, “Nigerian sect planned bomb attack during Ramadan,” Reuters, August 4, 2009.

Islamic state but didn't believe in violence: "I think that an Islamic system of government should be established in Nigeria, and if possible all over the world, but through dialogue," he said.<sup>51</sup>

Yusuf continued to preach and gain followers. The authorities arrested him on various occasions and twice charged him to court, but the prosecutions never went forward.<sup>52</sup> In late 2008 the Borno State government ordered Yusuf and his deputy, Abubakar Shekau, to stop preaching, but they continued.<sup>53</sup> In November 2008, the State Security Service (SSS), Nigeria's internal intelligence agency, arrested Yusuf for allegedly trying to "incite disaffection against the government of Nigeria." Authorities arraigned him before a Federal High Court in Abuja in January 2009, but he was released on bail.<sup>54</sup>

Yusuf's movement eventually took on the name Jama'atu Ahlus-Sunnah Lidda'Awati Wal Jihad ("People Committed to the Propagation of the Prophet's Teachings and Jihad"). The domestic and foreign press popularized the name Boko Haram, which is a Hausa term meaning, "Western education is sinful." The name is derived from one of Yusuf's main teachings that asserts that Western-style education (*boko*) is religiously forbidden (*haram*) under Islam.

## The July 2009 Violence

The summer of 2009 marked a tipping point in the conflict between Yusuf and the authorities, climaxing in five days of deadly violence in July 2009. Clashes between the group and security forces and brazen execution-style killings by both sides left more than 800 people dead in Borno, Bauchi, Yobe, and Kano states.<sup>55</sup> The targeted campaign of

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<sup>51</sup> "Nigeria's 'Taliban' plot comeback from city hide-outs," AFP, January 11, 2006.

<sup>52</sup> See "Nigeria's 'Taliban' plot comeback from city hide-outs," AFP, January 11, 2006; US State Department, "Country Reports on Terrorism 2007," April 2008, p. 22, <http://www.state.gov/documents/organization/105904.pdf> (accessed September 30, 2012); "Nigerian Muslim cleric detained over al Qaeda case," Reuters, February 8, 2007; Malachy Uzendu, "Terrorism – Yusuf, Damagun Get Bail," *Daily Champion* (Lagos), May 4, 2007, <http://allafrica.com/stories/200705040550.html> (accessed September 24, 2012); Hussein Yahaya and Ibraheem A. Fatai, "Islamic Scholar Arraigned for 'Terrorism,'" *Daily Trust* (Abuja), January 12, 2009, <http://allafrica.com/stories/200901130236.html> (accessed September 24, 2012).

<sup>53</sup> See "Borno Denies Link With Boko Haram," *Daily Trust* (Abuja), August 10, 2009, <http://allafrica.com/stories/200908100862.html> (accessed September 24, 2012).

<sup>54</sup> See Yahaya and Fatai, "Islamic Scholar Arraigned for 'Terrorism,'" *Daily Trust* (Abuja), January 12, 2009.

<sup>55</sup> The Nigerian Red Cross stated that 780 dead bodies were collected in Maiduguri, Borno State, and buried in three mass graves. See "Islamist uprising killed 780 in one Nigerian city: Red Cross," AFP, August 3, 2009. According to police officials, at least 55 people were killed in Bauchi, Bauchi State, 45 in and around Potiskum, Yobe State, and four in Wudil, Kano State. See Aminu Abubakar, "Forty-two dead as 'Taliban' sect, police clash in Nigeria," AFP, July 26, 2009; Muhammad Abubakar,



killings by Boko Haram and extrajudicial killings of detainees by government security forces were signs of things to come.

The confrontation began on June 11 in Maiduguri when government security personnel and participants in a Boko Haram funeral procession clashed over mourners' refusal to wear motorcycle helmets. Members of an anti-robbery task force comprised of military and police personnel opened fire on the procession, injuring 17.<sup>56</sup> Yusuf demanded justice, but the authorities neither investigated the alleged excessive use of force nor apologized for the shooting.<sup>57</sup>

As tensions escalated, the police, on July 21, raided a house of a Boko Haram member in Biu, 180 kilometers south of Maiduguri, and seized bomb-making materials.<sup>58</sup> Later that week, one of Yusuf's followers in Maiduguri blew himself up when a bomb he was making went off.<sup>59</sup> Yusuf called the man a martyr.<sup>60</sup>

In the early morning hours of July 26, Boko Haram members burned down a police station in Dutsen Tanshi, on the outskirts of Bauchi, the Bauchi State capital. Five Boko Haram members died and several police officers were injured.<sup>61</sup> The military and police responded by raiding a mosque and homes in Bauchi where Boko Haram members had regrouped, killing dozens of the group's members.<sup>62</sup> Yusuf vowed revenge, saying he was "ready to fight to die" to avenge the killing of his followers.<sup>63</sup>

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"Bauchi Relaxes Curfew, 52 Confirmed Killed," *Daily Trust* (Abuja), August 10, 2009, <http://allafrica.com/stories/200908100881.html> (accessed September 24, 2012); "Over 100 killed in clashes in Nigerian city: witnesses," AFP, July 28, 2009; Lawani Mukairu and Abdulsalam Muhammad, "Another 43 Islamic Fanatics Killed in Yobe," *Vanguard* (Lagos), July 30, 2009, <http://www.vanguardngr.com/2009/07/another-43-islamic-fanatics-killed-in-yobe/> (accessed September 24, 2012); Ibrahim Shuaibu, "Kano – 53 Fundamentalists Arrested, Four Killed," *ThisDay* (Lagos), July 29, 2009, <http://allafrica.com/stories/200907290148.html> (accessed September 25, 2012).

<sup>56</sup> See Mustapha Isah Kwaru and Ahmad Salkida, "Funeral Procession Tragedy – Police Shoot 17 in Maiduguri," *Daily Trust* (Abuja), June 12, 2009, <http://allafrica.com/stories/200906120007.html> (accessed September 24, 2012).

<sup>57</sup> Human Rights Watch interview with National Human Rights Commission official, Maiduguri, July 5, 2010. See also Nick Tattersall, "Nigerian sect planned bomb attack during Ramadan," Reuters, August 4, 2009; Ahmad Salkida, "Sect Leader Vows Revenge," *Daily Trust* (Abuja), July 27, 2009, <http://allafrica.com/stories/200907270879.html> (accessed September 24, 2012).

<sup>58</sup> See Isa Umar Gusau and Ahmad Salkida, "Bomb Explosion In Maiduguri – Islamic Sect Member Killed...I Warned Him – Wife," *Sunday Trust* (Abuja), July 26, 2009.

<sup>59</sup> See Joseph Abiodun, "Bomb blast kills one in Maiduguri," *The Nation* (Lagos), July 26, 2009.

<sup>60</sup> See Salkida, "Sect Leader Vows Revenge," *Daily Trust* (Abuja), July 27, 2009.

<sup>61</sup> Human Rights Watch telephone interview with a journalist [name withheld], Bauchi, July 4, 2012.

<sup>62</sup> The police reported that 52 Boko Haram members, two police officers, and a soldier were killed in the violence in Bauchi. See Aminu Abubakar, "Forty-two dead as 'Taliban' sect, police clash in Nigeria," AFP, July 26, 2009; Abubakar, "Bauchi

That night, about two hours before midnight, bands of Yusuf's followers launched coordinated attacks across Maiduguri. Boko Haram members armed with bows and arrows, knives, cutlasses, and guns, attacked the police headquarters, police stations, and homes of police officers, and attempted to break into the police armory. They torched churches and raided the main prison—freeing inmates and killing prison guards.<sup>64</sup> Boko Haram fighters also launched pre-dawn raids on a police station in the town of Wudil, Kano State, and on government buildings, including a police station, in Postiskum, Yobe State.<sup>65</sup>

By morning in Maiduguri, Boko Haram controlled large parts of the city.<sup>66</sup> Fighting between the security forces and Boko Haram raged and the military airlifted armored tanks and troop reinforcements to the city.<sup>67</sup> On July 28 and 29, the army shelled Yusuf's compound, killing or flushing out his followers—at least several dozen were killed in police custody.<sup>68</sup> In Postiskum, on July 29, security forces also raided the group's hideout on the outskirts of town, killing at least 43 of Yusuf's followers.<sup>69</sup>

On July 30, government security officials in Maiduguri claimed that they had killed Yusuf's deputy, Abubakar Shekau, a claim that later proved to be untrue.<sup>70</sup> Later that day, the military captured Yusuf who they said was hiding in his father-in-law's goat pen.<sup>71</sup> Yusuf had predicted at the beginning of the week that if he surrendered or was captured he

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Relaxes Curfew, 52 Confirmed Killed,” *Daily Trust* (Abuja), August 10, 2009. The Bauchi State governor, Isa Yuguda, told journalists that he authorized the raid on Boko Haram. “We have pre-empted the militants. Otherwise the situation would have been bad,” he said. See Ardo Hazzad, “Nigeria clashes kill over 50 in northeastern city,” Reuters, July 26, 2009. The governor went on to warn other state governors that Boko Haram’s “plan is to attack everybody,” and that they “should brace up and clean their states of this rubbish.” Segun Awofadeji, “150 Killed in Bauchi Religious Crisis,” *ThisDay* (Lagos), July 27, 2009, <http://allafrica.com/stories/200907270004.html> (accessed September 24, 2012).

<sup>63</sup> In an interview with a journalist after the raid by the security forces in Bauchi, Yusuf said, “Is it right to kill them [Boko Haram members], is it right to shoot human beings? To surrender myself means what they did is right. Therefore, we are ready to fight to die.” Salkida, “Sect Leader Vows Revenge,” *Daily Trust* (Abuja), July 27, 2009.

<sup>64</sup> See “Nigeria police fight deadly battle with Islamists,” AFP, July 27, 2009.

<sup>65</sup> See Isa Umar Gusau et al., “Sect Violence Spreads in North – Deaths – Borno 100, Kano Three, Yobe Two,” *Daily Trust* (Abuja), July 28, 2009, <http://allafrica.com/stories/200907280047.html> (accessed September 24, 2012).

<sup>66</sup> Human Rights Watch interviews with Maiduguri residents, Maiduguri, July 2010.

<sup>67</sup> See George Oji and Michael Olugbode, “Shoot-Out in Maiduguri as Soldiers Battle Fanatics,” *ThisDay* (Lagos), July 29, 2009, <http://allafrica.com/stories/200907290137.html> (accessed September 24, 2012).

<sup>68</sup> See Njadvara Musa, “Thousands flee homes as military and Islamist militant battle in north Nigeria,” AP, July 29, 2009.

<sup>69</sup> See Mukairu and Muhammad, “Another 43 Islamic Fanatics Killed in Yobe,” *Vanguard* (Lagos), July 30, 2009.

<sup>70</sup> See “200 sect followers killed in Nigeria: police source,” AFP, July 30, 2009; David Smith, “Nigerian army storms Islamist sect’s base,” *The Guardian* (London), July 30, 2009, <http://www.guardian.co.uk/world/2009/jul/30/nigerian-army-islamic-militants-uprising> (accessed August 20, 2012).

<sup>71</sup> See Katharine Houreld, “Muslim clerics say authorities ignored warnings before Nigeria clashes killed 700,” AP, August 2, 2009.

would be killed by the security agents: “[I]f we give ourselves up or they get us or me...they will kill me,” he said.<sup>72</sup>

## Mohammed Yusuf’s Execution

After capturing Yusuf on July 30, soldiers took him to Giwa military barracks in Maiduguri for interrogation.<sup>73</sup> Video footage from the interrogation shows him with a bandage on his left arm.<sup>74</sup> The commander of a military task force in Maiduguri, Col. Ben Ahonatu, said he then handed Yusuf over to the police.<sup>75</sup> Human Rights Watch interviewed a journalist as well as a 24-year-old woman who lived near the police headquarters in Maiduguri who both said they witnessed police shooting Yusuf inside the police compound early that evening. The 24-year-old woman described what she saw:

On Thursday [July 30], about 6:30 p.m., I heard that they [the police] had brought in Mohammed Yusuf.... We went inside the compound of the police headquarters. There were many people watching. I saw him sitting on the ground. He was handcuffed with a bandage on his arm. He was saying they should pray for him. The MOPOL [anti-riot Police Mobile Force] were enraged. They said he killed their leader—who is a 2IC [second-in-command of the Police Mobile Force]. The MOPOL said we must kill him. But the commissioner of police [Christopher Dega] said they should leave him alive.

Then three of the MOPOLs started shooting him. They first shot him in the chest and stomach and another came and shot him in the back of his head. I was afraid and started running. When I came back he was dead. There were a lot of people taking pictures [of his body].<sup>76</sup>

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<sup>72</sup> Salkida, “Sect Leader Vows Revenge,” *Daily Trust* (Abuja), July 27, 2009.

<sup>73</sup> See “Nigerian police say Islamic sect leader captured,” Reuters, July 30, 2009.

<sup>74</sup> See “Video shows Nigeria ‘executions,’” *Al Jazeera*, February 9, 2010, <http://www.aljazeera.com/news/africa/2010/02/2010298114949112.html> (August 26, 2012). See also “Sect leader ‘alive when captured,’” *BBC Online*, August 3, 2009, <http://news.bbc.co.uk/2/hi/africa/8180475.stm> (accessed September 30, 2012).

<sup>75</sup> See Katharine Houreld, “Muslim clerics say authorities ignored warnings before Nigeria clashes killed 700,” AP, August 2, 2009.

<sup>76</sup> Human Rights Watch interview with a 24-year-old woman [name withheld], Maiduguri, July 8, 2010.

Police officials gave conflicting accounts of what had happened: The assistant inspector general of police in charge of operations in northeast Nigeria, Moses Anegbode, said on state television that evening that security forces had killed Yusuf “in a shootout while trying to escape.”<sup>77</sup> The Borno State police commissioner, Christopher Dega, who witnesses said was present at Yusuf’s killing, claimed that Yusuf had “died in a gunbattle between armed sect members and a joint military-police force.”<sup>78</sup>

However, journalists who had been invited by the Borno State police spokesperson to view Yusuf’s body at the police headquarters had already taken photos of the handcuffed leader’s bullet-riddled body.<sup>79</sup> The next day, the army commander who had apprehended Yusuf flatly rejected the police claims. “He was arrested alive,” Colonel Ahonatu said. “There was no shootout.”<sup>80</sup>

The government’s information minister at the time, Dora Akunyili, welcomed Yusuf’s death, describing it as the “the best thing that could have happened to Nigeria.”<sup>81</sup> But a year later Boko Haram reemerged—vowing to avenge the crimes of the government, and especially Yusuf’s death.

## The Group Goes Underground

The government may have thought they had crushed the uprising in July 2009, but the death of the group’s leader did not end the violence. In a video that surfaced in June 2010, Abubakar Shekau, who was Yusuf’s deputy—and the one whom security officials claimed they had killed in July 2009—announced that he had taken over leadership of the group and threatened renewed attacks to avenge the deaths of its members.<sup>82</sup>

This time the remnants of the group had a stark example of the “unjust” secular state that they could rally behind—the brazen execution of their leader. In September 2010, for

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<sup>77</sup> Aminu Abubakar, “Islamist sect leader short dead after capture in Nigeria,” AFP, July 30, 2009.

<sup>78</sup> Njadvara Musa, “Nigeria police claim victory over radical sect,” AP, July 31, 2009.

<sup>79</sup> See “Video shows Nigeria ‘executions,’” *Al Jazeera*, February 9, 2010, <http://www.aljazeera.com/news/africa/2010/02/2010298114949112.html> (August 26, 2012).

<sup>80</sup> Njadvara Musa, “Nigeria police claim victory over radical sect,” AP, July 31, 2009.

<sup>81</sup> “Nigerian minister welcomes sect-leader’s killing,” AFP, July 31, 2009.

<sup>82</sup> The *Daily Trust* reported that the interview with Shekau was conducted on April 19, 2010. See Habeeb I. Pindiga and Isa Umar Gusau, “‘Dead’ Boko Haram Leader Re-Emerges in New Video,” *Daily Trust* (Abuja), July 1, 2010, <http://allafrica.com/stories/201007010432.html> (accessed September 25, 2012).

example, a Boko Haram member told the BBC's Hausa radio service that "we are on a revenge mission as most of our members were killed by the police."<sup>83</sup> Similarly, in November 2011, during the trial of six Boko Haram suspects for attacks in Suleja, Niger State, one of the group members told the court that their mission was to avenge Yusuf's death.<sup>84</sup>

The group's stated goals include imposing a strict Islamic identity on Nigeria and implementing a harsh interpretation of Sharia law. On December 26, 2011, the day after Boko Haram's bombing of a church in Madalla, Niger State, Boko Haram spokesperson Abu Qaqa said: "There will never be peace until our demands are met."<sup>85</sup>

Since the 2009 violence, Boko Haram has remained underground, and little is known about its leadership or organizational structure. Statements from the group have come from two successive "official" spokespersons, using the pseudonyms "Abu Zaid" and "Abu Qaqa," who have conducted telephone interviews and emailed statements to journalists, but their actual identities are unknown.<sup>86</sup> Since 2010 Shekau has appeared in several videos posted online claiming responsibility for attacks and threatening further violence.

The clandestine nature of the group has led to much speculation about the composition of its leadership and membership, possible factions, sponsors, and links with foreign groups. In January 2012, for example, President Goodluck Jonathan warned that Boko Haram sympathizers were present at all levels of government:

Some of them are in the executive arm of government, some of them are in the parliamentary/legislative arm of government, while some of them are even in the judiciary. Some are also in the armed forces, the police and other security agencies. Some continue to dip their hands and eat with you

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<sup>83</sup> See Michael Olugbode, "Boko Haram Claims Killings in Borno," *ThisDay* (Lagos), September 22, 2010, <http://www.thisdaylive.com/articles/boko-haram-claims-killings-in-borno/78273/> (accessed September 25, 2012).

<sup>84</sup> See Ikechukwu Nnochiri, "We Are On Revenge Mission, Boko Haram Suspect Tells Court," *Vanguard* (Lagos), November 25, 2011, <http://www.vanguardngr.com/2011/11/we-are-on-revenge-mission-boko-haram-suspect-tells-court/> (accessed September 25, 2012).

<sup>85</sup> Abbas Jimoh et al., "Suicide Bombers Spoil Christmas," *Daily Trust* (Abuja), December 26, 2011, [http://dailytrust.com.ng/index.php?option=com\\_content&view=article&id=150866%3Asuicide-bombers-spoil-christmas&catid=2%3Alead-stories&Itemid=8&device=desktop](http://dailytrust.com.ng/index.php?option=com_content&view=article&id=150866%3Asuicide-bombers-spoil-christmas&catid=2%3Alead-stories&Itemid=8&device=desktop) (accessed August 22, 2012).

<sup>86</sup> In September 2012, Nigerian authorities claimed they killed Abu Qaqa in a shootout at a checkpoint in Kano State. Earlier in the year, the authorities had claimed they arrested Qaqa, a claim refuted by Boko Haram. See Aminu Abubakar, "Nigerian military says alleged Boko Haram spokesman killed," AFP, September 17, 2012.

and you won't even know the person who will point a gun at you or plant a bomb behind your house.<sup>87</sup>

There has been little concrete evidence to date of such penetration.<sup>88</sup> Nonetheless, Boko Haram attacks in northern and central Nigeria have increased since 2010 in a largely consistent pattern of violence suggesting a degree of coordination or organizational control.

In July 2012, Johnnie Carson, the US Department of State's assistant secretary for African affairs, told the House Subcommittee on African Affairs that while information on Boko Haram was limited he believed the group was composed of at least two branches: a "larger organization" that aims to discredit the Nigerian government and a "smaller more dangerous group that is increasingly sophisticated and increasingly lethal."<sup>89</sup> Other analysts believe that Boko Haram has evolved into a cell-based organization that remains unified under the control of Shekau and a *Shura* council, though little is known about the composition of this governing body.<sup>90</sup> Criminal gangs in the north, including "political thugs" allegedly mobilized by politicians, are also suspected of committing crimes under the guise of Boko Haram.<sup>91</sup>

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<sup>87</sup> "Islamist sect has support in Nigerian gov't: president," Reuters, January 9, 2012.

<sup>88</sup> See, for example, Andrew Walker, "What is Boko Haram?" United States Institute of Peace, May 2012, pp. 7-8, <http://www.usip.org/publications/what-boko-haram> (accessed September 6, 2012). In September 2012, however, the military announced that they had arrested an immigration official and some security personnel who were allegedly linked to Boko Haram attacks in Borno and Yobe states. See "Nigerian security officers arrested for Boko Haram links," AFP, September 29, 2012. The Nigerian authorities filed criminal charges in November 2011 against a senator from Borno State, Ali Ndume, for alleged links with the group, an allegation Boko Haram denied. See section below, Prosecution of Boko Haram Suspects. In February 2012, the authorities dismissed a police commissioner, Zakari Biu, for his alleged role in the escape from police custody of Kabiru Sokoto, the alleged mastermind of the Christmas Day 2011 bombing in Madalla. See Jide Ajani and Kingsley Omonobi, "Zakari Biu – Secretly Reinstated, Publicly Dismissed," *Vanguard* (Lagos), February 27, 2012, <http://www.vanguardngr.com/2012/02/zakari-biusecretly-reinstated-publicly-dismissed/> (accessed September 25, 2012).

<sup>89</sup> Congressional Testimony by Assistant Secretary Johnnie Carson, US Department of State, House Foreign Affairs Committee, Subcommittee on African Affairs "U.S. Policy Towards Nigeria: West Africa's Troubled Titan," July 10, 2012, <http://foreignaffairs.house.gov/112/HHRG-112-FA16-WState-Carson-20120710.pdf> (accessed September 30, 2012) .

<sup>90</sup> See, for example, Andrew Walker, "What is Boko Haram?" United States Institute of Peace, May 2012, p. 8.

<sup>91</sup> For example, US Assistant Secretary of State Johnnie Carson noted in his congressional testimony in July 2012 that: "Complicating the picture further is the tendency of some officials to blame Boko Haram for all of the bank robberies and local vendettas occurring in the North when these should be attributed to common criminals and political thugs." Congressional Testimony by Assistant Secretary Johnnie Carson, US Department of State, House Foreign Affairs Committee, Subcommittee on African Affairs, "U.S. Policy Towards Nigeria: West Africa's Troubled Titan," July 10, 2012. Boko Haram has also claimed responsibility for attacks that the Nigerian police insist were unrelated to the group. See, for example, "Nigeria denies Islamists caused funeral carnage," AFP, July 10, 2012.

Nigeria's foreign partners have expressed concerns about possible links between Boko Haram and foreign groups, such as Al Qaeda in the Islamic Maghreb (AQIM).<sup>92</sup> Boko Haram's bombing of the United Nations building in Abuja in August 2011, however, has been the only attack to date on a foreign or international institution for which the group has claimed responsibility.<sup>93</sup>

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<sup>92</sup> See section below, Nigeria's Foreign Partners.

<sup>93</sup> See section below, United Nations Headquarters. A handful of foreigners in Nigeria were also killed between January and July 2012, including three Indian and two Nepalese nationals during attacks by suspected Boko Haram members in the cities of Kano and Maiduguri. See Mohammed S. Shehu, "Indian, Nepalese killed in Kano blasts," *Daily Trust* (Abuja), January 23, 2012, [http://dailytrust.com.ng/index.php?option=com\\_content&view=article&id=152914:indian-nepalese-killed-in-kano-blasts&catid=1:news&Itemid=2](http://dailytrust.com.ng/index.php?option=com_content&view=article&id=152914:indian-nepalese-killed-in-kano-blasts&catid=1:news&Itemid=2) (accessed September 5, 2012); "Suspected members of Nigeria's Boko Haram kill two Indians," Reuters, July 26, 2012. In March 2012, a British national and an Italian national, who had been kidnapped in May 2011, were killed during a botched rescue attempt by British and Nigerian forces in the northern city of Sokoto, though Boko Haram denied any role in the kidnappings. See "Boko Haram deny abducting Europeans killed in Nigeria," AFP, March 9, 2012. In May 2012, a German hostage, who was kidnapped in January 2012, was killed during a military raid in the city of Kano. Al Qaeda in the Islamic Maghreb (AQIM) had claimed responsibility for the kidnapping. See Jon Gambrell, "Al-Qaida blames Germany for Nigeria hostage death," AP, June 12, 2012.

### III. Boko Haram Attacks

We hardly touch anybody except security personnel and Christians and those who have betrayed us.

—Boko Haram leader Abubakar Shekau, speaking in a video message, January 2012<sup>94</sup>

Boko Haram has attacked a wide array of targets since 2009, including government authorities (especially the police and other members of security agencies); Christians and other “infidels”; and Muslims, including clerics, traditional leaders, and politicians who have criticized its ideology or tactics or were perceived to have collaborated with the government.

The group’s attacks appear to have steadily increased since its reemergence in 2010. Media reports monitored by Human Rights Watch of suspected Boko Haram attacks, show that between July and December 2010, at least 85 people were killed in some 35 separate attacks in four states in northern and central Nigeria, as well as in Abuja, the nation’s capital. Attacks attributed to Boko Haram in 2011 left at least 550 people dead in some 115 separate incidents. In the first nine months of 2012 alone, more than 815 people died in some 275 separate attacks in 12 northern and central states, and Abuja.<sup>95</sup>

After the group reemerged in 2010, police officers and then Muslim leaders including clerics and traditional rulers who criticized the group or were seen as collaborating with the government to identify group members were the initial target of attacks. Most of these attacks were carried out by gunmen, often riding on motorcycles, who shot and killed their victims. In December 2010, suspected Boko Haram members carried out their first major bombings, with attacks on Christmas Eve in the city of Jos and on New Year’s Eve in Abuja. Within six months of these bombings, the group deployed its first suicide bomber in an attack in June 2011 on the police headquarters in Abuja. Since then, suspected Boko Haram members have carried out numerous suicide bombings of police stations and churches, as well as the United Nations building and the offices of a private newspaper in Abuja.

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<sup>94</sup> “Boko Haram leader ‘Imam Abubakar Shekau’ Message to President Jonathan,” *Sahara Reporters* (New York), translation of Shekau’s video, January 12, 2012, <http://saharareporters.com/video/video-boko-haram-leader-imam-abubakar-shekau-message-president-jonathan>.

<sup>95</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of suspected Boko Haram attacks.



## Attacks on Security Forces

Since 2009, government security services—especially police—have been a primary target of Boko Haram. The group has shot and killed police officers on active duty at police stations, roadblocks, government buildings, and churches, and has targeted unarmed off-duty officers in the street, in barracks, and while drinking in bars. Boko Haram has claimed responsibility for bombing police facilities using improvised explosive devices and suicide bombers. The group has also struck at military bases, checkpoints, and vehicles, especially those of the Joint Military Task Force (JTF) in Maiduguri.

Boko Haram has used various tactics when striking at security targets. Gunmen hiding AK-47s or improvised explosive devices under their robes often use motorcycles in drive-by attacks.<sup>96</sup> They have also killed police officers in knife attacks.

During the five days of violence in July 2009 in Bauchi, Borno, Yobe, and Kano states, Boko Haram members attacked police stations, and killed at least 32 police officers in their homes, at police stations, or in the street.<sup>97</sup> According to witnesses and photos seen by Human Rights Watch, some of the police officers who died appeared to have had their throats slashed with knives or swords. One journalist told Human Rights Watch how on July 27, 2009, Boko Haram members, armed with cutlasses and a gun, set upon a police officer near the emir's palace in Maiduguri:

The police officer told them he was a Muslim and begged for his life. He then recited the Muslim prayer of faith. They [Boko Haram members] pinned him to the ground and pulled back his neck. I looked away and they sliced his neck. People started running away. He was gasping and he died.<sup>98</sup>

Since the group remerged in 2010, suspected Boko Haram members have attacked more than 60 police stations and police facilities in at least 10 northern and central states, and Abuja, and killed at least 211 police officers, according to media reports monitored by

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<sup>96</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

<sup>97</sup> See “Over 30 police slain in Nigeria religious uprising: official,” AFP, July 28, 2010. A police spokesperson at the police headquarters in Abuja told Human Rights Watch that senior officers were among those killed, including a police superintendent, Mohammed Faruk, the second-in-command of Borno State's Police Mobile Force. Human Rights Watch interview with a Yemi Ajayi, deputy force public relations officer, Abuja, July 14, 2010.

<sup>98</sup> Human Rights Watch interview with a journalist [name withheld], Maiduguri, July 11, 2010.

Human Rights Watch. These attacks include an apparent suicide car bombing on June 16, 2011 at the police headquarters in Abuja, for which Boko Haram claimed responsibility.<sup>99</sup> Between January and September 2012, at least 119 police officers have died in suspected Boko Haram attacks, more than in all of 2010 and 2011 combined.<sup>100</sup>

Boko Haram leaders say they kill security agents in retaliation for killings by the police of Mohammed Yusuf and Boko Haram members, as well as for other alleged police abuses, including “arbitrary arrest” and “torture,” and the “persecution” of its members.<sup>101</sup>

In the city of Kano, for example, Boko Haram leader Abubakar Shekau allegedly warned the city’s leaders in December 2011 that unless the “arbitrary arrest and persecution” of his members stops, the group will “launch endless and violent attacks” on the city.<sup>102</sup> Boko Haram has often cited security force abuses to justify its attacks.<sup>103</sup> In a video message posted online in January 2012, Shekau stated that, “[E]veryone has seen what the security personnel have done to us. Everyone has seen why we are fighting with them.”<sup>104</sup> After claiming responsibility for an attack on a police station in Damagun, Yobe State, in March 2012, a Boko Haram spokesperson declared that “all police stations and other security outfits are our targets.”<sup>105</sup>

On January 20, 2012, Boko Haram followed through on its threats with coordinated attacks on the city of Kano. According to witnesses, some Boko Haram members wore police uniforms to gain access to police facilities. The group attacked the state and regional police headquarters, three city police stations, a police barracks, and the home of the assistant inspector general of police in charge of the region. The local offices of the State Security

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<sup>99</sup> Hamza Idris and Yahaya Ibrahim, “Boko Haram: IG was our target,” *Daily Trust* (Abuja), June 17, 2011, <http://www.dailytrust.com.ng/index.php/other-sections/lead-stories/21285-boko-haram-ig-was-our-target> (accessed September 6, 2012).

<sup>100</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of suspected Boko Haram attacks.

<sup>101</sup> See Idris, “Boko Haram claims responsibility,” *Weekly Trust* (Abuja), January 21, 2012; “Boko Haram ‘leader’ issues new threats in Internet message,” AFP, January 26, 2012.

<sup>102</sup> Idris, “Boko Haram claims responsibility,” *Weekly Trust* (Abuja), January 21, 2012.

<sup>103</sup> See “Boko Haram ‘leader’ issues new threats in Internet message,” AFP, January 26, 2012; Idris, “Boko Haram claims responsibility,” *Weekly Trust* (Abuja), January 21, 2012.

<sup>104</sup> “Boko Haram leader ‘Imam Abubakar Shekau’ Message to President Jonathan,” *Sahara Reporters* (New York), translation of Skekau’s video statement, January 12, 2012, <http://saharareporters.com/video/video-boko-haram-leader-imam-abubakar-shekau-message-president-jonathan> (accessed September 30, 2012).

<sup>105</sup> Hamza Idris and Hamisu Kabiru Matazu, “Damagun attack: Police say 4 dead, Boko Haram claims responsibility,” *Daily Trust* (Abuja), March 30, 2012, <http://allafrica.com/stories/201203300246.html> (accessed September 30, 2012).



Three women hold pictures of their deceased husbands who were killed by suspected Boko Haram members in the northern city of Kano on January 20, 2012. From left to right: Assistant Police Superintendent Peter Alcor, Police Inspector Musa Muhammed, and Assistant Police Superintendent Edward Entonu. © 2012 Eric Guttchuss/Human Rights Watch

Service and the immigration department were also attacked.<sup>106</sup> At least 185 people, including residents, a journalist, and at least 29 police officers, died in the city-wide assault.<sup>107</sup>

Some of the fatalities, according to witnesses, resulted from suspected Boko Haram members disguised in police uniforms gunning down police officers who approached them and storming the Bompai police barracks, where many officers were off-duty and unarmed. Boko Haram members, witnesses said, moved door to door along the rows of apartments in the barracks on their hunt for victims, shot passers-by at random, and engaged police and soldiers in running gun battles.<sup>108</sup>

A widow of a police officer killed in the barracks told Human Rights Watch how Boko Haram gunmen shot her in the leg, prompting her husband, an officer who had served for 30 years in the police force, to come out of their house:

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<sup>106</sup> Human Rights Watch interviews with Kano residents, Kano, May 2012. See also Auwalu Umar, Ruqayyah Yusuf Aliyu, and Abdulkadir Badsha Mukhtar, "Chadians Among Kano Attackers, Police Say," *Daily Trust* (Abuja), January 24 2012, <http://www.dailytrust.com.ng/index.php/other-sections/lead-stories/152984-chadians-among-kano-attackers-police-say?device=xhtml> (accessed September 25, 2012).

<sup>107</sup> See *ibid.* At this writing, the January 20, 2012 assault on Kano resulted in the highest death toll in a single day since 2009.

<sup>108</sup> Human Rights Watch interview with Kano residents, Kano, May 2012.

I was standing in the doorway. It was around 7 o'clock [in the evening]. I saw five men in mobile police uniforms. They had AK-47s. They didn't say anything. One of them shot me in the leg and I fell inside the house. My husband, he was in uniform, came out and saw them. He had no gun. He asked, "Colleagues, why did you shoot my wife?" And they shot him: bang, in the forehead. He fell down [dead].<sup>109</sup>

The police took the woman to hospital the next morning where doctors amputated her right leg above the knee.

In the eight months since the January 20 assault on Kano, there have been more than 50 smaller attacks in the city.<sup>110</sup> According to the Kano State police commissioner, between February 13 and May 14, 2012, motorcycle-riding gunmen have killed 18 police officers in Kano and injured six other officers.<sup>111</sup>

## Attacks on Christians

Boko Haram has carried out numerous attacks on churches and Christians in northern and central Nigeria during its campaign of violence. During the five days of violence in July 2009, for example, Boko Haram members killed 37 Christian men, including three pastors, and torched or partially destroyed 29 churches in Borno State, according to Christian leaders.<sup>112</sup>

Since the group reemerged in 2010, armed gunmen have bombed or opened fire on worshipers in at least 18 churches across eight northern and central states, killing more than 127 Christians and injuring numerous others, according to media reports monitored by Human Rights Watch. A Christian leader in Maiduguri told Human Rights Watch that in Borno State alone, between June 7, 2011 and January 17, 2012, 142 Christians were killed.<sup>113</sup> The attacks on Christians in northern and central Nigeria appear to be part of a systematic plan of violence and intimidation.

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<sup>109</sup> Human Rights Watch interview with a police widow in Kano [name withheld], May 24, 2012.

<sup>110</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of suspected Boko Haram attacks.

<sup>111</sup> "Attacks by Armed Gumen on Motor Cycle in Kano State from 13/02/2012 to 14/05/2012," document provided to Human Rights Watch by Kano State police commissioner Ibrahim Idris on May 23, 2012 (copy on file with Human Rights Watch).

<sup>112</sup> Human Rights Watch interview with then-Borno State chairman of the Christian Association of Nigeria, Rev. Yuguda Mdurwa, Maiduguri, July 7, 2010.

<sup>113</sup> Human Rights Watch interview with Rev. Faye Pama Umar, secretary of the Borno State branch of the Christian Association of Nigeria, Maiduguri, May 28, 2012.

According to various statements from Boko Haram, the group is striking at Christians to “start avenging the atrocities committed against Muslims,” undermine “disbelievers and their allies and all those who help them,”<sup>114</sup> and “liberate ourselves and our religion from the hands of infidels and the Nigerian government” as part of a “full scale war between the Muslims and the Christians.”<sup>115</sup>

Boko Haram violence against Christians has included torching and blowing up churches, and carrying out abductions, forced conversions, and attacks in markets and during religious services using guns, improvised explosive devices, or suicide bombers.

During the July 2009 violence, for example, witnesses in Maiduguri said that Boko Haram fighters torched churches, killing men hiding inside, and abducted Christians and took them to Yusuf’s compound.<sup>116</sup> Boko Haram members also killed Christian men after they refused to convert to Islam.<sup>117</sup>

A 15-year-old girl in Maiduguri told Human Rights Watch that on July 26, 2009, the first night of the Boko Haram attacks, she took refuge in a church along with her pastor, the pastor’s brother, a security guard, and a woman from the church. Around midnight Boko Haram assailants armed with guns, knives, and cutlasses tossed Molotov cocktails into the church, broke down the door, and set chairs on fire. She said:

They asked the guard who he was. He said he was the gateman. He begged them to spare his life. The next thing I saw they cut his neck and pushed his body into the chairs.... The pastor’s brother tried to run and they cut him by the head. He fell down inside the church. The pastor and I were hiding by the usher’s table. [It was dark inside and] [t]hey asked the pastor if he was a woman. They then cut him on his hand and head.... That was the last I saw of him.

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<sup>114</sup> Imam Imam and Seriki Adinoyi, “Jos Bombings - Group Claims Responsibility,” *ThisDay* (Lagos), December 27, 2010, <http://www.thisdaylive.com/articles/jos-bombings-group-claims-responsibility/71232/> (accessed September 25, 2012).

<sup>115</sup> Hamza Idris, “Boko Haram: We killed Gubio,” *Daily Trust* (Abuja), February 3, 2011, <http://www.dailytrust.com.ng/index.php/daily-columns/47929-boko-haram-we-killed-gubio> (accessed September 25, 2012).

<sup>116</sup> Human Rights Watch interviews with Christians in Maiduguri, Maiduguri, July 2010.

<sup>117</sup> *Ibid.*

The assailants then abducted the girl and eventually took her to Yusuf's compound along with other captured Christians. "They said if we accept to be a Muslim, we will eat. If not, we will not eat," the girl recalled. She escaped three nights later on July 29 when soldiers shelled the compound.<sup>118</sup>

Another Christian woman in Maiduguri described how Boko Haram fighters, armed with knives, guns, and sticks, came to her house on July 28, 2009 and slit her husband's throat after he refused to renounce his Christian faith:

They told us to kneel down in front of the house.... They asked me to do the Muslim prayer. I said, "No, I will not do the prayer." They then turned to my husband. They asked him if he was going to pray and he said, "No." Then they told him to lie down.... They said if he won't pray they would kill him. After he refused, one of the men took a knife and cut his throat. They then stood there quietly. I fell down on my husband. They picked me up and took me to their mosque at the compound.<sup>119</sup>

Along with other Christian women at the compound, she was ordered to wash the clothes of Boko Haram fighters killed in the violence and told that she would not be released until she converted to Islam: "[T]hey asked me to convert several times," she said. "They said if we agree to convert, they will release us. If we don't convert, they will continue to hold us captive." She told Human Rights Watch that she saw five Christian men killed at the compound after they refused to renounce their faith. "The women they wouldn't touch," she added.<sup>120</sup> However, another witness told Human Rights Watch that Boko Haram killed at least one Christian woman in the camp.<sup>121</sup>

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<sup>118</sup> Human Rights Watch interview with a 15-year-old girl [name withheld], Maiduguri, July 8, 2010.

<sup>119</sup> Human Rights Watch interview with a Christian widow [name withheld], Maiduguri, July 10, 2010.

<sup>120</sup> Ibid.

<sup>121</sup> See text box below, Forced Conversions at Mohammed Yusuf's Compound.

### **Forced Conversions at Mohammed Yusuf's Compound**

An Igbo man from southeast Nigeria who was captured by Boko Haram on July 28, 2009 and taken to Yusuf's compound in Maiduguri, along with his wife and two children, told Human Rights Watch that he saw three people killed in the compound. He said the victims were a police sergeant, a pastor, and a woman who kept urging her husband not to renounce his Christian faith:

They took the women and children to a warehouse and locked them up. They searched us....They looked at the identity card of one man and found that he was a police sergeant. They started beating him with their guns. They then dragged him away and cut the back of his neck with a knife. They [then] asked us to do the prayer. They told us if we didn't pray they would kill us. Those who prayed they took to one side. Those who refused, they kept on another side.

I saw a man sitting on the ground. He said he was a pastor. He was preaching and disturbing the Mohammed Yusuf people. He was saying that we should not give up and that we should not betray Jesus. It is better for us to die in Christ. They beat him and then carried him away. I saw one of them cut the back of his neck with a sword. He didn't die right away but continued to struggle.

The third person I saw killed was a woman. She was shouting at her husband not to pray... They [Yusuf's followers] tried to stop her from tormenting the people, but they couldn't. Her voice was too much, so they killed her. They dragged her out. [Later] I saw her lying dead.

I thought it is better for me to pray to get my family back, so I said I will do the prayer. We did our ablutions and one of them led us in prayer....

They gave me a new name. I chose the name Isa. It means Jesus.<sup>122</sup>

Human Rights Watch also interviewed three Christian men who were taken by Boko Haram fighters to Yusuf's compound in July 2009. All three said they had agreed to "say the Muslim prayer" and assume Muslim names to save their lives. They said after they had prayed, Boko Haram leaders explained that they were fighting against the "corruption and

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<sup>122</sup> Human Rights Watch interview with an Igbo man [name withheld], Maiduguri, July 10, 2010.

injustice” in Nigeria, gave them food, and let them leave the compound.<sup>123</sup> In one case, Yusuf’s men provided an escort for the “former” Christian man and his family back to his home.<sup>124</sup> In another instance, the Boko Haram fighters filled the “newly converted” Muslim man’s vehicle with fuel before they departed the camp.<sup>125</sup>

Since the group reemerged in 2010, its attacks during or after Christian religious services, especially on religious holidays, appear designed to maximize casualties.

On Christmas Eve 2010, gunmen attacked two churches in Maiduguri, killing six people, including a pastor.<sup>126</sup> That same evening in the city of Jos, suspected Boko Haram members detonated several explosives in Christian neighborhoods, which left 33 people dead.<sup>127</sup> Boko Haram claimed responsibility for the attacks.<sup>128</sup> A year later, on Christmas Day 2011, Boko Haram struck at St. Theresa’s Catholic Church in Madalla, Niger State, killing 43 people, in addition to the two bombers.<sup>129</sup> Boko Haram members also attacked a church in Jos that day, killing a police officer on guard.<sup>130</sup>

The largest attack—with the highest death toll as of September 2012 in a church attack—was the Christmas Day 2011 bombing of the church in Madalla. Boko Haram took responsibility for the attack.<sup>131</sup> At 8 a.m. that Christmas Day, witnesses said, worshippers had just begun to exit the front of the church after the end of the first mass. Witnesses told Human Rights Watch that a Toyota Camry sedan tried to enter the church grounds, but church security and two police officers stopped the vehicle to inspect it. The car then exploded and flew about seven meters toward the front door of the church. Twenty-six

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<sup>123</sup> Human Rights Watch interviews with Christian men, Maiduguri, July 2010.

<sup>124</sup> Human Rights Watch interview with a Christian man [name withheld], Maiduguri, July 9, 2010.

<sup>125</sup> Human Rights Watch interview with an elderly Yoruba man [name withheld], Maiduguri, July 9, 2010.

<sup>126</sup> See Hamza Idris, “Borno’s grim, Boko Haram-flavoured Christmas,” *Weekly Trust* (Abuja), January 1, 2011, [http://weeklytrust.com.ng/?option=com\\_content&view=article&id=5004:bornos-grim-boko-haram-flavoured-christmas&catid=41:news&Itemid=30](http://weeklytrust.com.ng/?option=com_content&view=article&id=5004:bornos-grim-boko-haram-flavoured-christmas&catid=41:news&Itemid=30) (accessed September 25, 2012).

<sup>127</sup> See “Police dispute NEMA on death toll,” *Daily Trust* (Abuja), December 29, 2010, [http://dailytrust.dailytrust.com/index.php?option=com\\_content&view=article&id=9072:police-dispute-nema-on-death-toll&catid=1:news&Itemid=2](http://dailytrust.dailytrust.com/index.php?option=com_content&view=article&id=9072:police-dispute-nema-on-death-toll&catid=1:news&Itemid=2) (accessed September 25, 2012).

<sup>128</sup> See Imam and Adinoyi, “Jos Bombings - Group Claims Responsibility,” *ThisDay* (Lagos); Ibrahim Mshelizza, “Nigerian Islamist sect posters threaten uprising,” Reuters, February 2, 2011.

<sup>129</sup> Human Rights Watch interview with church leaders, Madalla, May 16, 2012.

<sup>130</sup> See “Toll from Nigeria Christmas attacks rises to 42 dead: source,” AFP, December 30, 2011.

<sup>131</sup> See Hamza Idris, “Boko Haram Claims Responsibility,” *Daily Trust* (Abuja), December 27, 2011.



church members and 17 bystanders across the street died in the blast, according to church leaders.<sup>132</sup>

One worshipper had just attended the service with his wife and four daughters, who were walking towards the family car across the street when the bomb went off. All four of his children died in the blast. He said:

There was smoke and dust everywhere. I could see nothing. I looked for my wife and daughters. I found my wife near the front of the church. She was all bloody and someone took her to a hospital by ambulance. She had wounds everywhere and was in a coma [for] six days before she recovered. The girls I could not find for a while—they were all in pieces near the road where I left them. They had wounds to the stomach, arms, and legs. They were broken. My wife, when she awoke, knew right away [that they were dead]. She took them to her hometown for burial.<sup>133</sup>

A mother of five children had stayed home to cook instead of attending the mass with her husband. She ran to the church when she heard there had been an attack:

I fainted. Someone poured water on me and I ran to this place. It was hard to see for the dust. I saw my first daughter twisted and then my first son with a broken hand and hurt eye. My second daughter was burned on the right side of her face. They told me my husband was driving them out of the church when the bomb went off. My husband was burned to ashes.<sup>134</sup>

The woman's 10-year-old daughter and two sons died. Another son and daughter survived with shrapnel wounds and burns on their bodies.

Following a series of attacks by Boko Haram, including the Christmas Day bombing in Madalla, President Goodluck Jonathan declared a state of emergency on December 31, 2011 in parts of four states.<sup>135</sup> On January 2, 2012, Boko Haram spokesperson Abu Qaqa

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<sup>132</sup> Human Rights Watch interview with church leaders, Madalla, May 16, 2012.

<sup>133</sup> Human Rights Watch interview with a witness to the church bombing, Madalla, May 16, 2012.

<sup>134</sup> Human Rights Watch interview with a witness to the church bombing, Madalla, May 16, 2012.

<sup>135</sup> See text box below, State of Emergency.

issued a three-day ultimatum to southern Nigerians, most of whom are Christian, to leave the north.<sup>136</sup> Three days later, on January 5, gunmen attacked a church in the northern city of Gombe, killing six people, including the pastor's wife.<sup>137</sup> On January 6, gunmen shot 12 worshipers at a church in Yola, Adamawa State.<sup>138</sup> Boko Haram claimed responsibility for the church shootings.<sup>139</sup> On January 11, suspected members of the group opened fire on a commuter van full of Igbo passengers leaving the north, killing four of the passengers, at a filling station in Potiskum, Yobe State.<sup>140</sup> Igbo are the largest ethnic group in southeast Nigeria—the vast majority are Christian.

In a video posted online in January 2012, Boko Haram leader Abubakar Shekau said that his group was “at war” with Christians because, as he alleged, “they killed our fellows and even ate their flesh in Jos.”<sup>141</sup> Shekau apparently was referring to the August 29, 2011 attack on a Muslim religious service in the city of Jos during the Eid-el Fitr Muslim holiday, which left some 12 people dead.<sup>142</sup> Videos widely circulated on mobile telephones in northern Nigeria appeared to show Christian youth cutting up corpses of Muslim victims and eating the flesh.<sup>143</sup>

On April 29, 2012, suspected Boko Haram gunmen attacked two separate Christian services at Bayero University in Kano, killing 19 worshipers, including two university lecturers.<sup>144</sup> A woman who attended the worship service at the sports hall on campus told

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<sup>136</sup> See Hamza Idris, “Boko Haram - State of Emergency Meant to Attack Muslims,” *Daily Trust* (Abuja), January 2, 2012, <http://www.dailytrust.com.ng/index.php/other-sections/labour-report/169934-boko-haram-state-of-emergency-meant-to-attack-muslims> (accessed September 25, 2012).

<sup>137</sup> See Mike Oboh “Gunmen kill 6, wound 10 in Nigeria church attack,” Reuters, January 5, 2012.

<sup>138</sup> See Umar Yusuf, “Boko Haram Attack Claims 12 in Adamawa,” *Vanguard* (Lagos), January 10, 2012, <http://www.vanguardngr.com/2012/01/boko-haram-attack-claims-12-in-adamawa/> (accessed September 25, 2012).

<sup>139</sup> See Ibrahim Mshelizza, “Christians flee attacks in northeast Nigeria,” Reuters, January 7, 2012.

<sup>140</sup> See Hamza Idris, “Gunmen kill 4 travellers in Potiskum,” *Daily Trust* (Abuja), January 12, 2012, [http://dailytrust.com.ng/index.php?option=com\\_content&view=article&id=152240:gunmen-kill-4-travellers-in-potiskum&catid=1:news&Itemid=2](http://dailytrust.com.ng/index.php?option=com_content&view=article&id=152240:gunmen-kill-4-travellers-in-potiskum&catid=1:news&Itemid=2) (accessed August 28, 2012).

<sup>141</sup> “Boko Haram: Nigerian Islamist leader defends attacks,” *BBC Online*, January 11, 2012, <http://www.bbc.co.uk/news/world-africa-16510929> (accessed September 25, 2012).

<sup>142</sup> See Bashir, “Police Begin Enquiry Into Jos Eid Ground Clash,” *Daily Trust* (Abuja), August 31, 2011.

<sup>143</sup> Copy of video footage on file with Human Rights Watch.

<sup>144</sup> See Lawan Danjuma Adamu, “As Gunmen Fire On Worshippers...Two Profs, 17 Others Killed in Buk Attack,” *Daily Trust* (Abuja) April 30, 2012, <http://www.dailytrust.com.ng/index.php/other-sections/lead-stories/160994-as-gunmen-fire-on-worshippers-2-profs-17-others-killed-in-buk-attack?device=xhtml> (accessed September 25, 2012).

Human Rights Watch that attackers shot worshipers who cowered on the ground. “A gunman came to us and shot two men nearby me,” she said.<sup>145</sup>

Boko Haram’s attacks on Christians have not only resulted in death, injury, and forced conversion, but they have also sparked sectarian clashes in already volatile states. On three successive Sundays in June 2012, for example, suicide bombers detonated explosives at church services in Bauchi, Bauchi State; Jos, Plateau State; and Zaria and Kaduna, Kaduna State—all locations of past episodes of inter-communal violence.<sup>146</sup> The June 17 attacks on two churches in Zaria and a church in Kaduna killed at least 21 people and set off several days of reprisal and counter-reprisal killings between Christians and Muslims, resulting in some 80 more deaths.<sup>147</sup> Similarly, the Christmas Eve 2010 bomb blasts in Christian neighborhoods in Jos sparked a month of sectarian bloodletting that claimed around 200 Muslim and Christian lives.<sup>148</sup>

Observers say that Boko Haram’s attacks on Christians are deliberately designed to weaken the government and exploit existing ethnic and religious fault lines.<sup>149</sup> According to one Nigerian journalist who has interviewed senior Boko Haram members:

It is ... a strategy by Boko Haram to bring the government to its knees by creating a war situation.... They know that the most important area that can bring down law and order is religion. So they are attacking Christians. When the Christians decide to retaliate they don’t know who is a Boko Haram member, so Christians will just retaliate against Muslims and that will further polarize the country.<sup>150</sup>

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<sup>145</sup> Human Rights Watch interview with witness to Bayero University attack, Kano, May 24, 2012.

<sup>146</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

<sup>147</sup> See Haruna Umar and Yinka Ibukun, “Official: Death toll from church attacks, reprisals in north Nigeria up to 98; clashes ongoing,” AP, June 20, 2012.

<sup>148</sup> See “Nigeria: New Wave of Violence Leaves 200 Dead,” Human Rights Watch news release, January 27, 2011, <http://www.hrw.org/en/news/2011/01/27/nigeria-new-wave-violence-leaves-200-dead>.

<sup>149</sup> Human Rights Watch interview with a senior government security official, Abuja, July 2012.

<sup>150</sup> Human Rights Watch interview with Ahmad Salkida, Abuja, May 29, 2012.

## Attacks on Muslim Critics and Government Collaborators

Suspected Boko Haram members have carried out numerous attacks on Muslims who either publicly opposed Boko Haram tactics or ideology, or cooperated with government authorities against the group. These include traditional rulers, Islamic clerics, politicians, and civil servants. The attacks frequently involve gunmen arriving on motorcycles, quickly identifying their target, and gunning down the victim, sometimes inside mosques or private homes.

Boko Haram has frequently warned against cooperating with the government or collaborating with security agents. In January 2012, for example, Boko Haram leaflets distributed around the city of Kano stated:

We have on several occasions explained the categories of people we attack and they include: government officials, government security agents, Christians loyal to CAN (Christian Association of Nigeria) and whoever collaborates in arresting or killing us even if he is a Muslim.<sup>151</sup>

Human Rights Watch interviewed three men in Kano who said they witnessed a shooting on February 24, 2012, at an open-air mosque, of a local vigilante group leader who had been cooperating with the police. One witness said that the victim had earlier told him that he had received threatening messages in the previous month from suspected Boko Haram members. The witness said that two gunmen, riding on a motorcycle, pulled up to the mosque during Friday prayers. One of the gunmen then shot dead the vigilante leader along with three other worshipers:

The one on the back got off the motorcycle. He was wearing a trench coat and pulled out a gun—an AK-47. He shouted “Allahu Akbar” and “Jihad.” He then began shooting into the worshipers. I was sitting in front of the congregation. I was paralyzed but I then regained my courage and ran away. He shot those who tried to flee. Some of us were lucky and were able to escape.<sup>152</sup>

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<sup>151</sup> “Nigerian Islamists urge ‘perseverance’ in flashpoint city,” AFP, January 29, 2012.

<sup>152</sup> Human Rights Watch interview with witness [name withheld], Kano May 23, 2012.

Boko Haram spokesperson Abu Qaqa later claimed responsibility for the shooting on behalf of the group.<sup>153</sup>

In the past two years, suspected Boko Haram members have shot and killed at least 12 Islamic clerics in Borno State alone, according to media reports monitored by Human Rights Watch.<sup>154</sup> Most of the clerics, including several elderly imams, were gunned down in their homes by armed men riding motorcycles.

Fundamentalist “Wahhabi” clerics who have been critical of Boko Haram and its leadership appear to have been particular targets. In October 2010, for example, gunmen shot and killed a prominent Wahhabi cleric who was an outspoken critic in Maiduguri.<sup>155</sup> The following month in Maiduguri, a gunman riding a motorcycle opened fire on worshipers in a Wahhabi mosque, killing three, including a 10-year-old boy.<sup>156</sup> In June 2011, a motorcycle gunman in Biu, south of Maiduguri, killed a prominent Wahhabi cleric at close range.<sup>157</sup>

In addition, suspected members of the group have gunned down at least eight traditional leaders—ward and district heads—in Borno and Yobe states in the past two years, according to media reports.<sup>158</sup> In September 2010, a Boko Haram member said in an interview on the BBC’s Hausa radio service that traditional leaders were targeted for “disclosing the name and whereabouts of our sect members.”<sup>159</sup> Similarly, in June 2011, a Boko Haram spokesperson told journalists: “[T]hese traditional institutions are being used to track and hunt us. That is why we attack them.”<sup>160</sup> On July 13, 2012, a suicide bomber detonated himself outside the central mosque in Maiduguri following Friday prayers, killing five people in an apparent assassination attempt on the shehu of Borno, the state’s

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<sup>153</sup> On February 26, Boko Haram spokesperson Abu Qaqa told journalists, “We went to a mosque in Kano because we have been pursuing some of our targets that assisted security agents in tracking down our members.” Andrew Agbese, Mahmud Lalo, and Hamza Idris “Suicide Bomb Hits Jos Church,” *Daily Trust* (Abuja), February 27, 2012, <http://www.dailytrust.com.ng/index.php/other-sections/lead-stories/155606-suicide-bomb-hits-jos-church?device=xhtml> (accessed September 25, 2012).

<sup>154</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

<sup>155</sup> See “Suspected Islamists kill outspoken Nigerian cleric,” AFP, October 9, 2010.

<sup>156</sup> See “Suspected Islamists kill three in Nigerian mosque: witnesses,” AFP, November 19, 2010.

<sup>157</sup> See “Suspected Islamist kills radical cleric in Nigeria,” AFP, June 7, 2011.

<sup>158</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

<sup>159</sup> See Olugbode, “Boko Haram Claims Killings in Borno,” *ThisDay* (Lagos), September 22, 2010.

<sup>160</sup> “Nigeria attacks claimed by Islamist sect Boko Haram,” *BBC Online*, June 1, 2011, <http://www.bbc.co.uk/news/world-africa-13618775> (accessed September 25, 2012).

highest traditional ruler.<sup>161</sup> In a similar attack on August 3, 2012, a suicide bomber blew himself up outside the central mosque in Potiskum, Yobe State, where the emir of Fika, the highest traditional ruler in the state, was attending Friday prayers.<sup>162</sup>

Suspected members of Boko Haram have also killed civil servants—nearly all Muslim—and assassinated more than a dozen politicians in Borno and Yobe states since 2010, according to media reports.<sup>163</sup> In September 2012, for example, suspected Boko Haram gunmen shot and killed Borno State’s attorney general.<sup>164</sup> The group claimed responsibility for the January 2011 killing of the leading candidate at the time in Borno State’s 2011 gubernatorial elections<sup>165</sup> and is also suspected in the October 2011 assassination of a federal legislator who was gunned down outside his home in Maiduguri.<sup>166</sup> “We shall kill anyone who works against Islam,” Shekau vowed in an online video in January 2012, “even if he is a Muslim.”<sup>167</sup>

## Attacks on the UN, Bars, and Schools

Boko Haram has not only carried out attacks on government security forces, Muslim and Christian targets, and perceived government collaborators and critics of Boko Haram. It has also targeted other bodies and institutions that it regards as allied with the government or opposed to its own objectives, such as the United Nations, election facilities, media, and even schools.

The group has bombed or carried out gun attacks on at least a dozen bars or entertainments centers in northern Nigeria, according to media reports monitored by Human Rights Watch, and launched a handful of prison raids to free its members.<sup>168</sup> According to media reports, suspected Boko Haram members have blown up more than a

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<sup>161</sup> See “Suicide blast in northern Nigeria kills five: police,” AFP, July 13, 2012.

<sup>162</sup> See Aminu Abubakar, “Nigerian religious leader escapes suicide attack: police,” AFP, August 3, 2012.

<sup>163</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

<sup>164</sup> Gunmen in Bauchi State on September 17, 2012 also shot and killed the former head of the Nigerian prison service, Ibrahim Jarmam. See Hamza Idris, Yahaya Ibrahim, and Ahmed Mohammed, “Gunmen Kill Borno Attorney-General, Ex-Prison Boss,” *Daily Trust* (Abuja), September 19, 2012, <http://allafrica.com/stories/201209190395.html> (accessed September 25, 2012).

<sup>165</sup> See Ibrahim Mshelizza, “Nigerian Islamist sect posters threaten uprising,” Reuters, February 2, 2011.

<sup>166</sup> See “Nigeria’s Boko Haram accused of killing MP Modu Bintube,” *BBC Online*, October 17, 2011, <http://www.bbc.co.uk/news/world-africa-15335671> (accessed August 26, 2012).

<sup>167</sup> “Nigeria sect leader defends killings in video,” Reuters, January 11, 2012.

<sup>168</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

dozen banks in northern towns—usually in conjunction with an attack on the town’s police station in which the group would seize guns and ammunition.<sup>169</sup> Some observers suggest that attacks on banks may be the work of common criminal gangs, but Boko Haram has claimed responsibility for some of the raids. In July 2011, for example, Boko Haram spokesperson Abu Qaqa told journalists that the group had “carted away huge sums of money” from three banks. “We took the measure because the mode of operations of the banks was not based on Islamic tenets,” he said.<sup>170</sup> In September 2012, the group claimed responsibility for attacks on more than two dozen mobile telephone towers across northern Nigeria, saying it carried out the attacks because telephone companies were providing information to the authorities to track down its members.<sup>171</sup>

### *United Nations Headquarters*

On August 26, 2011, a bomb-laden car drove through two barriers protecting the UN headquarters in Abuja and detonated. The bomb blew out windows throughout the building and badly damaging the ground floor reception area and first two floors. The blast killed 25 people—22 Nigerians, 1 Norwegian, and 1 Kenyan—and injured more than 100.<sup>172</sup>

Boko Haram spokesperson Abu Qaqa said the group had carried out the blast because the “UN represents unbelief and they support the Nigerian government whom we are

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<sup>169</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

<sup>170</sup> Hamza Idris and Yahaya Ibrahim, “Boko Haram: Why we are attacking banks – Sets terms for ceasefire,” *Daily Trust* (Abuja), July 14, 2011, <http://www.dailytrust.com.ng/index.php/news/23142-boko-haram-why-we-are-attacking-banks-sets-terms-for-ceasefire> (accessed September 25, 2012).

<sup>171</sup> See Haruna Umar and Yinka Ibukun, “North Nigeria mobile phone towers attacked, severing region’s communications amid sect attacks,” AP, September 6, 2012; Kayode Ekundayo et al., “More GSM Masts Attacked in Bauchi, Maiduguri, Mubi, Yobe,” *Daily Trust* (Abuja), September 7, 2012, <http://www.dailytrust.com.ng/index.php/news/176369-more-gsm-masts-attacked-in-bauchi-maiduguri-mubi-yobe?device=iphone> (accessed September 25, 2012); Camillus Eboh and Joe Brock, “Nigerian Islamists claim phone network sabotage,” Reuters, September 7, 2012. See also Isa Sa’idu, Amina Alhassan, Yahaya Ibrahim, and Haruna Gimba Yaya, “How Gunmen Attacked Telecom Masts in Zaria,” *Daily Trust* (Abuja), September 15, 2012, <http://allafrica.com/stories/201209150430.html> (accessed September 25, 2012).

<sup>172</sup> The explosion killed 13 UN staff and 12 non-UN staff. See Martin Oloja, Francis Obinor, and Emeka Anuforo “Abuja UN office bombing claims one more worker,” *The Guardian* (Lagos), December 29, 2011, [http://www.nguardiannews.com/index.php?option=com\\_content&view=article&id=72160:abuja-un-office-bombing-claims-one-more-worker&catid=1:national&Itemid=559](http://www.nguardiannews.com/index.php?option=com_content&view=article&id=72160:abuja-un-office-bombing-claims-one-more-worker&catid=1:national&Itemid=559) (accessed September 25, 2012); “With 35 United Nations Personnel Killed in 2011, Staff Union Stresses Need to Take Security More Seriously, Saying One Life Lost Is One Too Many,” UN Department of Public Information, News and Media Division, New York, Press Release, January 3, 2012, <http://www.un.org/News/Press/docs/2012/org1549.doc.htm> (accessed September 18, 2012).

fighting.”<sup>173</sup> The attack on the UN building has been the one attack to date on an international or foreign target for which the group has claimed responsibility.

### *Media*

Boko Haram has claimed responsibility for several attacks on the media and issued threats of further violence. On April 26, 2012, the group bombed Nigeria’s *ThisDay* newspaper office in Abuja and a building that houses several media outlets, including *ThisDay*, in the northern city of Kaduna. Four people were killed in the suicide car bombing in Abuja, and three died in the Kaduna blast, according to witnesses and media reports.<sup>174</sup>

In an online statement, the group said it bombed *ThisDay*, a Lagos-based private newspaper, because the newspaper had reported many “lies” about Boko Haram.<sup>175</sup> The statement also claimed that the group was exacting revenge on the newspaper for publishing a 2002 story about the Miss World beauty contest slated to be held that year in Nigeria that Boko Haram said had “dishonored” the Prophet Mohammed.<sup>176</sup> The statement by the group also named other media houses that it threatened to attack.<sup>177</sup>

In addition to these bombings, Boko Haram also claimed responsibility for killing a cameraman who worked with the government owned National Television Authority, in Maiduguri on October 22, 2011. Boko Haram claimed that he was an “informant of security agencies.”<sup>178</sup> A journalist with Channels Television, a private Lagos-based station, was shot and killed during the January 20, 2012 attacks in Kano.<sup>179</sup>

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<sup>173</sup> Ahmad Salkida, “Face of UN House bomber,” *Blueprint* (Abuja), September 5, 2011. See also Ibrahim Mshelizza, “Islamic Sect Claims Nigerian U.N. Bombing,” Reuters, August 29, 2011.

<sup>174</sup> See “This Day, Sun, The Moment Bombed,” *Vanguard* (Lagos), April 27, 2012, <http://www.vanguardngr.com/2012/04/thisday-sun-the-moment-bombed/> (accessed September 23, 2012).

<sup>175</sup> “Boko Haram threatens to attack VOA, Guardian, Daily Trust others,” *Premium Times* (Abuja), May 1, 2012, [http://premiumtimesng.com/mobile/news/4895-boko\\_haram\\_releases\\_video\\_on\\_thisday\\_bombing.html](http://premiumtimesng.com/mobile/news/4895-boko_haram_releases_video_on_thisday_bombing.html) (accessed August 27, 2012).

<sup>176</sup> *Ibid.*; Human Rights Watch, *The “Miss World Riots,”* July 23, 2003, <http://www.hrw.org/reports/2003/07/22/miss-world-riots-0>.

<sup>177</sup> See “Boko Haram threatens to attack VOA, Guardian, Daily Trust others,” *Premium Times* (Abuja), May 1, 2012. In September 2012, the group also issued a statement threatening to kill the staff of the *Voice of America* for its “campaign of calumny against Islam.” See Hamza Idris, “Why We Attacked Telecoms Facilities – Boko Haram,” *Daily Trust* (Abuja), September 7, 2012, <http://allafrica.com/stories/201209070716.html> (accessed September 30, 2012).

<sup>178</sup> “Nigerian sect says killed journalist for spying,” Reuters, October 25, 2011.

<sup>179</sup> See “Channels Television Reporter Enenche Akogwu Killed in Kano,” *Channels Television* (Lagos), January 21, 2012, <http://www.channelstv.com/home/2012/01/21/channels-television-reporter-enenche-akogwu-killed-in-kano-blasts/> (accessed September 30, 2012).



## *Schools*

Since the beginning of 2012, Boko Haram members have attacked at least 20 schools in northern Nigeria, damaging and in some cases destroying them, according to media reports monitored by Human Rights Watch. The group began torching schools in February in a two-week spate of attacks on at least 12 schools in and around Maiduguri, temporarily leaving several thousand children without access to education. All of the attacks occurred at night or early in the morning when pupils and teachers were absent.<sup>180</sup>

A Boko Haram spokesperson told journalists that the attacks were in response to alleged security force raids on Quranic schools and “indiscriminate arrests of students of Koranic schools by security agents.”<sup>181</sup> Suspected members of the group have also burned down schools in Gombe, Yobe, and Kano states, according to media reports.<sup>182</sup>

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<sup>180</sup> See “Nigeria: Boko Haram Targeting Schools,” Human Rights Watch news release, March 7, 2012, <http://www.hrw.org/news/2012/03/07/nigeria-boko-haram-targeting-schools>.

<sup>181</sup> “Gunmen attack school in restive Nigerian city: police,” AFP, February 28, 2012.

<sup>182</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

## IV. Security Forces Abuses

Nigeria's government has responded with a heavy hand to the Boko Haram violence. Government security forces, comprising military, police, and intelligence personnel, known as the Joint Military Task Force (JTF), have been implicated in serious human rights violations. The authorities have also brushed aside due process rights of detainees in the name of ending the group's threat to Nigeria's citizens.

During raids in communities, often in the aftermath of Boko Haram attacks, members of the security forces have executed men in front of their families; arbitrarily arrested or beaten members of the community; burned houses, shops, and cars; stolen money while searching homes; and, in at least one case documented by Human Rights Watch, raped a woman. Government security agencies routinely hold suspects incommunicado without charge or trial in secret detention facilities and have subjected detainees to torture or other physical abuse.

In July 2009, at the outset of the violence, the police and soldiers in Maiduguri carried out scores of extrajudicial killings of detainees—many of them committed execution-style—according to witnesses interviewed by Human Rights Watch. Since then security personnel have detained suspects at several military and police facilities in Maiduguri, including in an underground detention center at Giwa military barracks, witnesses told Human Rights Watch. Soldiers have been implicated in detention-related abuses, including extrajudicial killings and torture. Members of security forces who have carried out alleged abuses have done so with near-total impunity.

The government has deployed security personnel across northern and central Nigeria in an effort to protect vulnerable minority groups and other potential targets of violence. In Maiduguri, for example, Human Rights Watch observed, in May 2012, military and police personnel behind sandbagged barricades guarding the city's prominent churches. Although security personnel often become targets themselves, these extra measures have provided protection that is critical for vulnerable groups in this region. Nevertheless, the conduct of the security forces has also undermined the effectiveness of the enhanced security procedures.

In places like Maiduguri, “[t]he security agents increasingly see members of society as siding with the group,” observed a journalist from the city who has reported on the violence.<sup>183</sup> During raids into communities soldiers have set fire to houses, shops, and cars, randomly arrested men from the neighborhood, and in some cases executed them in front of their shops or houses.<sup>184</sup> These raids have become so common in Maiduguri, especially after Boko Haram attacks on the JTF, that parents have advised their sons to flee as soon as they hear of an attack. As one young man in Maiduguri recalled, “My father told us anytime soldiers are shot, the JTF will come and attack the community and kill the youth, so we should run away and save our lives.”<sup>185</sup>

According to civil society leaders, JTF abuses have created growing resentment in communities, making community members more reluctant to provide information that could help curtail Boko Haram.<sup>186</sup> As one prominent civil society activist in the north said: “The abuses by the JTF have created more distance between the people and the government. Ordinary people are alienated by the activities of the JTF, so they don’t want to cooperate.”<sup>187</sup>

A lawyer representing the family of a young man killed by soldiers in Kano also said that these tactics have been counterproductive. “If you want to stop an insurgency, you have to be friendly to the host community,” he said.<sup>188</sup>

Residents might also shun the police and military because of the prevalence of corruption within the security agencies, which has eroded social interaction with communities and undermined efforts to tackle Boko Haram. In November 2011, for example, Human Rights Watch witnessed soldiers in northern Kaduna State block off the main highway leading from Kano to Abuja, backing up traffic on two south-bound lanes for over a kilometer. The soldiers were not checking vehicles for guns or explosives but brazenly demanding money from motorists.<sup>189</sup>

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<sup>183</sup> Human Rights Watch interview with Ahmad Salkida, Abuja, May 29, 2012.

<sup>184</sup> Human Rights Watch interviews with residents, Maiduguri, May 2012.

<sup>185</sup> Human Rights Watch interview with a young man [name withheld], Maiduguri, May 28, 2012.

<sup>186</sup> Human Rights Watch interview with Ahmad Salkida, Abuja, May 29, 2012.

<sup>187</sup> Human Rights Watch interview with Shehu Sani, president of the Civil Rights Congress of Nigeria, Abuja, May 30, 2012.

<sup>188</sup> Human Rights Watch interview with a lawyer [named withheld], Kano, May 22, 2012.

<sup>189</sup> Human Rights Watch site visit to Zaria, Kaduna State, November 20, 2011.

Nigeria has ratified a number of international treaties, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, that prohibit the arbitrary deprivation of the right to life, torture, and arbitrary arrest and detention.<sup>190</sup> The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratified by Nigeria, requires Nigeria to investigate and prosecute those who commit torture and compensate victims who suffer it.<sup>191</sup>

The Nigerian constitution guarantees that every person has the “right to life” and “personal liberty” and shall not be arbitrarily deprived of these rights.<sup>192</sup> The constitution also provides that every individual is entitled to “respect for the dignity of his person,” including the right not to be subjected to torture.<sup>193</sup>

Various international instruments provide further guidance on the protection and respect of human rights of criminal defendants and persons deprived of their liberty, including the UN Standard Minimum Rules for the Treatment of Prisoners, which outlines the minimum standards for the registration of detainees, detention conditions, visitation rights, and external inspection of detention facilities.<sup>194</sup>

## Extrajudicial Killings by the Police

The Nigeria Police Force has a long record of human rights abuses, including extrajudicial killings of criminal suspects in custody.<sup>195</sup> In Maiduguri, in July 2009, the police lost about

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<sup>190</sup> International Covenant on Civil and Political Rights, adopted on December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force on March 23, 1976, acceded to by Nigeria on July 29, 1993. African [Banjul] Charter on Human and Peoples' Rights, adopted on June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force on October 21, 1986, acceded by Nigeria on June 22, 1983.

<sup>191</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted December 10, 1984, G.A. res. 39/46, annex, 39 UN GAOR Supp. (No. 51) at 197, UN Doc. A/39/51 (1984), entered into force on June 26, 1987, ratified by Nigeria on June 28, 2001.

<sup>192</sup> Constitution of the Federal Republic of Nigeria, 1999, secs. 33 and 35.

<sup>193</sup> *Ibid.*, sec. 34(1)(a).

<sup>194</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolution 663 C (XXIV) of July 31, 1957, and 2076 (LXII) of May 13, 1977.

<sup>195</sup> See, for example, Amnesty International, *Killing at Will: Extrajudicial Executions and other Unlawful Killings by the Police in Nigeria*, AFR 44/038/2009, December 2009, <http://www.amnesty.org/en/library/info/AFR44/038/2009> (accessed August 22, 2012); Network on Police Reform in Nigeria and Open Society Justice Initiative, *Criminal Force: Torture, Abuse, and Extrajudicial Killings by the Nigeria Police Force*, May 2010, <http://www.soros.org/reports/criminal-force-torture-abuse-and-extrajudicial-killings-nigeria-police-force> (accessed August 22, 2012); Human Rights Watch, *“Rest in Pieces”: Police Torture and Deaths in Custody in Nigeria*, vol. 17, no. 11(A), July 2005, <http://www.hrw.org/node/11631>, pp. 37-38.

Police officers execute seven unarmed men, including three victims on crutches, in July 2009 outside the front gate of the police headquarters in Maiduguri. Stills from video footage courtesy of Al Jazeera.<sup>196</sup>

30 of their colleagues in the violence. They responded to the attacks by executing Boko Haram suspects in their custody. Most of the killings were carried out by members of the Police Mobile Force and appeared to have taken place in the presence of senior police officials. The police made little effort to hide their crimes: the killings were done in full view of the public and some were recorded on video.

### *Twenty-Four Extrajudicial Killings at Police HQ, Maiduguri, July 2009*

According to witnesses, many of the public executions in July 2009 by the police occurred at their headquarters in Maiduguri. Human Rights Watch documented 28 alleged extrajudicial killings committed by the police between July 28 and August 1, 2009, in Maiduguri. Twenty-four of them took place outside the front gate or inside the compound of the police headquarters. (For information on the killing of Boko Haram leader Mohammed Yusuf, see section above, Mohammed Yusuf's Execution.)

A 24-year-old woman recounted seeing mobile police officers execute 16 detainees at police headquarters on July 28 and 29. On the first day's shootings she stood at the fence of the headquarters, along with others, and saw a Police Mobile Force (MOPOL) officer order the execution of 10 men:

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<sup>196</sup> See "Video shows Nigeria 'executions,'" Al Jazeera, February 9, 2010, <http://www.aljazeera.com/news/africa/2010/02/2010298114949112.html> (August 26, 2012).



There was a big [heavysset] MOPOL [officer] there. I don't know his rank. He was saying in Hausa, "Shoot them all. What are you waiting for?" Three MOPOLs did the shooting. Some of those killed wore kaftans with camouflage. They yelled "Allahu Akbar," and the police would know they were Boko Haram and shoot them. Others denied they were Boko Haram members. One of them was crying.... But the police pushed them aside and shot them.

The following afternoon, July 29, the woman said she returned to the police headquarters and witnessed the police executing six more people, including three men on crutches: "After watching this, I felt bad—I even cried," she said. "The police are not right because they are even killing innocent people."<sup>197</sup>

As the bodies piled up outside the headquarters the police made no attempt to hide their actions, witnesses said. Members of the public and even the police themselves video recorded executions with their mobile telephones. On February 9, 2010, *Al Jazeera* television aired video footage of police officers killing seven men outside the front gate of the headquarters.<sup>198</sup>

### **Execution of Buji Foi, Maiduguri, July 2009**

On the morning of July 31, 2009—the day after the police killed Mohammed Yusuf—the military apprehended one of Boko Haram's alleged financial backers, Buji Foi, a former commissioner in the Borno State government, at his farm outside Maiduguri.<sup>199</sup> A journalist told Human Rights Watch that he saw the commander of the military task force in Maiduguri, Col. Ben Ahanotu, arrive at police headquarters that morning with Foi in the back of a white Toyota Hilux pickup truck. After dropping Foi off, Ahanotu drove away, leaving the captive standing in the compound, his hands tied behind his back, with Borno State Police Commissioner Christopher Dega and a group of mobile police officers. The

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<sup>197</sup> Human Rights Watch interview with a 24-year-old woman [name withheld], Maiduguri, July 8, 2010.

<sup>198</sup> To view the video of the police executions, see "Video shows Nigeria 'executions,'" *Al Jazeera*, February 9, 2010, <http://www.aljazeera.com/news/africa/2010/02/2010298114949112.html> (August 26, 2012).

<sup>199</sup> Buji Foi was a former commissioner for religious affairs in the Borno State government. See Mohammed S. Shehu, "Boko Haram – My Hands Are Clean, Says Sheriff," *Daily Trust* (Abuja), July 15, 2011, <http://www.dailytrust.com.ng/index.php/other-sections/inside-politics/23150-boko-haram-my-hands-are-clean-says-sheriff> (accessed September 25, 2012).

journalist said Dega ordered Foi to be taken inside, but some of the mobile police officers refused and instead shot him:

The police commissioner said they should take him to CID [Criminal Investigation Department]. He then went back to his office. Some of the junior officers shouted, “Let us kill him!” They said, “We will not allow him to go.”... I saw the commissioner of police come [back] down from the upstairs office.

Some of the mobile police started pushing the man [Foi] toward the [front] gate.... Some of them wanted to put him into a Hilux [pickup truck] that was outside, but those in the Hilux pushed him down. He was on the ground and the mobile police were all around him. I then heard gunshots—rapid fire—and shouting. I saw him lying there with a bullet wound on his neck. He died on the spot. [They left his body] there almost three hours, right outside the gate.<sup>200</sup>

### **Execution of Baba Fugu Mohammed, Maiduguri, July 2009**

Baba Fugu Mohammed, the 72-year-old father-in-law of Boko Haram’s leader Mohammed Yusuf, turned himself in to the police on the morning of July 31, 2009, on his lawyer’s advice, after he heard the police wanted to speak with him.<sup>201</sup> A week before the violence exploded in July 2009, Baba Fugu Mohammed’s son, on his father’s behalf, had sent a letter to the Borno State governor warning that Yusuf was preparing to launch a retaliatory “offensive attack” on police and government targets.<sup>202</sup> Human Rights Watch interviewed a former employee of Baba Fugu Mohammed who was stopped at a security checkpoint in front of police headquarters the morning of July 31. As the police searched his vehicle, he said he witnessed a mobile police officer shoot Baba Fugu Mohammed and three other men at close range by the front gate:

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<sup>200</sup> Human Rights Watch interview with a journalist [name withheld], Maiduguri, July 8, 2010.

<sup>201</sup> Human Rights Watch interview with Anayo Adibe, Baba Fugu Mohammed’s lawyer, Maiduguri, July 7, 2010.

<sup>202</sup> Human Rights Watch interview with Baba Kuru Fugu, Maiduguri, July 6, 2010. Letter from Baba Kuru Fugu to the Borno State governor, dated July 15, 2009, with signed receipt from the office to the secretary to the Government of Borno State on July 20, 2009 (on file with Human Rights Watch).

I saw the police taking Baba Fugu out of the police headquarters with three others. He was wearing a black kaftan. I didn't recognize the others. One was wearing a white *jalabiya* [robe]. The other two had on brown kaftans. They were with many mobile police—black and green uniforms. The police told the three to lie down. They lay down in the flower bed just in front of the ATM machine. One mobile police then shot them. The gunshots were too many so everybody was afraid. I got in my car and left.<sup>203</sup>

## Extrajudicial Killings by the Military

Nigeria's military has been implicated in numerous abuses during its operations in response to the Boko Haram violence in northern Nigeria, including extrajudicial killings of men during neighborhood raids and of detainees in military custody. The following section details 27 cases of extrajudicial killings carried out by soldiers. Most of the extrajudicial killings documented by Human Rights Watch occurred in Maiduguri between July 2009 and May 2012, while three took place in the city of Kano in March 2012.

### *Eight Extrajudicial Killings, Maiduguri, July 2009*

Human Rights Watch interviewed witnesses to three separate incidents of extrajudicial killings by soldiers in Maiduguri on July 28, 2009.

In one case, a young man told Human Rights Watch that when soldiers came to his community a suspected Boko Haram member holding a cutlass climbed a tree in front of his house. The witness said, "One of the soldiers shot the man in the tree and he fell.... The soldiers asked him, 'Where are the other members?' He said, 'In the mosque.' The soldiers then shot him twice.... He was dead."<sup>204</sup>

In a second instance of extrajudicial killings that day, a journalist told Human Rights Watch that he saw soldiers shoot three men in their custody at close range just outside police headquarters.<sup>205</sup>

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<sup>203</sup> Human Rights Watch interview with a former employee of Baba Fugu Mohammed [name withheld], Maiduguri, July 8, 2010.

<sup>204</sup> Human Rights Watch interview with a young man [name withheld], Maiduguri, July 9, 2010.

<sup>205</sup> Human Rights Watch telephone interview with a journalist [name withheld], Maiduguri, July 31, 2009.



And in yet a third case, Human Rights Watch interviewed three witnesses who saw soldiers shoot five men on the Customs Bridge in Maiduguri. One of the victims survived. He told Human Rights Watch that on the afternoon of July 28 soldiers entered a mosque where he was praying with four other men. The soldiers removed their robes, beat them, and marched them to their commander at the bridge. He described what happened next:

The soldiers told us to lie down. Four of the soldiers opened fire on us. The commander was watching. I was lying on my side. They saw that some of us were moving and shot us again. I then lost consciousness.

I regained consciousness in the night and dragged myself to an area in the dirt near Dandal Community Bank. I spent the night under a bus. In the morning an *achaba* [commercial motorcycle taxi] man who knew me took me to my house. My family called a doctor.... They removed four bullets from my body.<sup>206</sup>

A former Boko Haram member who witnessed the shootings at the Customs Bridge insisted to Human Rights Watch that the five men were not Boko Haram members. According to him, “The old man was holding prayer beads, and Boko Haram members don’t do that. The two youth wore T-shirts and the [other] two men wore long pants, not the short pants of Boko Haram.”<sup>207</sup> The soldiers left the corpses on the bridge for three days.<sup>208</sup>

### *Twelve Extrajudicial Killings, Maiduguri, July 2011*

On the night of July 9, 2011, following a suspected Boko Haram attack on a military vehicle in Maiduguri, soldiers raided the Kaleri neighborhood. Community members provided Human Rights Watch with a list of 18 names of men allegedly killed during the raid. One of the surviving residents, who hid under an outdoor table, said he saw soldiers execute 12 men in front of his neighbor’s house:

I came out from the mosque around 8 p.m. and heard a bomb explosion. After the explosion the JTF arrived in six pickups. They told the people to

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<sup>206</sup> Human Rights Watch interview with a victim of attempted execution [name withheld], Maiduguri, July 11, 2010.

<sup>207</sup> Human Rights Watch interview with a former Boko Haram member, Maiduguri, July 8, 2010.

<sup>208</sup> Human Rights Watch interview with a resident [name withheld], Maiduguri July 8, 2010.

come out of their houses. They asked the women and children to lie down on the ground....

I saw the JTF going into my neighbor's house. His name was Mohammed. I heard the soldiers shout, "Where is your husband?" They were speaking broken English. The wife said, "Mohammed is not in." They said, "If you don't show him, we will shoot you dead." Mohammed then came out. The soldiers separated the two of them. The soldiers then shot Mohammed. They shot him twice at close range. Three soldiers then poured petrol inside the house and set the house on fire. Mohammed's wife fell on him and held him. The soldiers threw the wife aside and carried his corpse away.

After that I saw them [the soldiers] bring out about 11 men from various houses. I knew the men. They lined them up in front of Mohammed's house. One of their leaders ordered them to shoot them. He said "Fire!" He was speaking in English. The other soldiers then shot the men.<sup>209</sup>

### *Three Extrajudicial Killings, Maiduguri, January 2012*

On January 26, 2012, soldiers raided the Gidan-Yashi neighborhood of Maiduguri and executed on the spot three brothers—Dala, Mallam Tijjani, and Mallam Mohammed Mustapher—one of their relatives who witnessed the killings told Human Rights Watch. The witness said the troops told the men, all in their twenties, to lie down outside a residential compound and ordered the women to go inside the house:

One of the soldiers asked the other soldiers to stand clear. When they stood clear the soldier shot the three men. The soldiers then threw the corpses into a van and left.

We got information from someone at the Maiduguri University Teaching Hospital that the corpses were there, so we went and identified the bodies. They [the soldiers] tried to force us to sign that they were Boko Haram

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<sup>209</sup> Human Rights Watch interview with a Kaleri resident [name withheld], Maiduguri, May 28, 2012.

members, but we refused to sign.... We then went to a lawyer. He went and they released the bodies to him.”<sup>210</sup>

### *One Extrajudicial Killing, Maiduguri, May 2012*

In Maiduguri, a resident of the Lawan Bukar Junction neighborhood told Human Rights Watch that on May 22, 2012 soldiers raided the neighborhood and killed an unarmed man who was hiding in a tailor’s shop, before burning the property. He said:

They came with jerry cans and threw gasoline on the stores. In mine, they tried to light the shop with matches, but the flames didn’t spread.... But then they went to other stores and burned them. One shop sold generators, another grinding machines, one even kola nuts. I think 13 in all [were burned]. They also burned some cars.

At one, a tailor shop, a man named Ibrahim, who is the son of the owner, was caught inside. When he tried to get out, they shot him and he fell back into the shop. They threw gasoline in and set it on fire.... The next day, we went in and found Ibrahim’s body. He was so badly burned that when we began to drag it [out], a leg came off.<sup>211</sup>

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<sup>210</sup> Human Rights Watch interview with a Gidan-Yashi resident [name withheld], Maiduguri, May 28, 2012.

<sup>211</sup> Human Rights Watch interview with a shop owner [name withheld], Maiduguri, May 26, 2012.

## The Killing of Ali Sadiq and Two Others, Kano, March 2012

On March 9, 2012, soldiers in Kano gunned down Ali Sadiq, a graduate of Bayero University who got married five days before the shooting. Ali was inside a filling station where he had gone to buy fuel.

According to witnesses, suspected Boko Haram members attacked a nearby police station, prompting customers and employees at the filling station to run for cover in the building. After the attack on the police station, JTF vehicles arrived and convened at the parking lot of the filling station. One of the employees hiding inside the filling station's service pit described what happened:



Rebeeba Musa holds a photograph of her deceased husband, Ali Sadiq, who was killed by soldiers in the city of Kano on March 9, 2012. © 2012 Eric Guttschuss/ Human Rights Watch

Seven of us were hiding in the pit. Four of us were staff here, the other was Ali, who had come to get fuel—I knew him from before—Ahmed, who sells fuels along the road, and a third man [name withheld]. Ali phoned his wife that his life was in danger and she should pray for him. After 45 minutes the soldiers and police came.

Two soldiers came into the service bay. They were wearing camouflage uniforms. They didn't say anything. They just started shooting into the pit. They shot Ali and he fell down on top of me. They shot the second—Ahmed—and third one [name withheld]. I then started shouting saying: "We are staff, we are staff. We are staff!" The soldiers said, "If you are staff, you should come out." So we came out.

My clothes were all covered in Ali's blood. They made us lie down outside. The soldiers and the police then went inside to my boss's office. They shot inside and took my boss out. They had removed his clothes and made him lie down with us....

Later I took Ahmed and [the third man] in a tri-wheel vehicle to the hospital.... They attended to them and I left. On my way back home I was told that Ahmed had died. He was shot in the leg and lost a lot of blood.<sup>212</sup>

Another man was also shot and killed next to the filling station's generator.<sup>213</sup>

<sup>212</sup> Human Rights Watch interview with a filling station employee [name withheld], Kano, May 23, 2012.

<sup>213</sup> Human Rights Watch interview with a man inside the filling station during the shooting [name withheld], Kano, May 23, 2012.

Nigeria's Armed Forces Act, which establishes rules for military conduct, prohibits mistreatment of detainees, assault, murder, manslaughter, robbery, and arson. Military officials interviewed by Human Rights Watch insisted that their personnel have not been involved in abuses against civilians.<sup>214</sup> According to a senior military official, in a statement sent to Human Rights Watch, dated July 24, 2012:

[O]ur personnel do not engage in unmindful violence as they would rather allow terrorists escape when in pursuit than to carryout acts that are likely to endanger innocent lives. In other words, deployed personnel of the military have neither been involved in deliberate killing of the innocents nor in torture. Alleged terrorists who are arrested, are duly processed and handed over to the police or other relevant prosecutorial agencies for prosecution in civil courts.<sup>215</sup>

## Other Abuses during Raids and at Checkpoints

JTF raids on neighborhoods feature a range of alleged security force abuses, such as burning houses, shops and cars; beating residents, stealing money; and, in at least one case documented by Human Rights Watch, rape.

Human Rights Watch interviewed a witness who described seeing two soldiers beat and rape a woman, who was his neighbor, during a night raid in the Kaleri neighborhood of Maiduguri on July 9, 2011. He said the alleged rape occurred after soldiers had burned homes and vehicles and shot and killed men in the neighborhood, including the woman's husband:

I saw two soldiers beat a woman in her compound. They then raped her—one after the other. It was very close to where I was hiding.... She lay there until the morning when people came to carry her to hospital. They have since taken the woman to the village for treatment. Because of shame she can't come back.<sup>216</sup>

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<sup>214</sup> Human Rights Watch interview with military officials, Defence Headquarters, Abuja, July 5, 2012.

<sup>215</sup> Letter from Air Vice Marshal T. Dick-Iruenabere, on behalf of the chief of defence staff, dated July 24, 2012, emailed to Human Rights Watch on July 24, 2012.

<sup>216</sup> Human Rights Watch interview with a Kaleri resident [name withheld], Maiduguri, May 28, 2012.

Human Rights Watch interviewed eight people in the Dorayi neighborhood in the city of Kano who described a May 13, 2012 pre-dawn raid in which soldiers went house to house, broke down doors, ransacked homes, and in some cases stole money. The soldiers searched residents' mobile phones and beat those who did not own one. One of the residents recalled:

The soldiers asked us to come out of the house. They asked me for my handset but I didn't have one. They beat me with their guns on my back and hit me with a hammer on my hand. The soldiers went into the house. They brought everything out of the house. I had put money in a drawer. When I went back into the house the money was missing—27,000 naira (roughly \$170).... I went to the police and gave a statement to the police. I signed the statement.<sup>217</sup>

The JTF spokesperson in Kano, however, dismissed allegations of abuses during the raid in Dorayi as “completely false, baseless and a fabrication aimed [at] tarnishing the image of the JTF.”<sup>218</sup>

In both Kano and Maiduguri, the JTF has set up numerous checkpoints to aid the search for arms, explosives, and Boko Haram suspects. But residents allege that the security personnel also harass, extort money from, and abuse residents at checkpoints. Human Rights Watch interviewed 10 motorcyclists in Kano who all reported different levels of abuses, including beatings. Some said that the police or soldiers asked for bribes before letting them pass. One, a mechanic, described an incident that occurred earlier that day—May 25, 2012:

As we were pushing the bike through a checkpoint, soldiers made us stop. We had to “frog-jump” [leap forward while holding one's ankles] 20 times, and then they beat us with cables. I cried for help, but no one would come.

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<sup>217</sup> Human Rights Watch interview with a Dorayi resident [name withheld], Kano, May 22, 2012.

<sup>218</sup> Nazifi Dawud Khalid, “‘How soldiers brutalised Kano people’ – It’s completely false –JTF,” *Daily Trust* (Abuja), May 15, 2012, [http://dailytrust.com.ng/index.php?option=com\\_content&view=article&id=162451:how-soldiers-brutalised-kano-people-its-completely-false-jtf&catid=2:lead-stories&Itemid=8](http://dailytrust.com.ng/index.php?option=com_content&view=article&id=162451:how-soldiers-brutalised-kano-people-its-completely-false-jtf&catid=2:lead-stories&Itemid=8) (accessed September 25, 2012).

It took an hour. Then a man in an SUV stopped and pleaded with the soldiers to let us go. They let us go.<sup>219</sup>

A second motorcyclist recalled that a soldier stopped him at a checkpoint on May 18, 2012, before beating him and demanding a bribe:

He started beating me with a rubber cable. I had to stay on the ground for an hour and a half. Finally an officer came and said, “Let him go.” Still, I had to pay 200 naira (\$1.25) to the first soldier.<sup>220</sup>

## Detention-Related Abuses

Many alleged Boko Haram suspects have been held for months and even years without charge or trial. They have often been denied the right to communicate with their family and lawyers and most have had no charges publicly brought against them, according to witnesses, lawyers, and civil society activists interviewed by Human Rights Watch.<sup>221</sup> The authorities’ failure to respect these due process rights has left detainees particularly vulnerable to abuses in police or military custody. Human Rights Watch collected evidence of deaths and physical abuse of detainees in detention. While the sample of witnesses is too small to present a complete picture, it raises serious concern and requires a full investigation.

### *Incommunicado Detentions and Lack of Due Process*

Human Rights Watch interviewed relatives of nine men taken away by the JTF in Maiduguri since January 2012. All said they had not received official word about the whereabouts and condition of their relatives, or what charges were being brought against them. The authorities in Maiduguri have permitted some lawyers irregular visits to the detainees, but at this writing access to lawyers had been arbitrarily truncated by the military personnel.<sup>222</sup>

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<sup>219</sup> Human Rights Watch interview with a mechanic [name withheld], Kano, May 25, 2012.

<sup>220</sup> Human Rights Watch interview with a motorcyclist [name withheld], Kano, May 25, 2012.

<sup>221</sup> Lengthy pre-trial detention remains a serious problem in Nigeria’s criminal justice system. As of the end of 2011, approximately 70 percent of the 48,000 detainees in Nigeria’s prisons had not been tried—many of them had been held for years without trial. See US State Department, Bureau of Democracy, Human Rights and Labor, “Country Reports on Human Rights Practices for 2011, Nigeria,” <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dlid=186229> (accessed September 23, 2012).

<sup>222</sup> Human Rights Watch interviews with lawyers in Maiduguri, May 2012.

### *Torture and Inhumane Conditions*

Human Rights Watch interviewed several lawyers, two former detainees, and relatives of detainees in Maiduguri who said that Boko Haram suspects were detained at several detention facilities in Maiduguri, often incommunicado in inhumane conditions, including at an underground detention facility at the Giwa military barracks.<sup>223</sup>

Human Rights Watch interviewed two former detainees at the Giwa barracks. They described being detained in an underground detention facility in unsanitary conditions, without adequate food, for six weeks and four months, respectively. The men said that during their time there they were handcuffed to a ring on the floor that prevented them from standing up or moving around and were only released twice a day to eat and use the toilet. They were not allowed outside and were denied access to a lawyer, family members, or other visitors. “There were nine cells in the underground area. There were about eight inmates in each cell.... There was no light,” one said.<sup>224</sup>

One of the former detainees also witnessed several incidents of torture at Giwa Barracks. For example, he said that while he was being interrogated by security agents in an office at the barracks he saw soldiers at another table torture a detainee by pulling on his genitals with a pair of pliers. He also described seeing soldiers try to “peel the skin” off a detainee with a razor and kill another detainee while he was suspended from a tree at the barracks.

His legs were suspended—bent and tied. They [the soldiers] hit him with a gun and he died. I saw him on the ground and his body was lifeless. They then threw his body into the back of a pickup [truck].<sup>225</sup>

Senior military officials interviewed by Human Rights Watch at Defence Headquarters in Abuja denied that suspects were detained at Giwa Barracks in Maiduguri: “Giwa Barracks is not configured as a detention center. It is a regular residential barracks,” one official insisted.<sup>226</sup> Similarly, the director of information at Defence Headquarters denied the

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<sup>223</sup> Human Rights Watch interviews in Maiduguri, May 2012.

<sup>224</sup> Human Rights Watch interview with a former detainee [name withheld], Maiduguri, May 28, 2012.

<sup>225</sup> Human Rights Watch interview with a former detainee [name withheld], Maiduguri, May 28, 2012.

<sup>226</sup> Human Rights Watch interview with Air Vice Marshal T. Dick Iruenabere, chief of policy and plans, Defence Headquarters, Abuja, July 5, 2012.



existence of the detention facility: “There is no underground facility at Giwa Barracks. Giwa Barracks is a regular barracks,” he said. “There is no Guantanamo Bay.”<sup>227</sup>

### *Deaths in Military Custody*

The allegation of torture noted above was not the only case of alleged death in detention at Giwa Barracks. Human Rights Watch interviewed three relatives of a man who allegedly died in detention at the barracks.<sup>228</sup> They said that Kaka Alhaji Ali, 25, a used television salesperson, was arrested on March 14, 2012 as he was walked along the city’s Awasulum Road. When he tried to pass between two JTF vehicles, soldiers called him over, beat him with rifle butts, and kicked him, a relative who witnessed the beating said.

One of the relatives said he saw the soldiers place Ali into a pickup truck, and he followed the truck to Giwa Barracks. On March 23 the relatives saw Ali from a distance at the barracks, alive with his hands tied to a pillar. The next day, around 8 a.m., one of the relatives returned with a lawyer and asked about Ali. A soldier told them that Ali had left:

I took that to mean they had killed him. I went to the [University of Maiduguri] Teaching Hospital around 1 p.m. and found his corpse. There was a report that he was shot in an exchange of fire along the Maiduguri-Damaturu Road, which I knew was a lie. The lawyer and I asked for the corpse, which they surrendered to us.<sup>229</sup>

Human Rights Watch also received reports of security agents ferrying detainees to the outskirts of Maiduguri and executing them. A resident of a settlement about four kilometers from Maiduguri said that since the beginning of 2012 JTF patrols have pulled up in convoy in the bush near the village on several occasions and gunshots have sounded. In the morning, residents have discovered dead bodies. The man said:

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<sup>227</sup> Human Rights Watch interview with Col. M.M. Yerima, director of defence information, Defence Headquarters, Abuja, July 5, 2012.

<sup>228</sup> Human Rights Watch interviews with relatives of Kaka Alhaji Ali [names withheld], Maiduguri, May 28, 2012.

<sup>229</sup> Human Rights Watch interview with a relative of Kaka Alhaji Ali [name withheld], Maiduguri, May 28, 2012. Photos of Kaka Alhaji Ali’s corpse on file with Human Rights Watch.

Sometimes we see them [the JTF]. They come by convoy to the bush and kill prisoners and leave their corpses. It happens at night. I have heard the shots several times, and in the morning the bodies are there.

After several such occurrences, the village ward head contacted the district head, who went to the local government chairman, who asked the police to take away the corpses. The resident said:

The police forced us to bury the corpses. We buried them in our cemetery. I don't know the names of the dead. This has happened several times in the past five months. We have buried about 20 people ourselves.<sup>230</sup>

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<sup>230</sup> Human Rights Watch interview with a resident [name of witness and community withheld], Maiduguri, May 28, 2012.

## V. Crimes Against Humanity

Under international law, a crime against humanity is certain criminal acts, including murder, torture, and persecution of religious groups, “committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.”<sup>231</sup> International law provides that the attack must be widespread or systematic, but need not be both.<sup>232</sup> “Widespread” refers to the scale of the acts or number of victims.<sup>233</sup> A “systematic” attack indicates “a pattern or methodical plan.”<sup>234</sup>

The attack must also be part of a state or “organizational” policy to commit multiple commissions of these crimes. Non-state organizations can be responsible for crimes against humanity if they have a sufficient degree of organization. In its leading ruling to date on this issue, the International Criminal Court’s Pre-Trial Chamber stated that “the determination of whether a given group qualifies as an organization under the [ICC’s Rome] Statute must be made on a case-by-case basis,” taking “into account a number of considerations,” including:

- (i) whether the group is under a responsible command, or has an established hierarchy;
- (ii) whether the group possesses, in fact, the means to carry out a widespread or systematic attack against a civilian population;
- (iii) whether the group exercises control over part of the territory of a State;
- (iv) whether the group has criminal activities against the civilian population as a primary purpose;
- (v) whether the group articulates, explicitly or implicitly, an intention to attack a civilian population;
- (vi) whether the

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<sup>231</sup> Rome Statute of the International Criminal Court, 2187 U.N.T.S. 3, entered into force July 1, 2002, art. 7.

<sup>232</sup> See Rome Statute, art. 7(1); *Prosecutor v. Dusko Tadic*, ICTY, Case No. IT-94-1-T, Opinion and Judgment (Trial Chamber), May 7, 1997, para. 646.

<sup>233</sup> See *Prosecutor v. Akayesu*, ICTR, Case No. ICTR-96-4-T, Judgment (Trial Chamber I), September 2, 1998, para. 579. In *Akayesu* the Trial Chamber defined widespread as “massive, frequent, large scale action, carried out collectively with considerable seriousness and directed against a multiplicity of victims.” See also *Prosecutor v. Kordic and Cerkez*, ICTY, Case No. IT-92-14/2, Judgment (Trial Chamber III), February 26, 2001, para. 179; *Prosecutor v. Kayishema and Ruzindana*, ICTR, Case No. ICTR-95-1-T, Judgment (Trial Chamber II), May 21, 1999, para. 123.

<sup>234</sup> *Prosecutor v. Dusko Tadic*, ICTY, Case No. IT-94-1-T, Opinion and Judgment (Trial Chamber), May 7, 1997, para. 648. See also *Prosecutor v. Kunarac, Kovac and Vokovic*, ICTY, Case No. IT-96-23 and IT-96-23-1A, Judgment (Appeals Chamber), June 12, 2002, para. 94. In *Kunarac* the Appeals Chamber stated that “patterns of crimes—that is the non-accidental repetition of similar criminal conduct on a regular basis—are a common expression of [a] systematic occurrence.”

group is part of a larger group, which fulfills some or all of the abovementioned criteria.<sup>235</sup>

The Pre-Trial Chamber emphasized that these factors “do not constitute a rigid legal definition, and do not need to be exhaustively fulfilled.”<sup>236</sup>

Crimes against humanity and genocide, unlike war crimes, may be committed in times of peace or in periods of unrest that do not rise to the level of an armed conflict.<sup>237</sup>

Boko Haram appears to meet the criteria to be considered an “organization” capable of having a policy to commit such crimes. Although little is known about the group’s leadership structure, and there is much speculation about possible factions, no one has publicly emerged to refute Abubakar Shekau’s claim to lead the group. Boko Haram has repeatedly and explicitly articulated its intent to attack the civilian population, including Christians or Muslims who cooperate with the government, and has claimed responsibility for numerous such attacks in northern and central Nigeria. These attacks have followed a largely consistent pattern of violence, which further suggests a degree of coordination or organizational control.

The evidence to date suggests that crimes against humanity, including murder, may have been committed both by state agents and members of Boko Haram. Further investigations would be required, especially in Maiduguri where numerous reports of security force abuses still need to be fully documented, to determine whether extrajudicial killings by the security forces were “systematic” or “widespread” under international law.

As for Boko Haram, there is evidence that the numerous acts of murder allegedly committed by members of the group against the civilian population in northern and central Nigeria have been both widespread and systematic. Human Rights Watch estimates that since 2009 more than 1,200 Christian and Muslim civilians have been killed in hundreds of suspected attacks by the group in 12 northern and central Nigerian states, as well as Abuja. Boko Haram has explicitly claimed responsibility for many of the attacks.

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<sup>235</sup> *The Situation in the Republic of Kenya*, Pre-Trial Chamber II, International Criminal Court, March 31, 2010, Case No. ICC-01/09, para. 93, <http://www.icc-cpi.int/iccdocs/doc/doc854287.pdf> (accessed September 13, 2012).

<sup>236</sup> *Ibid.*

<sup>237</sup> See Rome Statute, arts. 6-8.

Boko Haram’s attacks on Christians in northern and central Nigeria also appear to amount to the crime of “persecution,” which can be a crime against humanity under the Rome Statute.<sup>238</sup> Human Rights Watch’s research suggests that these attacks, including bombings and gun attacks on church services, and repeated and explicit threats against Christians, have been both widespread and systematic. In January and June 2012, following Boko Haram attacks on Christians, the UN High Commissioner for Human Rights Navi Pillay warned that the group’s attacks may constitute crimes against humanity if the attacks are judged to be deliberate acts leading to population “cleansing” based on religion or ethnicity.<sup>239</sup>

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<sup>238</sup> See *ibid.*, art. 7(1)(h).

<sup>239</sup> “Pillay urges concerted effort by Nigerian leaders to halt spiralling sectarian violence,” UN High Commissioner for Human Rights press release, January 12 2012, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11756&LangID=E> (accessed August 21, 2012); “Press briefing notes on new report on UN treaty bodies, Nigeria, Togo and Mexico,” UN High Commissioner for Human Rights press statement, June 22, 2012, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12272&LangID=E> (accessed August 21, 2012).

## VI. Lack of Accountability

This report documents a catalogue of atrocities for which Boko Haram has taken responsibility, and serious human rights abuses allegedly perpetrated by government security forces. Nigerian authorities have an obligation under international law to investigate and prosecute those responsible for these crimes. Human Rights Watch's research shows, however, that in all but a few cases, alleged perpetrators of the crimes documented in this report have not been prosecuted.

Nigeria has been a state party to the Rome Statute of the International Criminal Court (ICC) since September 2001.<sup>240</sup> The ICC has jurisdiction over crimes of genocide, war crimes, and crimes against humanity committed in Nigeria or by Nigerian citizens since July 2, 2002, the date the Rome Statute entered into force. The ICC is complementary to national criminal jurisdictions, which means that the ICC will not hear a case that is being investigated or prosecuted by Nigeria, unless the Nigerian authorities are unwilling or unable to genuinely carry out the investigation or prosecution.<sup>241</sup>

In 2010 the ICC said the Office of the Prosecutor was conducting a “preliminary examination” of the situation in Nigeria.<sup>242</sup> The ICC's prosecutor, Fatou Bensouda, visited Nigeria in July 2012. “Crimes are taking place,” she told journalists during her visit. “These crimes may be called terrorists attacks but they could also qualify as crimes against humanity.” She also emphasized that the ICC's “intention is not to intervene” but to “ensure that Nigeria has the primary responsibility of investigating and prosecuting” these crimes.<sup>243</sup> Consistent with its obligations under the Rome Statute and the principle of complementarity, Nigeria should ensure that individuals implicated in serious crimes committed in violation of international law, including crimes against humanity, are thoroughly investigated and prosecuted in accordance with international fair trial standards.

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<sup>240</sup> Nigeria ratified the Rome Statute on September 27, 2001. See International Criminal Court, “States Parties,” at [http://www.icc-cpi.int/Menus/ASP/states+parties/States+Parties+\\_+Chronological+list.htm](http://www.icc-cpi.int/Menus/ASP/states+parties/States+Parties+_+Chronological+list.htm) (accessed on August 28, 2012).

<sup>241</sup> See Rome Statute, art. 17.

<sup>242</sup> See International Criminal Court, The Office of the Prosecutor, *Report on Preliminary Examination activities*, December 13, 2011, p. 12.

<sup>243</sup> “Terrorist attacks in Nigeria may constitute crimes against humanity – ICC,” *PANAPRESS*, July 4, 2012. <http://www.panapress.com/Terrorist-attacks-in-Nigeria-may-constitute-crimes-against-humanity---iCC---15-834146-32-lang2-index.html> (accessed September 25, 2012).

## Prosecution of Boko Haram Suspects

The Nigerian authorities have arrested and detained hundreds of individuals on suspicion of terrorism offenses since 2004. The whereabouts of many of these suspects is unclear, but the findings of a 2012 report commissioned by Nigeria's national security adviser paint a troubling picture:

The number of arrests made in Nigeria on suspicion of terrorism from 2004 to date would be approximately 350. Out of these, 53 have undergone prosecution in various courts. Most suspects are yet to be charged and still remain in custody.... It is not very cheering that only one individual arrested on terror related crimes has been successfully convicted since the advent of terrorism in the country.<sup>244</sup>

One of the first arrests was of Mohammed Ashafa in 2004 for alleged links to Al Qaeda and the "Nigerian Taliban." Ashafa's lawyer claimed in 2008 that he was "hung like a roasted rabbit" and tortured in State Security Service (SSS) custody.<sup>245</sup> In March 2012, Ashafa told a court in Abuja that for the past eight months he had been detained incommunicado by the SSS in a dark underground detention cell: "Please order them to either release [me] or take me to prison," he begged.<sup>246</sup>

Mohammed Yusuf, Boko Haram's late leader, had numerous run-ins with the law. The authorities arrested him on at least five occasions, and filed criminal charges against him at least twice, according to media reports. But these prosecutions never went forward, a fact that was not lost on the police in Maiduguri.<sup>247</sup> One police officer, while "jubilating" over the execution of Yusuf in July 2009, said, "It's good riddance because our judiciary system has many loopholes and there is slim possibility of him being let off the hook."<sup>248</sup>

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<sup>244</sup> "National Counter Terrorism Strategy (NACTEST)," prepared under the guidance of National Security Adviser General O.A. Azazi, no date, p. 10, para. 1.8. Copy on file with Human Rights Watch.

<sup>245</sup> Funso Muraina and Kazeem Sulaiman, "Accused Alleges Torture By SSS," *ThisDay* (Lagos), January 24, 2008, <http://allafrica.com/stories/200801240395.html> (accessed September 25, 2012).

<sup>246</sup> Ikechukwu Nnochiri, "Boko Haram – FG Docks Al-Qaeda Leader," *Vanguard* (Lagos), March 8, 2012, <http://allafrica.com/stories/201203080702.html> (accessed September 25, 2012).

<sup>247</sup> See "Nigeria's 'Taliban' plot comeback from city hide-outs," AFP, January 11, 2006; US State Department, "Country Reports on Terrorism 2007," April 2008, p. 22; "Nigerian Muslim cleric detained over al Qaeda case," Reuters, February 8, 2007; Uzendu, "Terrorism – Yusuf, Damagun Get Bail," *Daily Champion* (Lagos); Yahaya and Fatai, "Islamic Scholar Arraigned for 'Terrorism,'" *Daily Trust* (Abuja), January 12, 2009.

<sup>248</sup> "Inglorious end for Nigerian Islamist sect leader," AFP, July 30, 2009.

Many suspects in Nigeria appear to either have been “let off the hook” for their alleged crimes or languish in detention for months or even years without charge or trial. In Maiduguri, for example, the authorities stopped charging Boko Haram suspects to court in 2011. Following the July 2009 violence, authorities in Maiduguri filed criminal charges against at least 100 Boko Haram suspects before the Borno State High Court for various criminal offenses.<sup>249</sup> Civil society activists in Maiduguri and a lawyer representing some of the accused told Human Rights Watch that in 2011 the suspects were transferred at night from prison and flown to Abuja.<sup>250</sup> The whereabouts of these suspects is unclear. Since then, many of the suspects arrested in Maiduguri have been allegedly detained without charge at police or military detention facilities in the city.<sup>251</sup>

The situation in Kano is similar, lawyers there said.<sup>252</sup> The authorities arrested more than 20 suspected Boko Haram members in Kano State in response to the 2009 violence and brought them before a state magistrate’s court.<sup>253</sup> Lawyers told Human Rights Watch that in March 2011, while the suspects’ trials were underway, they were taken at night from prison custody and transferred to Abuja, without the knowledge of the presiding magistrate.<sup>254</sup> The trials were halted and, at this writing, the whereabouts of the suspects was unclear. Since then, lawyers said, the authorities in Kano no longer charge Boko Haram suspects before Kano courts. Instead, all suspects are now transferred south to Abuja or other unspecified locations.<sup>255</sup>

Human Rights Watch requested information from the Federal Ministry of Justice on the status of these detainees. In a written statement, dated July 19, 2012, the Justice Ministry said:

We are not aware of whatever that transpired between the arresting authorities and suspects in both Maiduguri and Kano. The custody of the suspects in your report in Abuja is not known to this office and we are

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<sup>249</sup> See Sharafa Dauda, “Boko Haram suspect gets bail,” *Daily Trust* (Abuja), March 31, 2010, <http://allafrica.com/stories/201003310481.html> (accessed September 25, 2012).

<sup>250</sup> Human Rights Watch interviews with lawyers and civil society activists, Maiduguri, May 2012.

<sup>251</sup> Human Rights Watch interviews with lawyers in Maiduguri, May 2012.

<sup>252</sup> Human Rights Watch interviews with lawyers in Kano, May 2012.

<sup>253</sup> See “Court frees suspected Boko Haram member,” *The Guardian* (Lagos), June 8, 2010.

<sup>254</sup> Human Rights Watch interviews with lawyers in Kano, May 2012.

<sup>255</sup> *Ibid.*



hearing about all the reports you received from lawyers from Maiduguri and Kano for the first time.<sup>256</sup>

A Justice Ministry official, however, expressed doubt that suspects were being detained without charge, arguing that they had most likely been brought before a judge in either state or federal court. Citizens have legal means to address unlawful detention through civil applications in court, he said. If it were a big problem, “We would see a flood of applications, but we have not.”<sup>257</sup>

However, according to the Justice Ministry’s own records, few suspects have been arraigned by federal prosecutors in federal courts. The July 19 statement from the Justice Ministry stated that 42 Boko Haram suspects were arraigned in 2011—35 in Bauchi State and 7 in Abuja. Their records indicate that only two Boko Haram suspects had been arraigned in the first six months of 2012.<sup>258</sup>

The Nigerian authorities have begun trials for several Boko Haram suspects. The SSS in Abuja, for example, has begun the trial of six men accused of carrying out attacks in Suleja, Niger State, including bombing the electoral offices on April 8, 2011.<sup>259</sup> The SSS in November 2011 also filed charges against a senator from Borno State, Ali Ndume, and a self-acclaimed Boko Haram spokesperson, Ali Konduga, for conspiring to send threatening text messages to government officials, including members of the Borno State electoral tribunal.<sup>260</sup> Konduga pleaded guilty in November 2011 and was sentenced to three years in prison—the only known conviction of a “terrorism” suspect to date.<sup>261</sup> A Boko Haram

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<sup>256</sup> Written Statement from the Department of Public Prosecutions, Federal Ministry of Justice, emailed to Human Rights Watch on July 19, 2012.

<sup>257</sup> Human Rights Watch interview with Deji Adekunle, special assistant to the Honourable Attorney General of the Federation, Abuja, July 5, 2012.

<sup>258</sup> Written Statement from the Department of Public Prosecutions, Federal Ministry of Justice, emailed to Human Rights Watch on July 19, 2012.

<sup>259</sup> See Nnochiri, “We Are On Revenge Mission, Boko Haram Suspect Tells Court,” *Vanguard* (Lagos), November 25, 2011.

<sup>260</sup> See Ikechukwu Nnochiri, “Boko Haram spokesman bags 3-year jail term” *Vanguard* (Lagos), December 7, 2011, <http://www.vanguardngr.com/2011/12/boko-haram-spokesman-bags-3-year-jail-term/> (accessed August 26, 2012); Jacob Segun Olatunji and Chris Agbambu, “Modu Sheriff, Ndume, Pindar behind Boko Haram,” *Nigerian Tribune* (Ibadan), November 22, 2011, <http://www.tribune.com.ng/index.php/front-page-news/31593-modu-sheriff-ndume-pindar-behind-boko-haram-sect-spokesman-opens-can-of-worms-jtf-arrests-13-over-yobe-bombings-how-we-sent-threat-messages-to-obj-govs-aliyu-lamido-others> (accessed August 26, 2012).

<sup>261</sup> See Nnochiri, “Boko Haram spokesman bags 3-year jail term” *Vanguard* (Lagos), December 7, 2011. A 2012 report from the office of the National Security Adviser found that only one individual has been convicted on terrorism-related charges. “National Counter Terrorism Strategy (NACTEST),” prepared under the guidance of National Security Adviser General O.A. Azazi, p. 10, para. 1.8. Copy on file with Human Rights Watch.

spokesperson, however, disavowed any connection with the political “scheming and intrigues” of the two men, saying they had “nothing to do with our group.”<sup>262</sup>

Nigerian authorities interviewed by Human Rights Watch cited various reasons for delays in charging and trying suspects. Some security and justice sector officials argued that insecurity in northern Nigerian cities made holding trials impracticable. One senior security official told Human Rights Watch that: “No judge—no magistrate—in Maiduguri can find anybody associated with Boko Haram guilty, because they are afraid.”<sup>263</sup> This sentiment was echoed by a member of the Kano State judiciary, who said: “We strongly recommended that they do not take anyone suspected of being Boko Haram to any of our courts in Kano, because we don’t have enough security.”<sup>264</sup>

A Federal Ministry of Justice official also pointed out that witnesses have been afraid to testify, making it difficult to move cases forward. “Not many [witnesses] want to come forward to testify because of the weakness of not having a robust witness protection program,” he said.<sup>265</sup>

In justifying holding Boko Haram suspects without trial, Justice Ministry officials also argued that prosecutions must be balanced with security objectives: “Sometimes prosecutions can interfere with ongoing investigations,” one of the officials observed. “If you gather foot soldiers, you don’t rush in to prosecute the foot soldiers; you need to build a link” to the “hierarchy, brains, and financial powers behind the group.”<sup>266</sup>

In June 2011, President Jonathan signed into law a counter-terrorism bill, primarily aimed at Boko Haram.<sup>267</sup> The law grants security forces sweeping powers of arrest and detention.<sup>268</sup>

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<sup>262</sup> Nazifi Dawud Khalid, “Boko Haram disowns Konduga ...says Ndume also a target,” *Daily Trust* (Abuja), November 24, 2011, <http://www.dailytrust.com.ng/index.php/news/148488-boko-haram-disowns-konduga-says-ndume-also-a-target?device=iphone> (accessed September 25, 2012).

<sup>263</sup> Human Rights Watch interview with a senior government security official, Abuja, July 2012.

<sup>264</sup> Human Rights Watch interview with a member of the judiciary, Kano, May 22, 2012.

<sup>265</sup> Human Rights Watch interview with Peter Akper, special assistant to the Honourable Attorney General of the Federation, Abuja, July 5, 2012.

<sup>266</sup> Human Rights Watch interview with Deji Adekunle, special assistant to the Honourable Attorney General of the Federation, Abuja, July 5, 2012.

<sup>267</sup> See Federal Republic of Nigeria, Terrorism (Prevention) Act, 2011, June 3, 2011, <https://www.unodc.org/tldb/showDocument.do?documentUid=11013&node=docs&cmd=add&country=NIR> (accessed August 27, 2012).

<sup>268</sup> *Ibid.*, sec. 25(3).

## State of Emergency

President Goodluck Jonathan declared a six-month state of emergency on December 31, 2011 in 15 local government areas in parts of Borno, Yobe, Plateau, and Niger states.<sup>269</sup> Regulations governing the state of emergency were not issued by the federal government until four months later, on April 28, 2012.<sup>270</sup> At the end of June 2012, the six-month state of emergency lapsed, and President Jonathan declared that he would not renew.<sup>271</sup>

The emergency regulations suspended a number of due process rights enshrined in Nigeria's constitution and protected under international human rights law. The regulations permitted the "Appropriate Authority"—the president or anyone authorized to act on his behalf—to issue a "Detention Order" to detain any person in the emergency area, if the authority was "satisfied" that the person "is or has been involved in the preparation or instigation of acts prejudicial to public safety." Any person detained pursuant to a detention order was deemed to be held in "lawful custody" and could be detained "during such time as the Detention Order is in force." The detainee could be held in the emergency area or, with the consent of the president, removed to any location in Nigeria.<sup>272</sup>

The emergency regulations also permitted warrantless searches and seizure of property within the emergency area.<sup>273</sup> They authorized the authority to issue a "Restriction Order" limiting the movement of a "Restricted Person" or allowing the person to be forcibly removed from an area.<sup>274</sup> The authority could declare a curfew or ban any public procession, demonstration, or public meeting in the emergency area, where it was "likely to cause serious public disorder."<sup>275</sup>

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<sup>269</sup> See Bashir Adigun, "Nigeria president declares state of emergency in parts of country after recent sect attacks," AP, December 31, 2011; Federal Republic of Nigeria, "State of Emergency (Certain Local Government Areas) Proclamation, 2012," January 10, 2012.

<sup>270</sup> Federal Republic of Nigeria, "Emergency Powers Act," May 12, 2012.

<sup>271</sup> See George Agba "Jonathan Ends State of Emergency in 15 Northern LGs," *Leadership* (Abuja), July 18, 2012, [http://www.leadership.ng/nga/articles/30108/2012/07/18/jonathan\\_ends\\_state\\_emergency\\_15\\_northern\\_lgs.html](http://www.leadership.ng/nga/articles/30108/2012/07/18/jonathan_ends_state_emergency_15_northern_lgs.html) (accessed September 25, 2012).

<sup>272</sup> Federal Republic of Nigeria, Emergency Powers Act, Emergency Powers (Detention of Persons) Regulations, 2012, secs. 1, 2, 4, 5 April 27, 2012.

<sup>273</sup> *Ibid.*, secs. 3-4.

<sup>274</sup> Federal Republic of Nigeria, Emergency Powers Act, Emergency Powers (Restriction Order) Regulations, 2012, secs. 1-2, April 27, 2012.

<sup>275</sup> Federal Republic of Nigeria, Emergency Powers Act, Emergency Powers (Curfew) Regulations, 2012, sec. 1, April 27, 2012; Federal Republic of Nigeria, Emergency Powers Act, Emergency Powers (Procession and Meetings, Etc.) Regulations, 2012, sec. 2, April 27, 2012.

Members of the public who violated these orders could be subject to summary convictions, with sentencing that included fines and up to two years prison time.<sup>276</sup>

Federal Minister of Justice officials interviewed by Human Rights Watch defended the legality of the emergency regulations: “An emergency suspends the constitution, and the constitution allows it,” said one official.<sup>277</sup> Another official said:

We have tried as hard as possible not to replicate Guantanamo Bay here.... The framework [the Emergency Powers Regulations] has provided what can be done and what cannot be done. Anything that is not done within this can be regarded as an irregular act and not in conformity with the law.<sup>278</sup>

Under international human rights law, states are permitted to derogate from certain obligations during emergency situations, but judicial review of detention and fair trial standards may not be suspended.<sup>279</sup> Nigeria’s emergency regulations that permitted detention without judicial review and summary convictions were in violation of international law.

Among other measures, it criminalizes the failure to disclose information to the authorities about terrorism-related acts.<sup>280</sup> It lists “moral assistance” as a form of criminal support for

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<sup>276</sup> In addition, the Emergency Power Regulations provided for up to a five-year prison term on summary conviction for any person who violates emergency regulations regarding the possession of explosives, ammunition, or arms; and up to a two-year prison term on summary conviction (and five years on “conviction on indictment”) for anyone who enters or attempts to enter a “protected place” in contravention of the regulations. Federal Republic of Nigeria, Emergency Powers Act, Emergency Powers (Possession of Explosives) Regulations, 2012, sec. 4, April 27, 2012; Federal Republic of Nigeria, Emergency Powers Act, Emergency Powers (Protected Places) Regulations, 2012, sec. 6, April 27, 2012.

<sup>277</sup> Human Rights Watch interview with Deji Adekunle, special assistant to the Honourable Attorney General of the Federation, Abuja, July 5, 2012.

<sup>278</sup> Human Rights Watch interview with Peter Akper, special assistant to the Honourable Attorney General of the Federation, Abuja, July 5, 2012.

<sup>279</sup> Article 4 of the International Covenant on Civil and Political Rights, which Nigeria acceded to in 1993, allows states to derogate from certain obligations under the covenant to the extent strictly required by the emergency. However, the covenant provides that certain rights, such as the right to life and the prohibition of torture, cruel, inhuman or degrading treatment, are non-derogable and may never be suspended even in times of emergencies. The UN Human Rights Committee also found in 2001 that “fundamental requirements of fair trial must be respected during a state of emergency.” These include, the “presumption of innocence,” “the right to take proceedings before a court to enable the court to decide without delay on the lawfulness of detention,” and “[o]nly a court of law may try and convict a person for a criminal offence.” Human Rights Committee, General Comment 29, States of Emergency (article 4), U.N. Doc. CCPR/C/21/Rev.1/Add.11 (2001), para. 16.

<sup>280</sup> *Ibid.*, sec 7.

terrorism subject to penalties.<sup>281</sup> The law also allows judges to hold closed court sessions by citing “the interests of public safety or order,” without setting forth a process of appeal.<sup>282</sup>

The law in some instances imposes the death sentence for terrorism-related offenses that result in death.<sup>283</sup> International law discourages the use of the death penalty.<sup>284</sup> Human Rights Watch opposes the death penalty in all circumstances as cruel and inhuman punishment that is plagued with arbitrariness, prejudice, and error wherever it is applied.

## Prosecution of Security Force Personnel

Despite allegations of widespread security force abuses, the Nigerian authorities have rarely held anyone accountable, thereby denying justice to the victims and further solidifying the culture of impunity for violence in Nigeria. Government officials often issue blanket denials of reports of alleged human rights violations and almost never give a public account, in the communities they are meant to serve, of the measures taken to investigate reports of abuses. In some rare instances, however, the authorities have taken some promising steps to bring perpetrators of abuse to justice.

For example, following widespread condemnation by human rights groups of the extrajudicial killing of Mohammed Yusuf and dozens of his followers in July 2009, then-Minister of Justice Michael Aondoakaa told the UN High Commissioner for Human Rights, in an August 13, 2009 statement, that Nigeria’s government “does not condone extrajudicial killing or torture and condemns in its entirety, the unfortunate circumstances that led to the death of Mohammed Yusuf in Police custody.”<sup>285</sup>

The justice minister went on to assure the high commissioner that “as soon as the investigative process is completed, those found wanting will be sanctioned accordingly.”<sup>286</sup> In February 2010, *Al Jazeera* television aired a photo of Yusuf’s bullet-

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<sup>281</sup> *Ibid.*, sec. 4(2)(b).

<sup>282</sup> *Ibid.*, sec. 31.

<sup>283</sup> *Ibid.*, sec. 4(2).

<sup>284</sup> See International Covenant on Civil and Political Rights, art. 6(2).

<sup>285</sup> Statement By Leader of Nigeria’s Delegation, Chief Michael Kaase Aondoakaa, SAN, Honorable Attorney General of the Federation and Minister of Justice on The Occasion of the Visit of Nigeria’s Delegation to the High Commissioner for Human Rights, United Nations Human Rights Council, Geneva, Switzerland, August 13, 2009.

<sup>286</sup> *Ibid.*

riddled corpse—in handcuffs—and footage of police officers in July 2009 allegedly executing seven men outside their headquarters in Maiduguri.<sup>287</sup> There had still been no arrests when the footage aired, but three weeks later the authorities announced the arrest of 17 police officers.<sup>288</sup> In July 2011, two years after the alleged killings, federal prosecutors filed criminal charges in Abuja’s Federal High Court against five police officers: four senior police officers and a sergeant.<sup>289</sup> At this writing, the case had not been concluded.

The case is a significant step forward in addressing impunity for serious human rights violations. Unfortunately, it is the only known criminal case against the police for alleged abuses in connection with Boko Haram.

There has also been a lack of accountability for military abuses. A senior military official in Abuja assured Human Rights Watch that the military investigates all allegations of misconduct:

Anytime there is an allegation the commander has a team that goes out and investigates. When they conclude the investigation, if there is any need to prosecute somebody, then a military police team is set up to investigate.... We also set up an independent committee to make sure they are not covering up anything.<sup>290</sup>

Following widespread reports of military abuses in Maiduguri in July 2011, military officials pledged to investigate. On July 27, 2011, the chief of defence staff, Air Chief Marshal Oluseyi Petinrin, announced that five soldiers would be prosecuted for “acts of misconduct.” He added that “any officer found to have gone against our rules of

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<sup>287</sup> See “Video shows Nigeria ‘executions,’” *Al Jazeera*, February 9, 2010, <http://www.aljazeera.com/news/africa/2010/02/2010298114949112.html> (August 26, 2012).

<sup>288</sup> Njadvara Musa, “Nigeria: 17 police officers detained over shooting,” AP, March 1, 2010.

<sup>289</sup> The five police officers charged were Assistant Commissioner of Police John Bassey Abang, the assistant commissioner in charge of Operations at the Borno State Police Command; Assistant Commissioner of Police Mohammed Yoonuss Akeera, the area commander of the Maiduguri metropolis; Chief Superintendent of Police Mohammed Ahmadu, the officer in charge of the Police Mobile Force, Squadron 6, in Maiduguri; Assistant Superintendent of Police Mada Buba, an officer assigned to the State Criminal Investigation Department in Maiduguri; and Sergeant Adamu Gado. Human Rights Watch interviews with police officials at Force Headquarters, Abuja, December 2010. See also Kamarudeen Ogundele, “Five police chiefs get bail over Boko Haram leader’s murder,” *The Nation* (Lagos), July 20, 2011, [http://www.thenationonlineng.net/2011/index.php/index.php?news=12995&output\\_type=txt](http://www.thenationonlineng.net/2011/index.php/index.php?news=12995&output_type=txt) (accessed August 27, 2012).

<sup>290</sup> Human Rights Watch interview with Air Vice Marshal T. Dick Iruenabere, chief of policy and plans, Defence Headquarters, Abuja, July 5, 2012.

engagement will be brought to book.<sup>291</sup> In July 2012, senior officials at Defence Headquarters told Human Rights Watch that the five soldiers were facing trial at a general court martial that had been recently convened.<sup>292</sup>

The Defence Headquarters also sent a four-person fact-finding team to Maiduguri in March 2012 to investigate allegations of abuses by the JTF, but a senior military official insisted that “they didn’t find anything untoward.”<sup>293</sup>

As for the specific cases of alleged abuses that Human Rights Watch raised with military officials, the Defence Headquarters responded, in a written statement dated July 24, 2012, that:

[A]ll of the alleged cases you raised had either been earlier fully investigated or are being investigated. The concluded investigations found that a number of the allegations were spurious, and that they were made with the intention of discrediting and distracting the Armed Forces of Nigeria from the onerous task it has in contributing to stemming terrorism in all shades and colours. Meanwhile, for the odd ones that were confirmed, the personnel that were found to be accountable are currently facing trial in a General Court Martial in accordance with military law and practice.<sup>294</sup>

Military officials, however, told Human Rights Watch that other than the five soldiers on trial for the July 2009 abuses in Maiduguri, they had no knowledge of any criminal prosecutions of soldiers for abuses in connection with operations against Boko Haram.<sup>295</sup>

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<sup>291</sup> Abiodun Joseph and Tony Akowe, “Boko Haram: Five soldiers for trial over killings,” *The Nation* (Lagos), July 28, 2011.

<sup>292</sup> Human Rights Watch interview with Air Vice Marshal T. Dick Iruenabere, chief of policy and plans, Defence Headquarters, Abuja, July 5, 2012.

<sup>293</sup> *Ibid.*

<sup>294</sup> Letter from Air Vice Marshal T. Dick-Iruenabere, on behalf of the chief of defence staff, dated July 24, 2012, emailed to Human Rights Watch on July 24, 2012.

<sup>295</sup> Human Rights Watch interview with Air Vice Marshal T. Dick Iruenabere, chief of policy and plans, Defence Headquarters, Abuja, July 5, 2012.

### The Case of Baba Fugu Mohammed

In 2009, Baba Kuru Fugu, the son of Baba Fugu Mohammed—Mohammed Yusuf’s 72-year-old father-in-law who was killed in Maiduguri in July 2009—sued the government for the unlawful killing of his father.<sup>296</sup> In April 2010, the Borno State High Court found that Baba Fugu Mohammed’s killing was “illegal, unconstitutional and a violation of his right to life.” In delivering his judgment, the judge found that:

The killing of the applicant’s father did not only offend the constitution of the Federal Republic of Nigeria, the African Charter and the Universal Declaration of Human Rights, but also the sensibilities of decent and right thinking Nigerians. It is against everything that is decent. I do not think even the Spanish inquisitors could have done worse.<sup>297</sup>

The court ordered federal and state authorities to pay 100 million naira (about US\$626,000) in damages to Baba Fugu Mohammed’s family, exhume his body for proper burial, and apologize for their “reprehensive and unconstitutional” acts.<sup>298</sup> Although the government did not challenge the facts of the case at trial, it appealed the ruling.<sup>299</sup>

In September 2011, with the appeal yet unheard, unknown gunmen in Maiduguri shot and killed Babu Fugu Mohammed’s son, Baba Kuru Fugu.<sup>300</sup> Four months later, the government withdrew its appeal and compensated Baba Fugu Mohammed’s family 100 million naira. The Borno State governor conveyed his sympathies to the family, noting that, “No amount of money will compensate for the loss of human life.”<sup>301</sup> Baba Fugu Mohammed’s body is believed to remain buried in a mass grave in Maiduguri.<sup>302</sup>

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<sup>296</sup> See section above, Execution of Baba Fugu Mohammed, Maiduguri, July 2009.

<sup>297</sup> *Baba Kura Alii. Fugu v. The President Fed. Rep. of Nig. & 4 Ors*, High Court of Justice of Borno State of Nigeria, Suit No. BOHC/MG/CV/012M/10, Judgment, April 13, 2010, p. 13 (on file with Human Rights Watch).

<sup>298</sup> *Ibid.*, p. 14.

<sup>299</sup> Human Rights Watch interview with Anayo Adibe, Baba Fugu Mohammed’s lawyer, Maiduguri, July 7, 2010.

<sup>300</sup> See Samuel Aruwan, “Babakura’s Last Word Before His Death,” *Leadership* (Abuja), September 20, 2011, [http://www.leadership.ng/nga/articles/5458/2011/09/20/babakura%E2%80%99s\\_last\\_word\\_his\\_death.html](http://www.leadership.ng/nga/articles/5458/2011/09/20/babakura%E2%80%99s_last_word_his_death.html) (accessed September 25, 2012).

<sup>301</sup> Hamza Idris, Yahaya Ibrahim, and Nazifi Dawud Khalid, “Shettima pays N100m compensation to Boko Haram leader’s inlaws,” *Daily Trust* (Abuja), January 10, 2012, <http://www.dailytrust.com.ng/index.php/news/152020-shettima-pays-100m-compensation-to-boko-haram-leaders-inlaws?device=iphone> (accessed September 25, 2012).

<sup>302</sup> Human Rights Watch interview with Anayo Adibe, Baba Fugu Mohammed’s lawyer, Abuja, January 2012.



## VII. Nigeria's Foreign Partners

Nigeria's foreign partners, including the United States, have viewed with alarm the increase in Boko Haram violence and the apparent inability of Nigeria's government to either resolve the immediate crisis or deal with the underlying causes of discontent in northern Nigeria that are seen as fueling violent militancy.<sup>303</sup>

The US State Department on June 21, 2012 listed three Boko Haram members—Abubakar Shekau, Abubakar Adam Kamar, and Khalid al-Barnawi—as “Specially Designated Global Terrorists.” The procedure allows US authorities to freeze assets the suspects might have under American jurisdiction and prohibits Americans from doing business with them.<sup>304</sup>

The US reportedly pressed Nigeria to enact the counter-terrorism law that President Jonathan signed in 2011.<sup>305</sup> However, the legislation contains provisions that could contravene international human rights and due process standards.<sup>306</sup> On April 25, 2012, however, State Department Coordinator for Counterterrorism Daniel Benjamin told the US House Committee on Foreign Affairs that Nigeria's success in countering Boko Haram “will require long term engagement and work ... while maintaining respect for human rights and the rule of law.” He added that “We recognize that military measures alone will not halt the terrorist threat in the region,” emphasizing that the US must assist these countries in strengthening civilians institutions and rule of law and in “addressing the underlying conditions that fuel terrorism and violent extremism.”<sup>307</sup>

In June 2012, the commander of US forces for Africa, Army General Carter Ham, said there were indications that Boko Haram was likely sharing funds and training in the use of explosive materials with al Shabaab and Al Qaeda in the Islamic Maghreb (AQIM).<sup>308</sup>

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<sup>303</sup> See, for example, US State Department, Congressional Testimony, “LRA, Boko Haram, Al-Shabaab, Aqim and Other Sources of Instability in Africa,” April 25, 2012, <http://www.state.gov/j/ct/rls/rm/2012/188816.htm> (accessed August 28, 2012).

<sup>304</sup> See US State Department Media Note, June 21, 2012. <http://www.state.gov/r/pa/prs/ps/2012/06/193574.htm>.

<sup>305</sup> See Luka Binniyat and Tordue Salem, “Terror Watch – U.S. Gives Conditions to Delist Nation,” *Vanguard* (Lagos), February 11, 2010, <http://allafrica.com/stories/201002120566.html> (accessed September 25, 2012).

<sup>306</sup> See section above, Prosecution of Boko Haram suspects.

<sup>307</sup> US State Department, Congressional Testimony, “LRA, Boko Haram, Al-Shabaab, Aqim and Other Sources of Instability in Africa,” April 25, 2012.

<sup>308</sup> See Lauren French, “African extremist groups linking up: U.S. general,” Reuters, June 25, 2012.

US Secretary of State Hillary Clinton, in her visit to Nigeria in July 2012, offered to assist the Nigerian security forces in setting up an “intelligence fusion cell” to better share information among agencies, and to assist in forensics and post-bomb investigations.<sup>309</sup>

The United Kingdom has also said it will help Nigeria fight terrorism. In March 2012, British Defence Secretary Philip Hammond told parliament that the UK would work with Nigeria “to fight the scourge of terrorism wherever it manifests itself.”<sup>310</sup> His comments followed a March 8, 2012 raid by UK special forces and the Nigerian military in the northwest city of Sokoto to free a British citizen and an Italian citizen kidnapped in May 2011. According to media reports, the kidnappers shot the captives dead during the raid, before security forces killed the kidnappers.<sup>311</sup> A Boko Haram spokesperson denied that its members were involved in the kidnapping.<sup>312</sup>

The United Nations has issued several statements condemning Boko Haram’s violence.<sup>313</sup> A January 2012 report from UN Secretary-General Ban Ki-moon to the UN Security Council expressed concern about possible links between Boko Haram and foreign groups, noting reports that “some of its members from Nigeria and Chad had received training in Al-Qaida in the Islamic Maghreb camps in Mali during the summer of 2011.”<sup>314</sup>

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<sup>309</sup> See Matthew Lee, “Clinton pushes Nigeria on terrorism, corruption,” AP, August 9, 2012.

<sup>310</sup> Tim Sculthorpe and Elizabeth Barrett, “Raid was ‘best chance’ to rescue Nigeria hostages,” *The Independent* (London), March 13, 2012, <http://www.independent.co.uk/news/world/africa/raid-was-best-chance-to-rescue-nigeria-hostages-7565498.html> (accessed September 25, 2012).

<sup>311</sup> See “Boko Haram deny abducting Europeans killed in Nigeria,” AFP, March 9, 2012. Italian government officials said it was inexplicable that the UK failed to consult or inform Italy before launching the botched raid. See Rajeev Syal, Richard Norton-Taylor and Tom Kington, “Italians furious over Nigerian hostage raid deaths,” *The Guardian* (London), March 9, 2012, <http://www.guardian.co.uk/world/2012/mar/09/italians-furious-nigerian-hostage-raid> (accessed September 9, 2012).

<sup>312</sup> See “Boko Haram deny abducting Europeans killed in Nigeria,” AFP, March 9, 2012.

<sup>313</sup> See, for example, “Security Council and Ban condemn deadly attack on UN compound in Nigeria,” August 26, 2011, <http://www.un.org/apps/news/story.asp?NewsID=39395&Cr=Ki-moon&Cr1#.UFKtCk64tio> (accessed September 13, 2012).

See also “Pillay urges concerted effort by Nigerian leaders to halt spiralling sectarian violence,” UN High Commissioner for Human Rights press release, January 12 2012, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11756&LangID=E> (accessed August 21, 2012); “Press briefing notes on new report on UN treaty bodies, Nigeria, Togo and Mexico,” UN High Commissioner for Human Rights press statement, June 22, 2012, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12272&LangID=E> (accessed August 21, 2012).

<sup>314</sup> United Nations Security Council, “Report of the assessment mission on the impact of the Libyan crisis on the Sahel region, 7 to 23 December 2011,” S/2012/42, January 18, 2012, p. 12.

In 2011, Nigeria joined the Economic Community of West African States in calling on countries in the region to prevent violent groups from using their territories, and to battle factors that can be conducive to terrorism, including poverty and corruption.<sup>315</sup>

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<sup>315</sup> See “Common Position on Bringing Terrorists to Justice in ECOWAS States,” *West Africa Democracy Radio*, August 6, 2011, [http://wadr.org/en/site/news\\_en/1637/Common-position-on-bringing-terrorists-to-justice-in-ECOWAS-states.htm](http://wadr.org/en/site/news_en/1637/Common-position-on-bringing-terrorists-to-justice-in-ECOWAS-states.htm) (accessed September 30, 2012).

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## Appendix I: Timeline of Major Events

- July 26-31, 2009** Five days of clashes between Boko Haram and government security forces, and targeted killings both by members of Boko Haram and the security forces, left more than 800 people dead in Borno, Bauchi, Yobe, and Kano states.<sup>316</sup> The police in the city of Maiduguri summarily executed the group's leader, Mohammed Yusuf, in custody.<sup>317</sup>
- June 2010** Abubakar Shekau, who was Yusuf's deputy, appeared in a video claiming to be the group's new leader. He pledged to avenge the killing of group members by the police.<sup>318</sup>
- July 2010** Boko Haram began a campaign of increasingly deadly violence, starting with the assassination of police officers and then Muslim critics in northeast Nigeria.<sup>319</sup>
- September 7, 2010** Boko Haram raided a prison in the city of Bauchi freeing more than 700 prisoners, including at least 100 of its members.<sup>320</sup>
- December 24, 2010** Gun attacks on Christmas Eve on two churches in Maiduguri killed a Christian cleric and five other Christians.<sup>321</sup> A series of explosions in Christian neighborhoods in Jos, Plateau State, on Christmas Eve killed 33 people, sparking a month of sectarian bloodletting in and around Jos, which left another 200 dead—both Muslims and Christians.<sup>322</sup>

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<sup>316</sup> The Nigerian Red Cross stated that 780 dead bodies were collected in Maiduguri, Borno State, and buried in three mass graves. See "Islamist uprising killed 780 in one Nigerian city: Red Cross," AFP, August 3, 2009. According to police officials, at least 55 people were killed in Bauchi, Bauchi State, 45 in and around Potiskum, Yobe State, and four in Wudil, Kano State. See Aminu Abubakar, "Forty-two dead as 'Taliban' sect, police clash in Nigeria," AFP, July 26, 2009; Abubakar, "Bauchi Relaxes Curfew, 52 Confirmed Killed," *Daily Trust* (Abuja), August 10, 2009; "Over 100 killed in clashes in Nigerian city: witnesses," AFP, July 28, 2009; Mukairu and Muhammad, "Another 43 Islamic Fanatics Killed in Yobe," *Vanguard* (Lagos), July 30, 2009; Shuaibu, "Kano – 53 Fundamentalists Arrested, Four Killed," *ThisDay* (Lagos), July 29, 2009.

<sup>317</sup> See section above, Mohammed Yusuf's Execution.

<sup>318</sup> The *Daily Trust* reported that the interview with Shekau was conducted on April 19, 2010. See Pindiga and Gusau, "'Dead' Boko Haram Leader Re-Emerges in New Video," *Daily Trust* (Abuja), July 1, 2010.

<sup>319</sup> Human Rights Watch monitoring of Nigerian and foreign media reports of Boko Haram attacks.

<sup>320</sup> See Aminu Abubakar, "Nigerian police hunt hundreds of escaped prisoners," AFP, September 9, 2010; "Group Claims Responsibility for Attack," *Daily Trust* (Abuja), September 9, 2010, <http://allafrica.com/stories/201009090528.html> (accessed September 25, 2012).

<sup>321</sup> See Idris, "Borno's grim, Boko Haram-flavoured Christmas," *Weekly Trust* (Abuja), January 1, 2011.

<sup>322</sup> See "Police dispute NEMA on death toll," *Daily Trust* (Abuja), December 29, 2010; "Nigeria: New Wave of Violence Leaves 200 Dead," Human Rights Watch news release, January 27, 2011.

<b>December 31, 2010</b>	An explosion at an outdoor beer garden on New Year's Eve next to a military barracks in Abuja killed at least four people. <sup>323</sup>
<b>April 8, 2011</b>	A bomb exploded at the offices of the National Electoral Commission in Suleja, Niger State, killing 16 people. <sup>324</sup>
<b>June 16, 2011</b>	A Boko Haram suspect detonated a car bomb in the parking lot of the police headquarters in Abuja, leaving at least two dead in the first reported suicide bombing in Nigeria. <sup>325</sup>
<b>August 26, 2011</b>	A suicide car bomber drove his car into the United Nations building in Abuja, killing 25 people and injuring more than 100. <sup>326</sup>
<b>November 4, 2011</b>	Boko Haram carried out a series of attacks on government security targets, banks, and churches in Damaturu, Yobe State, leaving more than 100 people dead. <sup>327</sup>
<b>December 25, 2011</b>	On Christmas Day, a suicide bomber detonated a car bomb outside a church in Madalla, Niger State, killing 26 worshipers and 17 bystanders. <sup>328</sup>
<b>December 31, 2011</b>	President Jonathan declared a state of emergency in parts of Borno, Niger, Plateau, and Yobe states. <sup>329</sup>
<b>January 2-11, 2012</b>	Boko Haram issued a three-day ultimatum on January 2 to southern Nigerians to leave the north. <sup>330</sup> The group carried out a series of attacks on Christians and churches after the deadline passed. <sup>331</sup>

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<sup>323</sup> See Camillus Eboh and Felix Onuah, "Bomb kills at least four in Nigerian capital," Reuters, December 31, 2010.

<sup>324</sup> See Adelanwa Bamgboye and Itodo Daniel Sule, "Eight Boko Haram Suspects Charged to Court," *Daily Trust* (Abuja), September 14, 2011, [http://www.dailytrust.com.ng/index.php?option=com\\_content&view=article&id=27732:eight-boko-haram-suspects-charged-to-court&catid=2:lead-stories&Itemid=8](http://www.dailytrust.com.ng/index.php?option=com_content&view=article&id=27732:eight-boko-haram-suspects-charged-to-court&catid=2:lead-stories&Itemid=8) (accessed September 25, 2012).

<sup>325</sup> See Ola Awoniyi, "Nigeria president visits site of first suicide blast," AFP, June 17, 2011; Idris and Ibrahim, "Boko Haram: IG was our target," *Daily Trust* (Abuja), June 17, 2011.

<sup>326</sup> The explosion killed 13 UN staff—11 Nigerians, 1 Norwegian, and 1 Kenyan—and 12 non-UN staff. See Oloja, Obinor, and Anuforo, "Abuja UN office bombing claims one more worker," *The Guardian* (Lagos), December 29, 2011; "With 35 United Nations Personnel Killed in 2011, Staff Union Stresses Need to Take Security More Seriously, Saying One Life Lost Is One Too Many," UN Department of Public Information, News and Media Division, New York, Press Release, January 3, 2012. See also Ahmad Salkida, "Face of UN House bomber," *Blueprint* (Abuja), September 5, 2011.

<sup>327</sup> See "Nigeria: Boko Haram Attacks Indefensible," Human Rights Watch news release, November 9, 2011, <http://www.hrw.org/news/2011/11/08/nigeria-boko-haram-attacks-indefensible>.

<sup>328</sup> Human Rights Watch interview with church leaders, Madalla, May 16, 2012. See also Hamza Idris, "Boko Haram Claims Responsibility," *Daily Trust* (Abuja), December 27, 2011.

<sup>329</sup> See Bashir Adigun, "Nigeria president declares state of emergency in parts of country after recent sect attacks," AP, December 31, 2011. See also text box above, State of Emergency.

<sup>330</sup> See Idris, "Boko Haram - State of Emergency Meant to Attack Muslims," *Daily Trust* (Abuja), January 3, 2012.

<b>January 20, 2012</b>	Boko Haram launched coordinated attacks on police facilities in the city of Kano, leaving at least 185 people dead—the highest death toll from a single attack since 2009. <sup>332</sup>
<b>February 2012</b>	Boko Haram burned or destroyed at least 12 schools in Maiduguri. <sup>333</sup>
<b>April 8, 2012</b>	A suicide car bomber detonated a bomb on Easter Day along a busy street in the city of Kaduna, killing at least 41 people. <sup>334</sup>
<b>April 26, 2012</b>	A suicide car bomber detonated a bomb at the <i>ThisDay</i> newspaper offices in Abuja, and a bomb detonated outside the newspaper's offices in the city of Kaduna. At least seven people were killed. <sup>335</sup> The group threatened to attack other media outlets. <sup>336</sup>
<b>June 2012</b>	Suicide car bombers on June 17 attacked two churches in Zaria, Kaduna State, and a church in Kaduna, Kaduna State, killing at least 21 people, and sparking sectarian bloodletting in Kaduna State that left at least another 80 people dead—both Muslims and Christians. <sup>337</sup> Two days of clashes on June 18-19 between Boko Haram members and security services in Damaturu, Yobe State, left at least 40 people dead. <sup>338</sup>
<b>September 2012</b>	Boko Haram members carried out a series of attacks on more than two dozen mobile telephone towers in at least seven northern states. <sup>339</sup>

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<sup>331</sup> See Mike Oboh “Gunmen kill 6, wound 10 in Nigeria church attack,” Reuters, January 5, 2012; Yusuf, “Boko Haram Attack Claims 12 in Adamawa,” *Vanguard* (Lagos), January 10, 2012; Ibrahim Mshelizza, “Christians flee attacks in northeast Nigeria,” Reuters, January 7, 2012; Idris, “Gunmen kill 4 travellers in Potiskum,” *Daily Trust* (Abuja), January 12, 2012.

<sup>332</sup> See Umar, Aliyu, and Mukhtar, “Chadians Among Kano Attackers, Police Say,” *Daily Trust* (Abuja), January 24 2012; “Nigeria: Boko Haram Widens Terror Campaign,” Human Rights Watch news release, January 24, 2012, <http://www.hrw.org/news/2012/01/23/nigeria-boko-haram-widens-terror-campaign>.

<sup>333</sup> See “Nigeria: Boko Haram Targeting Schools,” Human Rights Watch news release, March 7, 2012.

<sup>334</sup> See “Death toll in Nigeria suicide car bombing that struck Easter rises to at least 41 people,” AP, April 10, 2012.

<sup>335</sup> See “This Day, Sun, The Moment Bombed,” *Vanguard* (Lagos), April 27, 2012.

<sup>336</sup> See “Boko Haram threatens to attack VOA, Guardian, Daily Trust others,” *Premium Times* (Abuja), May 1, 2012.

<sup>337</sup> See Haruna Umar and Yinka Ibukun, “Official: Death toll from church attacks, reprisals in north Nigeria up to 98; clashes ongoing,” AP, June 20, 2012.

<sup>338</sup> See Adamu Adamu and Haruna Umar, “Sect claims responsibility for multiple attacks on Nigerian city that killed at least 40,” AP, June 21, 2012.

<sup>339</sup> See Haruna Umar and Yinka Ibukun, “North Nigeria mobile phone towers attacked, severing region’s communications amid sect attacks,” AP, September 6, 2012; Ekundayo et al., “More GSM Masts Attacked in Bauchi, Maiduguri, Mubi, Yobe,” *Daily Trust* (Abuja), September 7, 2012; Camillus Eboh and Joe Brock, “Nigerian Islamists claim phone network sabotage,” Reuters, September 7, 2012; Sa’idu et al., “How Gunmen Attacked Telecom Masts in Zaria,” *Daily Trust* (Abuja), September 15, 2012.

## Appendix II: Timeline of Major Attacks on Churches

- July 26-31, 2009** Boko Haram members in Borno State killed 37 Christian men, including three pastors, and torched or partially destroyed 29 churches, during five days of clashes with government security forces.<sup>340</sup>
- December 24, 2010** Gunmen attacked two churches in the city of Maiduguri on Christmas Eve. The gunmen killed a Christian cleric and four other Christians at a Baptist church, and killed a guard and burned down a Church of Christ in Nigeria (COCIN) church.<sup>341</sup>
- June 9, 2011** Gunmen attacked a COCIN church in Maiduguri, killing the pastor and a church worker.<sup>342</sup>
- July 11, 2011** An explosion outside an All Christian Fellowship Mission church, following Sunday services, killed three people in Suleja, Niger State.<sup>343</sup>
- November 4, 2011** Boko Haram members bombed or burned down at least six churches during a coordinated assault on police and other government facilities in Damaturu, Yobe State.<sup>344</sup>
- December 25, 2011** A suicide bomber detonated a bomb outside a Catholic church in Madalla, Niger State, at the end of a Christmas morning mass, killing 43 worshipers and bystanders.<sup>345</sup>
- January 5, 2012** Gunmen opened fire on worshipers at a Deeper Life Church in the city of Gombe, killing six people, including the pastor's wife.<sup>346</sup>

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<sup>340</sup> Human Rights Watch interview with then-Borno State chairman of the Christian Association of Nigeria, Rev. Yuguda Mdurwa, Maiduguri, July 7, 2010.

<sup>341</sup> See Idris, "Borno's grim, Boko Haram-flavoured Christmas," *Weekly Trust* (Abuja), January 1, 2011.

<sup>342</sup> See "Radical sect kills pastor, church official in Nigeria's restive northeast, police say," AP, June 9, 2011.

<sup>343</sup> See Misbahu Bashir and Abdulkadir Badsha Mukhtar, "Three Killed as Blast Rocks Suleja," *Daily Trust* (Abuja), July 11, 2011, <http://www.dailytrust.com.ng/index.php/news/22782-3-killed-as-blast-rocks-suleja?device=xhtml> (accessed September 25, 2012).

<sup>344</sup> See "Nigeria: Boko Haram Attacks Indefensible," Human Rights Watch news release, November 9, 2011.

<sup>345</sup> Human Rights Watch interviews with church leaders, Madalla, May 16, 2012. See also Hamza Idris, "Boko Haram Claims Responsibility," *Daily Trust* (Abuja), December 27, 2011.

<sup>346</sup> See Mike Oboh, "Gunmen kill 6, wound 10 in Nigeria church attack," Reuters, January 5, 2012; Ibrahim Mshelizza, "Christians flee attacks in northeast Nigeria," Reuters, January 7, 2012.



<b>January 6, 2012</b>	Gunmen attacked a Christ Apostolic Church service in Yola, Adamawa State, killing 12 worshippers. <sup>347</sup>
<b>February 26, 2012</b>	A suicide car bomber killed at least three people during Sunday services at the COCIN headquarters in Jos, Plateau State. <sup>348</sup>
<b>March 11, 2012</b>	Two suicide bombers in a car killed at least seven people during Sunday mass at a Catholic church in Rayfield, a suburb of Jos. <sup>349</sup>
<b>April 29, 2012</b>	Gunmen attacked two Sunday morning church services on the campus of Bayero University in Kano, killing at least 19 people at the Catholic and Protestant services. <sup>350</sup> Gunmen opened fire on worshippers during a Sunday service at a COCIN church in Maiduguri, killing the pastor and four others. <sup>351</sup>
<b>June 3, 2012</b>	A suicide car bomber killed at least 12 people at a Sunday morning service at a Harvest Field Church in the city of Bauchi. <sup>352</sup>
<b>June 10, 2012</b>	A suicide car bomber detonated a bomb killing himself and injuring 28 worshippers at a Christ Chosen Church of God service on Sunday morning in Jos. <sup>353</sup> Gunmen attacked a Church of the Brethren in Nigeria church service in Biu, Borno State, killing one woman. <sup>354</sup>

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<sup>347</sup> See Yusuf, "Boko Haram Attack Claims 12 in Adamawa," *Vanguard* (Lagos), January 10, 2012; Ibrahim Mshelizza, "Christians flee attacks in northeast Nigeria," Reuters, January 7, 2012.

<sup>348</sup> See Agbese, Lalo, and Idris, "Suicide Bomb Hits Jos Church," *Daily Trust* (Abuja), February 27, 2012.

<sup>349</sup> See "11 dead after suicide attack on Nigerian church," AFP, March 11, 2012.

<sup>350</sup> See Adamu, "As Gunmen Fire On Worshippers...Two Profs, 17 Others Killed in Buk Attack," *Daily Trust* (Abuja) April 30, 2012.

<sup>351</sup> See Njadvara Musa, "Gunmen kill cleric, others in Borno," *The Guardian* (Lagos), May 1, 2012, [http://www.nguardiannews.com/index.php?option=com\\_content&view=article&id=84732:gunmen-kill-cleric-others-in-borno&catid=1:national&Itemid=559](http://www.nguardiannews.com/index.php?option=com_content&view=article&id=84732:gunmen-kill-cleric-others-in-borno&catid=1:national&Itemid=559) (accessed September 19, 2012); Kareem Ogori, "Gunmen kill five during church service in Maiduguri," *Blueprint* (Abuja), April 30, 2012, <http://blueprintng.com/2012/04/gunmen-kill-five-during-church-service-in-maiduguri/> (accessed September 19, 2012).

<sup>352</sup> See "Boko Haram claims Nigeria church suicide bombing," Reuters, June 4, 2012.

<sup>353</sup> See "STF says 5 killed in Jos suicide bomb, reprisal attacks," *Sunday Trust* (Abuja), June 10, 2012, [http://sundaytrust.com.ng/index.php?option=com\\_content&view=article&id=10442:stf-says-5-killed-in-jos-suicide-bomb-reprisal-attacks&catid=41:latest-news&Itemid=26](http://sundaytrust.com.ng/index.php?option=com_content&view=article&id=10442:stf-says-5-killed-in-jos-suicide-bomb-reprisal-attacks&catid=41:latest-news&Itemid=26) (accessed September 19, 2012).

<sup>354</sup> See Hamza Idris, "Woman killed in Biu church attack," *Sunday Trust* (Abuja), June 10, 2012, [http://sundaytrust.com.ng/index.php?option=com\\_content&view=article&id=10439:woman-killed-in-biu-church-attack&catid=41:latest-news&Itemid=26](http://sundaytrust.com.ng/index.php?option=com_content&view=article&id=10439:woman-killed-in-biu-church-attack&catid=41:latest-news&Itemid=26) (accessed September 19, 2012).

**June 17, 2012**

Suicide car bombers attacked two churches in Zaria, Kaduna State and a church in Kaduna, Kaduna State, killing at least 21 people, and sparking sectarian bloodletting in Kaduna State that left at least another 80 people dead—both Muslims and Christians.<sup>355</sup>

**September 23, 2012**

A suicide car bomber detonated a bomb outside a Catholic church on Sunday morning in the city of Bauchi, killing at least two people.<sup>356</sup>

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<sup>355</sup> See Haruna Umar and Yinka Ibukun, “Official: Death toll from church attacks, reprisals in north Nigeria up to 98; clashes ongoing,” AP, June 20, 2012.

<sup>356</sup> See Aminu Abubakar, “Suicide blast at Nigeria church kills two, wounds dozens,” AFP, September 23, 2012.

# Spiraling Violence

## Boko Haram Attacks and Security Force Abuses in Nigeria

Boko Haram, an armed Islamic group whose professed aim is to rid Nigeria of its corrupt and abusive government and institute what it describes as religious purity, has committed horrific crimes across northern and central Nigeria. Since 2009, suspected members of the group have killed at least 1,500 people, including police officers and other government security agents, Christians, and Muslims who cooperate with government authorities.

In the name of ending the group's threat to the country's citizens, government security forces have killed hundreds of Boko Haram suspects and random members of communities where attacks have occurred. Clashes between the group and security personnel, and extra-judicial killings by the police and military, have raised the death toll of those killed by Boko Haram and the security forces to more than 2,800 people since 2009. Meanwhile, hundreds of people have been arrested across the north, many of them detained incommunicado without charge or trial for months or even years.

Based on field research in Nigeria in July 2010 and in May and July 2012, and the continuous monitoring of media reports of Boko Haram attacks and statements, *Spiraling Violence* explores the crimes committed by the Islamic group and sheds light on the underreported role of Nigeria's security forces, whose actions in response to the violence have contravened international human rights standards and fueled further attacks. Human Rights Watch's research suggests that crimes against humanity may have been committed both by state agents and members of Boko Haram.

Nigeria's government has a responsibility to protect its citizens from violence but also to respect international human rights law related to the use of force by its security forces, the treatment of detainees, the prohibition of torture, and due process standards. Nigerian authorities should prosecute without delay the perpetrators of crimes, whether members of Boko Haram or government security forces, and take meaningful measures to address corruption, poverty, and other underlying factors that have created a fertile ground for violent militancy in Nigeria.



*(above) The mother of Gaddafi Soda holds up a photograph of her son who was allegedly shot and killed by police on the street in front of his house in the northern city of Kano on May 16, 2012.*

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*(front cover) Anthony Ohazuruma, 32 years old, was leaving morning Mass at the St. Teresa Catholic Church in Madalla, Niger State, on December 25, 2011, when a suicide car bomb exploded killing 43 people and injuring dozens. Boko Haram, a militant Islamist group in northern Nigeria, claimed responsibility for the attack.*

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