

“who will care for us?”

Grave Violations against Children in Northeastern Nigeria

September 2014



While the abduction of over 200 girls from Chibok in April 2014 has shed some light on how children are affected by the conflict in northeast Nigeria, most violations against children remain poorly understood, documented, and addressed. This report examines how boys and girls have been forcibly recruited, detained, abducted, raped, and attacked at school. With limited data, capacity, resources, and strategies to support children affected by the conflict, one mother from the northeast asked Watchlist, “Who will care for us?” That question must still be answered.

Photo:

Image of a girl, the daughter of a pastor, who was abducted by suspected members of Jama’atu Ahlis Sunna Lidda’awati wal-Jihad, commonly known as Boko Haram, at age 15. She was forced to convert to Islam and was raped during her 3 weeks in captivity in 2013.

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Conflict between the armed group Jama’atu Ahlis Sunna Lidda’awati wal-Jihad (JAS), commonly known as Boko Haram, Nigerian security forces, and civilian self-defense militias, is ravaging Nigeria’s fragile northeast. Despite President Goodluck Jonathan’s declaration of a state of emergency in Borno, Yobe, and Adamawa states, the level of violence and the scale of grave violations against children have worsened. The conflict in the northeast, along with inter-communal violence, has displaced an estimated 650,000 people, primarily women and children, and affected millions of others. The parties to the conflict have subjected boys and girls to forced recruitment, attacks on their schools, killing and maiming, abductions, rape and sexual violence, and arbitrary detention. In April 2014, the seriousness of these abuses came to the forefront when JAS abducted over 200 girls from Chibok in Borno State, sparking national and international outcry.

The humanitarian response has been slow, fragmented, and unable to meet the fast-growing needs of those affected by the conflict. Few international actors engage in the northeast, leaving the government and local groups, with limited capacity, to address violations and support survivors. The overall lack of expertise on child protection in conflict-related emergencies has left critical gaps in the response including, inadequate protection-related data, a lack of standard operating procedures to manage children encountered in conflict, and limited emergency preparedness planning to address the continuous attacks on schools.



Photo:
Children studying at a school in northeastern Nigeria that has received notes threatening an attack.
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Between March and May 2014, Watchlist on Children and Armed Conflict (“Watchlist”) conducted a six-week research mission to shed light on grave violations perpetrated against children,¹ devise recommendations to strengthen the child protection response, and assist with the establishment of the UN-led Monitoring and Reporting Mechanism (MRM).

Findings

Attacks on Schools

JAS has carried out well-planned, coordinated, regular attacks on primary and secondary schools in northern Nigeria. While JAS initially focused on destroying school property, it now intimidates and targets students and teachers, killing and abducting hundreds. The insecurity in the northeast has led to mass school closures, the flight of teachers, and the withdrawal of many students from school. Watchlist’s media survey suggests that since 2012, JAS and possibly other groups, has carried out attacks on schools, including places of higher education, that have resulted in the death, injury, or abduction of at least 414 students, teachers, or other civilians on school premises.²

While it is possible that other groups have also carried out attacks on schools, none have claimed responsibility. One human rights group reported that the soldiers from the Nigerian Joint Task Force burned an unoccupied Quranic school in 2013, but Watchlist has not received information on other such attacks.³ None of the interviewees had witnessed the use of schools by armed forces or self-defense militias, although a May 2014 interagency humanitarian needs assessment suggests this may be an issue of concern.⁴

Abduction

The rate and scale of abductions by JAS in the northeast has increased since early 2013. Abductions occur in a variety of settings including from schools, markets, and during raids on villages and homes. The group sometimes abducts boys and girls for recruitment. In addition, JAS forcibly converts the Christian women and girls they capture to Islam and often coerces them and other female abductees into marriage. On occasion, JAS members have raped and sexually exploited women and girls in their camps. Few abductees who escape from JAS camps have access to counseling and other health services.

Recruitment and Use of Children

Both JAS and the Civilian Joint Task Force (“Civilian JTF”), a self-defense militia formed in mid-2013 in Borno’s State capital of Maiduguri, recruit children for spying and, at times, participation in hostilities. JAS has recruited children through abduction, threatening children’s families, and incentivizing boys and young men to join the group by providing them with monetary compensation. Some speculate that the group has also recruited “almajaris”—poor children who are sent by their families to receive a free Islamic-based education. People interviewed by Watchlist had seen children as young as 14 in JAS’ ranks participate in hostilities.

Interviewees also reported members of the Civilian JTF forcibly recruiting primarily boys and young men into their ranks. The term “Civilian JTF” has been loosely used to describe a proliferation of self-defense groups operating in the northeast. Representatives arrive in villages, and chiefs allow them to select any able-bodied person to assist their efforts. This has included boys as young as 13 years old.

Security forces often detain children who are suspected or found to be members of JAS. These arrests sometimes take place during raids on JAS camps, but also occur arbitrarily, during mass arrests of civilians based on seemingly weak intelligence. Children affiliated with the conflict are often held *incommunicado*, in unofficial military detention facilities known for their mistreatment of detainees.

Protecting Children from Grave Violations

Despite strong legislative provisions, including the 2003 Child Rights Act, state-level child protection networks, and humanitarian initiatives post the abductions of the girls in Chibok to assist survivors of violations, several gaps still exist in Nigeria’s child protection system.

Only a handful of international actors work in the emergency states because of security concerns. Local non-governmental organizations (NGOs) and government entities lead efforts to assist survivors of attacks but, because of capacity constraints, security concerns, and poor infrastructure within the emergency states, many people affected by the conflict have limited access to services. The hundreds of thousands displaced by the conflict are largely invisible to key authorities and often seek refuge and support from overextended host communities. Furthermore, a lack of formal child protection in emergencies expertise, among humanitarian and government actors, is hindering the response. For example, systems for protection monitoring and programming are still limited, and the Child Protection Working Group (CPWG) is largely dormant because of a lack of engagement from a number of actors.

Additionally, education stakeholders need to address persistent attacks on schools. The new Safe Schools Initiative, spearheaded by the Nigerian government, the United Nations (UN), and other international actors, has provided some much-needed funding and political support to develop programmatic responses

about watchlist

Watchlist on Children and Armed Conflict strives to end violations against children in armed conflicts and to guarantee their rights. As a global network, Watchlist builds partnerships among local, national and international non-governmental organizations, enhancing mutual capacities and strengths. Working together, we strategically collect and disseminate information on violations against children in conflicts in order to influence key decision makers to create and implement programmes and policies that effectively protect children.

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**Photo:**

Boys in a juvenile detention center, Nigeria.

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to attacks on schools. This key initiative should support learning for out-of-school children, emergency preparedness training and drills for teachers and students, financial support for schools receiving displaced students, and new infrastructure to strengthen school security.

Finally, the listing of JAS for killing and maiming and attacks on schools and hospitals in the Secretary-General's 13th Annual Report on Children and Armed Conflict, has triggered the establishment of the Monitoring and Reporting Mechanism (MRM) in Nigeria.⁵ Actors setting up the MRM will need to address a number of logistical and security challenges to ensure its efficacy. This includes creatively overcoming limited monitoring capacity in the northeast, addressing the safety concerns for survivors identified under the MRM, as well as the monitors documenting cases, and promoting an understanding within affected communities of the distinction between MRM monitors and other government actors in order to maintain independence and impartiality.

Key Recommendations

To the Nigerian Federal Government

- Issue a directive mandating the release of children being held under suspicion of involvement with JAS into the custody of child protection actors. Denounce the recruitment and use of children by armed groups and develop and enforce rules of engagement (RoEs) and standard operating procedures (SOPs) for the transfer of children encountered during conflict.
- Support and expand initiatives to promote school protection by issuing a policy mandating baseline emergency planning and budgeting for state and federal schools across the country.
- Collaborate with child protection actors to develop and enact comprehensive training on the rights and needs of children in emergencies and in situations of conflict, and provide this training to all members of the Nigerian security forces and relevant civil service members.

To State Governments in Northern Nigeria

- State governments that have not yet adopted the 2003 Child Rights Act, which domesticates the principles enshrined in the Convention on the Rights of the Child and the African Union Charter on the Rights and Welfare of the Child, should do so immediately and take steps to enforce its provisions.

- Cease payments and assistance to civilian self-defense militias if evidence emerges of recruitment of children below the age of 18.
- Develop a Memorandum of Understanding (MOU) at the next governors' forum that outlines strategies for supporting the inter-state relocation of students from the states of emergency.

To the Nigerian Armed Forces

- Take preventive actions to ensure that the Nigerian armed forces do not commit grave violations against children by developing and implementing trainings on child protection, as well as ending impunity by suspending and investigating any active duty members suspected of committing grave violations.
- Update the Code of Conduct for the Nigerian armed forces to ensure that children below the age of 18 are treated in accordance with the policies and procedures outlined in the 2003 Child Rights Act.
- Publicly denounce the recruitment of children by civilian self-defense militias, end informal support to any groups which are found to have recruited children, and ensure that no children below the age of 18 participate in military training programs for the Civilian JTF.

To JAS:

- Allow international and domestic humanitarian aid agencies unhindered and safe access to key areas to provide assistance to civilians, in particular children, affected by the conflict.
- Immediately cease attacks against civilians including targeted attacks against schools, students, and teachers.
 - Cease abductions of both boys and girls. Release all abductees, including the girls taken from Chibok in Borno State, immediately and unconditionally.
 - Comply with national and international law which prohibits the recruitment of children under the age of 18; and immediately release all children who have been recruited into the group's ranks.

To the Civilian JTF and other Self-Defense Militia Groups

- Comply with legal national and international standards prohibiting the recruitment of children under the age of 18.
- Transfer all children suspected or found to be affiliated with JAS to child protection actors.

Photo:

A child orphaned by the conflict in northern Nigeria prepares food.
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To the United Nations Secretary-General and his Special Representative on Children and Armed Conflict

- In the 14th Secretary-General's Annual Report on Children and Armed Conflict, to be published in 2015, list JAS for the recruitment and use of children, in accordance with UN Security Council Resolution 1612.
- Encourage further investigation of rape and other forms of sexual violence by JAS members (in particular forced marriage) and consider listing JAS for rape and other forms of sexual violence, in accordance with UN Security Council Resolution 1882.
- List the Civilian JTF and possibly other self-defense militias for the recruitment and use of children, in accordance with UN Security Council Resolution 1612. Encourage investigation into other grave violations by civilian groups and by the Nigerian security forces.
- Call on the Nigerian government to sign, with all immediacy, an MOU on the treatment and transfer of children suspected or found to be affiliated with JAS.

The United Nations Security Council and its Working Group on Children and Armed Conflict

- Take steps to adopt a resolution that establishes abduction as a trigger violation for listing parties to a conflict in the Secretary-General's Annual Report on Children and Armed Conflict.

To the International Criminal Court

- Investigate grave violations against children as part of any ongoing investigations on human rights abuses in northeastern Nigeria.

To Child Protection and Other Protection Actors

- Take steps to strengthen child protection in emergencies capacity and programming by:
 - Advocating for the deployment of a relevant expert to assist in reviving the CPWG, which provides a forum for information-sharing and coordination on child protection.
 - Conduct child protection-specific assessments and encourage the establishment of an independent protection monitoring system by the Protection Sector Working Group (PSWG), which includes a tracking system for civilian and child fatalities.

Photo:

A woman grieves the death of a scout on security at his church in Nigeria, where a suicide bomber detonated a bomb outside the church. Jama'atu Ahlis Sunna Lidda'awati wal-Jihad, commonly known as Boko Haram, claimed responsibility for the attack.

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Photo:
Children attending class at a school
in Nigeria.
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- Support the growth, decentralization, and training of Child Protection Networks (CPNs) on the rights and needs of children in conflict-related emergencies.
- Embed individuals with child protection in emergencies expertise in national and emergency institutions, as well as relevant working groups. Work with communities to develop information, education, and communication (IEC) interventions to prevent the recruitment of children into armed groups.
- Work with partners to identify safe ways for survivors of grave violations to access adequate medical, psychosocial, and legal services, particularly in remote areas in the states of emergency. This should include engaging in dialogue with relevant actors to secure access to conflict areas and building the capacity of NGOs in the emergency states.

To Education Stakeholders

- Collect periodic data on the state of education in the northeast and share findings on school attacks with the government, the Child Protection and Education Working Group (CPEWG) and the Country Task Force on Monitoring and Reporting (CTFMR).
- Reinforce the security of schools using self-defense mechanisms such as fences and security guards. Limit the use of security forces and the Civilian JTF in school protection, as they may attract further attacks.
- Support continued education for out-of-school children, such as the provision of school-in-a-box kits for children in the states of emergency and in neighboring internal displacement person (IDP) hubs. If school closures persist, actors must explore alternate education methods, such as broadcasting lessons over the radio, or establishing classes in safe, undisclosed, community spaces.
- In preparation for the reopening of schools, work with school-based management committees to rollout emergency preparedness and risk mitigation plans, as well as training for students and teachers.

To Donors

- Ensure flexible and sustainable funding for:
 - Strengthening the technical capacities of governmental and non-governmental actors in monitoring and reporting on children's rights violations under UN Security Council Resolutions 1612, 1882, and 1998.
 - Sustainable reintegration programs for demobilized children from JAS' ranks.
 - PSWG activities, particularly efforts to establish a protection monitoring system.

- Medical, psychosocial, and legal services for survivors of grave violations.
- School security, education for out-of-school children, and counseling for students.
- Programming and data collection to support IDPs and host communities.

Implementing partners should coordinate with those already working in the northeast to minimize duplication and maximize synergy.

Key Recommendations for Establishing the MRM

To the Future Country Task Force on Monitoring and Reporting

- Undertake comprehensive awareness campaigns and conduct training on the MRM, grave violations, child protection monitoring, and handling of confidential and sensitive information, and all other identified gaps related to the skills and knowledge required for informed and responsible participation in the MRM.
- Take steps to forge partnerships with actors who can help to supplement information on grave violations. This includes potentially collaborating with the new CPEWG, cross-border humanitarian actors, and the United Nations Development Programme (UNDP)/ National Human Rights Commission (NHRC) protection monitors. Explore partnerships with non-traditional partners such as health workers and religious groups.
- Promote the formation of an inter-ministerial committee between the Government and CTFMR to engage in conversation and respond to violations.
- Take steps to help bridge the gap between monitoring and response. In coordination with the Nigerian government, prioritize establishing referral pathways for providing a response to violations, potentially through CPNs in the states of emergency, through developing SOPs for the treatment and transfer of recruited children, and where appropriate, coordination with working groups in relevant sectors.

Endnotes

- ¹ Through resolutions 1612, 1882, and 1998, the UN Security Council has identified six categories of grave violations against children, which constitute acts that contravene international humanitarian law, international human rights law, international criminal law, or other international protection norms. They are: 1) killing and maiming of children, 2) recruitment or use of children into armed forces and groups, 3) attacks on schools or hospitals, 4) rape or other grave sexual violence, 5) abduction, and 6) denial of humanitarian access for children.
- ² Please see Annex I and the Attacks on Schools Section of the report.
- ³ Amnesty International (AI), Annual Report: Nigeria, 2013 (<http://www.amnesty.org/en/region/nigeria/report-2013>, accessed August 7, 2014).
- ⁴ Multi-Sectoral Humanitarian Needs Assessment in North-Eastern Nigeria, *Final Report*, May - June 2014, on file at Watchlist, p. 52.
- ⁵ Report of the Secretary-General on Children and Armed Conflict (A/68/878-S/2014/339), May 15, 2014, Annex II.