



HUMAN  
RIGHTS  
WATCH

# Spiraling Violence

Boko Haram Attacks and Security Force Abuses in Nigeria



## **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.  
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# 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.

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**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 worshipping 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.

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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.

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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.

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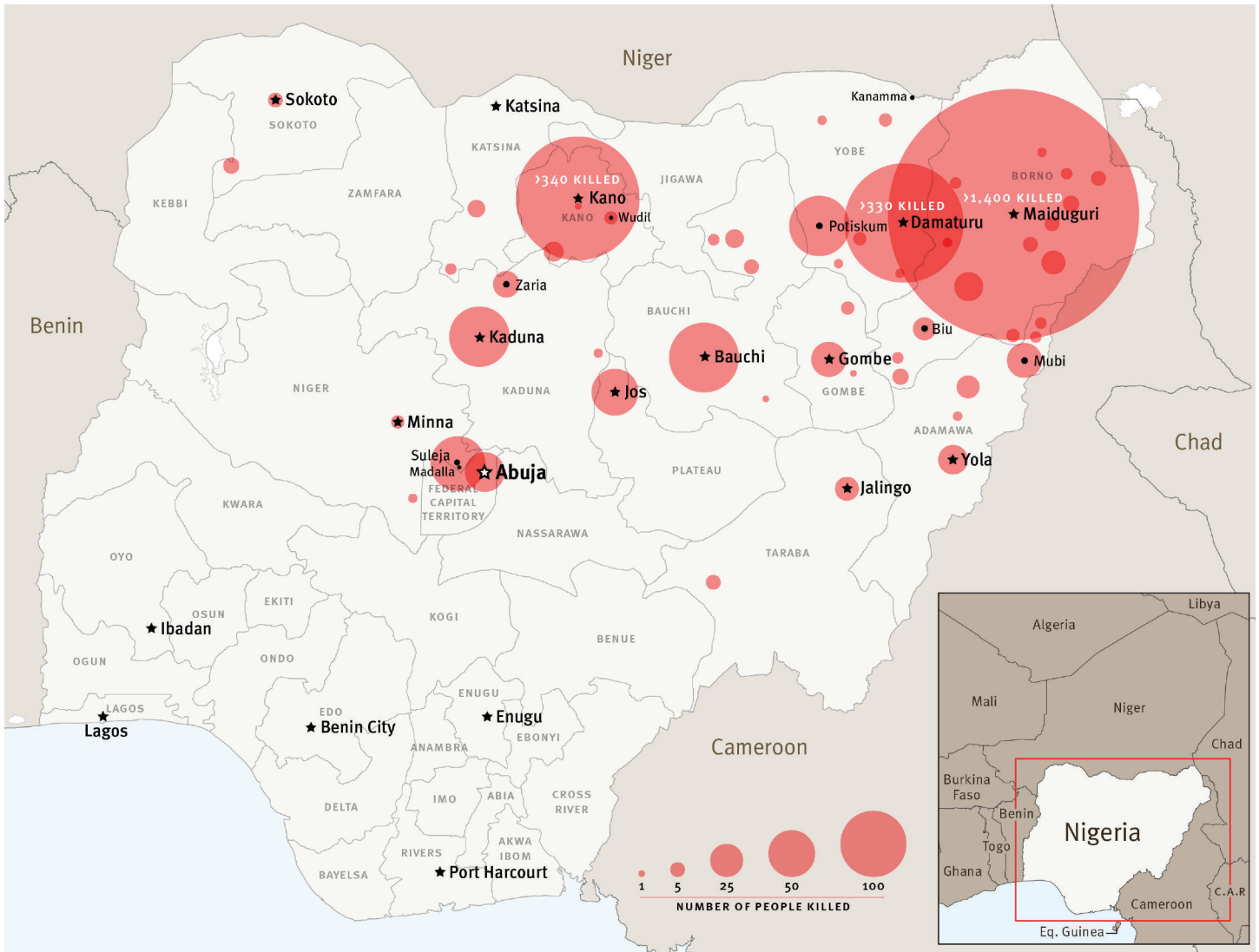
Primary school students on May 12, 2012 stand outside the main auditorium of the Maiduguri Experimental School, a private school in Maiduguri that was burned down by suspected Boko Haram members.

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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.

# 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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