



‘THEY BETRAYED US’

**WOMEN WHO SURVIVED BOKO HARAM RAPED,
STARVED AND DETAINED IN NIGERIA**

AMNESTY
INTERNATIONAL



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Cover photo: Women and children in Bama Hospital camp, 5 December 2015. Hundreds of displaced people died in this camp.

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GLOSSARY

BAMA HOSPITAL CAMP/ BAMA SECONDARY SCHOOL CAMP	Bama Hospital Camp was a camp for internally displaced persons established by the Nigerian military in mid/late 2015 in Bama town. It was one of a number of so-called “satellite camps” established by the military in towns recaptured from Boko Haram. In December 2017, IDPs in Bama Hospital camp were relocated to a new camp in the Secondary School complex of Bama town.
CIVILIAN JTF	Civilian Joint Task Force – a civilian militia set up by the Borno state authorities in 2013. The Civilian JTF has worked closely with the security forces in Borno state by identifying and helping to arrest Boko Haram members. In practice, they fall under military command.
GIWA BARRACKS	The largest military detention facility that Amnesty International is aware of in Borno state is Giwa barracks, in the state capital of Maiduguri.
IDP	Internally displaced persons(s) - persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.
LGA	A Local Government Area (LGA) is a local administrative structure in Nigeria. There are 27 LGAs that make up Borno state.
NEMA	National Emergency Management Agency (NEMA), the Nigerian federal disaster management agency.
RECAPTURED TOWNS	At least 15 towns in Borno state, recaptured by Nigerian military from Boko Haram control from late 2015 to the first half of 2016 including Bama, Banki, Dikwa, Damboa, Marte, Monguno, Benisheikh and Rann. They remain heavily militarized garrison towns and continue to be surrounded by areas of ongoing insecurity. In most cases, these towns can only be reached by civilian actors travelling in armed convoys or by air.
SATELLITE CAMPS	Camps established by Nigerian military in towns that were recaptured from Boko Haram’s control. These camps were run by the military in most cases until at least late June 2016. Currently many are run by the state or federal emergency management agencies but the military still control many aspects of the lives of the IDPs living in these camps.
SEMA	State Emergency Management Agency (SEMA), the state disaster management agency.

CONFLICT AND DISPLACEMENT IN NORTH-EAST NIGERIA

2002



BOKO HARAM
ESTABLISHED

2012

Boko Haram
increasingly attacks
civilian targets



14 April 2014

Boko Haram abduct

276 girls

from a boarding school
in Chibok in Borno state

30 July 2009



Police killed Boko Haram
leader **Muhammed Yusuf**
after the army handed
him over

14 March 2014



Giwa barracks attacked by Boko Haram,
hundreds of escaped detainees re-captured
and executed by the military

July 2014



Boko Haram started
taking control of large
swathes of territory in
north-east Nigeria

By February 2015

OVER A MILLION PEOPLE in north-east Nigeria fled insecurity and attacks by Boko Haram towards state capitals



April 2016

NEMA identifies **14 SATELLITE CAMPS**, hosting 216,000 people



August 2017

Acting President sets up **Presidential Investigation Panel** to investigate conduct of the military

March 2015



Nigerian army recaptures Bama and other key towns from Boko Haram

February 2018

Presidential investigation panel presents report to President



June 2016

A press statement by the NGO **Médecins Sans Frontières (MSF)** highlighting the “**humanitarian catastrophe**” in Bama Hospital camp

1. EXECUTIVE SUMMARY

“I fled my village of Gala Kura when the [Nigerian] air force started bombing it. We were about ten families who agreed to leave together. We were 10 men, 30 women and about 50 children... So many of our group that fled together that day are now dead. Of the children, not more than ten are still alive. The others all died in Bama Hospital camp, or in Giwa barracks.”

30-year-old Maya (not her real name), who fled her home in early 2016.¹

Since early 2015, the Nigerian military has carried out intensive operations and recaptured vast swathes of territory that had come under the control of Boko Haram in the north-east of the country. However, instead of “freeing” hundreds of thousands of people who had been trapped in these areas, the military has carried out systematic patterns of violence and abuse against this population, including war crimes and possible crimes against humanity. Women have been affected in disproportionate and gender-specific ways, and continue to face ongoing discrimination and violence.

This report examines in detail what happened to the group of people, especially women, who fled or were forced from rural towns and villages that had been controlled by Boko Haram, as the military intensified its operations. First-hand testimonies describe the appalling actions of the Nigerian authorities, which may be linked to suspicion that some might be associated with the armed group.

Amnesty International conducted over 250 in-depth individual interviews over a period of almost two years from June 2016 to April 2018. This included 141 people (mostly women and girls) who lived in camps for internally displaced persons (IDPs), and 71 people (including 48 women and girls) who had been detained by the military in Giwa barracks, the main military detention facility in Borno state (the state most affected by conflict and displacement). It also included approximately 40 people who were currently or had been working in the humanitarian response operations in north-east Nigeria.

Amnesty International researchers conducted interviews in person in Maiduguri, the Borno state capital, or over Skype with IDPs now living in displacement in or around Maiduguri (or with humanitarian workers in Maiduguri, Abuja or other locations). In March 2018, a delegate visited Bama town and conducted additional interviews. Researchers have also reviewed scores of reports, video evidence and satellite imagery of camps and of Giwa barracks.

¹ Amnesty International interview, March 2018.

In February 2018, Amnesty International wrote to the Nigerian authorities, sharing initial findings and asking for additional information on steps taken to address the concerns. Three Freedom of Information Act requests were also made at this time. Apart from an acknowledgment, no other responses were provided.

FORCED TO “SATELLITE CAMPS”

Between mid-2015 and mid-2016, the military set up 14 so-called “satellite camps” for IDPs in key towns they recaptured from Boko Haram, mostly in Borno state. They ordered people to come to these camps from the surrounding areas, where Boko Haram was still operating. In the town of Bama, for example, once the largest population centre in Borno state after Maiduguri, the military established a camp in a destroyed hospital compound known as “Bama Hospital camp”, and IDPs began arriving by October 2015.

Scores of IDPs from different rural locations across Borno told Amnesty International that they had come to the satellite camps because they had been forced to do so by the military. They said that when the military conducted operations in their villages, they burnt down homes and opened fire at remaining residents indiscriminately. Many of these women and men said that they had suffered brutally under Boko Haram, and were hoping to be rescued – only to find themselves attacked by the military.

Others said that the military arrived in their villages and ordered or physically took them to the recaptured towns, or they fled pre-emptively as they had heard that the military were conducting operations in neighbouring villages and attacking people who had remained in their homes. Amnesty International has satellite images that confirm many of these rural villages have been burnt down.

While the movement of people from villages to the recaptured towns has since slowed pace, it has not stopped, and researchers received ongoing reports of the military attacking residents indiscriminately in rural villages, and forcibly taking people to the satellite camps.

The forced displacement of civilians is a violation of international humanitarian law, except in the limited circumstances where the security of the civilians involved or imperative military reasons so demand, which does not appear to have been the case in this context. Those responsible may have committed the war crime of displacing civilians, and the crime against humanity of forcible transfer of the population.

MASS DETENTION OF MEN

People arriving in the recaptured towns seeking safety had often spent months or years living in or near areas under Boko Haram control, and were treated with suspicion by the military. The military or Civilian Joint Task Force (Civilian JTF, a civilian militia who work closely with the Nigerian armed forces) subjected everyone arriving to a “screening” before they were allowed to proceed to the satellite camp.

According to reports from a number of recaptured towns, these “screenings” often involved separation of family members, arbitrary detention, and torture and other ill-treatment. Several women also reported being forced to remove their clothes and stand naked for “screenings” conducted in public. In at least one location (Bama town), the military detained people in prison cells in overcrowded conditions with inadequate food and water for several days or more while they were screened, leading to deaths.

Men and boys were often targeted for arbitrary detention in “screening” operations. In at least two recaptured towns (Bama town and nearby Banki) the military and Civilian JTF separated most men and boys perceived to be of “fighting age” (roughly 14 to 40) from other people during the “screenings” and detained them. In most cases, the military appears to have transferred them to Giwa barracks military facility in Maiduguri, without any individualized assessment of wrongdoing.

In some cases, women told Amnesty International that they saw their family members being blindfolded and taken away by the military. In other cases, they arrived in the camps but their family members did not follow them after the “screening”; none received any information from the authorities as to what had happened.

Most women interviewed were still awaiting the return of their husband or other family members, sometimes as much as two years after they were detained. Their anguish was exacerbated by the lack of any information as to the whereabouts of their family members, or even if they were still alive.

The arbitrary detention of what may amount to thousands of (mostly) men is unlawful under international human rights law and has previously been documented by Amnesty International. The failure by the authorities to provide a mechanism for family members of detainees to obtain information on their whereabouts and wellbeing, and the denial of information to those who approached the military for information, has caused mental suffering that constitutes ill-treatment under international human rights law.

CONFINED IN THE CAMPS

As a result of the mass detention of men and boys, the people living in the satellite camps have been disproportionately women, children and the elderly. The military has imposed severe restrictions on their ability to enter and exit many of the camps.

In some satellite camps, including Bama Hospital camp (and Bama Secondary School camp, which replaced it in December 2017), in Bama town, IDPs have been prohibited from relocating to other locations such as Maiduguri. While the security forces sometimes allow men to leave the camp to the surrounding areas to farm or collect firewood to use and to sell, they have prohibited women doing so. These restrictions prevent women especially from accessing their own food and livelihood opportunities.

The movement restrictions are imposed in a manner that violates human rights law, and in some instances the confinement of IDPs to the camp appears to constitute de facto detention.

THOUSANDS STARVED

The conditions across the satellite camps have been deplorable, particularly in the first nine months or year after the satellite camps began to be set up (around October 2015). As a result, thousands of IDPs died between late 2015 and mid/late 2016 for lack of food, water and health care.

Tens of women interviewed said that in Bama Hospital camp during this period, they were completely confined to the camp and the food, water and health care provided was grossly inadequate – they received no more than a small plate of rice each day which they shared with their dependents. Many also said they were beaten at water and food distribution points by members of the Civilian JTF who accused them of being “Boko Haram wives”.

While Amnesty International could not confirm the total number of deaths in the camp during this period (from late 2015 to June 2016), it believes that at least hundreds and possibly thousands died in this one camp alone. Women (and men) interviewed consistently reported that 15-30 people died each day from hunger and sickness over these months. More than half of the women Amnesty International interviewed said that one or more of their family members had died in the camp, including many who said that one or more of their children had died. Some women also reported incidents of deaths following beatings by the Civilian JTF of already malnourished women, elderly or children. Satellite imagery also shows the cemetery associated with the camp rapidly expanding during this time.

The large number of deaths in Bama Hospital camp were not unique. IDPs who lived in satellite camps in other recaptured towns including Banki, Dikwa, Monguno, Rann and Benisheikh camps also described high numbers of daily hunger and sickness deaths, caused by a combination of movement restrictions and lack of food, water and health care during the same period.

While there was a small humanitarian response operation made up of UN agencies and international NGOs operating in north-east Nigeria in late 2015 and early 2016, their capacity was limited and in Borno they were largely focused on providing assistance in Maiduguri and surrounding areas/southern parts of the state. The assistance they provided was not enough to stem the alarming mortality rates until the international NGO Medicine Sans Frontiers brought international attention to the crisis in late June 2016. After this point, the government and the UN humanitarian agencies and partners started scaling-up the provision of humanitarian assistance, including food assistance, across north-east Nigeria in general and to the satellite camps specifically. This stabilized and reduced morbidity and mortality rates in many locations.

Despite this, women in many satellite camps have reported facing ongoing barriers accessing adequate food, exacerbated by continued restrictions on their ability to leave the camps.

In Bama Secondary School camp, IDPs said they are receiving food assistance but that they are still suffering from hunger and going days without eating between food assistance distributions. Women, especially those without husbands with them, face particular problems as they have less chance to supplement the assistance provided. They also do not always control their own assistance packages, which may be given to their father-in-law on their behalf. Moreover, in some camps, IDPs are not being provided any assistance, and there are cases of ongoing daily hunger and sickness deaths.

The authorities' failure to provide IDPs with adequate food, water and health care violates a number of human rights, including to food, health and to life. This is especially the case where a) the authorities have confined IDPs to camps, where the administering authorities knew that the conditions were leading to deaths but have recklessly failed to take any steps to ameliorate the conditions and prevent these deaths; and/or b) where Civilian JTF members beat already malnourished IDPs resulting in their deaths. Those responsible may have committed the war crime and possibly the crimes against humanity of killing and of imprisonment.



  *Woman in Banki, April 2017 © Washington Post/Getty images*

RAPE IN THE SATELLITE CAMPS

Amnesty International has documented patterns of rape and sexual exploitation occurring in the satellite camps from late 2015 until the present.

Scores of women (and some men) described how soldiers and Civilian JTF members commonly used force and threats to rape women and girls, and took advantage of the conditions to coerce women into becoming their “girlfriends”, which involved being available for sex on an ongoing basis.

Nine women reported cases of rape to Amnesty International. This included five women who told Amnesty International that they had been raped by soldiers or Civilian JTF members while they had been starving or near starving in Bama Hospital camp in late 2015 or early 2016. Amnesty International also received recent reports of rape or attempted rape in the camp.

Ten additional women reported that they had been coerced to become the “girlfriend” to a soldier of the Civilian JTF in Bama Hospital/Secondary school camp. They said that they were pressured to do this simply in order to access basic goods needed for survival or to overcome hunger, and because it was impossible to say no to the demands of the security forces. The coercive environment that was created and taken advantage of by the soldiers and Civilian JTF meant that consent to sex was not possible.

Women interviewed have also described how soldiers and Civilian JTF created an organized system to inflict sexual violence in Bama Hospital and Secondary School camps. The Civilian JTF members select women in the camp and take them to soldiers for sex. Four women said that the layout of Bama Secondary School camp was designed to make sexual exploitation easier, by separating young women from their in-laws and other people in the camp. Women have said that if they complain, they risk being called a “Boko Haram wife” and facing reprisals.

The Soldiers and Civilian JTF members who used force, or created or took advantage of a coercive circumstances, to have sex with women in the camps have committed the crime of rape. Because of the circumstances in which these crimes were committed, those responsible may have committed the war crime

and crime against humanity of rape. If the Civilian JTF members benefited through selecting and taking women to soldiers for sex, such as being rewarded by the soldiers involved, they may also have committed the crime against humanity of enforced prostitution.

ARBITRARY DETENTION OF WOMEN AND GIRLS

As well as the many thousands confined in satellite camps, at least hundreds of women and girls have also been detained on arrival in the recaptured towns or during military operations and detained in deplorable conditions in Giwa barracks in Maiduguri.

None of the women released from detention that Amnesty International interviewed had never been charged with a crime, or given any opportunity to challenge the lawfulness of their detention in front of a judge, or knew of any other women detained with them who had been. The vast majority had spent between six months and two years in detention. The few who were given any reason were told they were detained because they were a “Boko Haram wife” without any further explanation.

Amnesty International identified a pattern among the detained women and girls that included the following categories:

- 1) Victims of abduction or forced marriage by Boko Haram members – Amnesty International interviewed 11 women and girls who said that they were victims of such abuses, but had been detained by the military after they were found in or near Boko Haram camps during military operations or admitted to having lived in such locations during “screenings”. Most reported being treated as presumed Boko Haram members from the moment they were detained, and said they were beaten while being questioned.
- 2) Women who arrived in the recaptured towns unaccompanied by their husbands – Amnesty International interviewed 12 women who said they were arrested because they fled seeking safety to Bama town without their husbands. Some said they were explicitly accused of hiding the fact that they had Boko Haram husbands they had “left in the bush”, although the authorities appeared to have no evidence to support such claims. The women each explained to researchers that they had husbands who had been displaced ahead of them for reasons including because they felt it would be safer to flee Boko Haram areas separately, or because they stayed behind in their village a little longer to care for sick family members or to give birth.
- 3) Women who had a family member accused of being a Boko Haram member were detained, even though they were not accused of committing a crime themselves. Amnesty International interviewed 12 women who appeared to have been detained purely for this reason.

Twelve of the women Amnesty International interviewed were under 18 when they were detained. The majority of those interviewed had been detained with their young children.

At least five women died in the cells in Giwa barracks between 2015 and 2017, and 32 children died in 2016 and 2017 combined (mostly in 2016). Nine women interviewed gave birth while in detention, seven of whom reported doing so in their overcrowded dirty cell with no assistance.

At its peak, former detainees reported that around 1,000 women and girls were detained in Giwa at the start of 2017. Most of these women and girls were released in a series of mass releases, the last of which was in January 2018. Several people released at this time reported to Amnesty International that 10 girls remained in detention in Giwa barracks, and have not been charged with any crime. Amnesty International is also concerned that other women and girls might since have been detained by the military, and has also received unconfirmed reports indicating that women and girls remain in other military facilities in Borno state.

These detentions are arbitrary under international human rights law and are not permitted by international humanitarian law. The detention conditions also breached a number of international humanitarian law and international human rights law standards. Individuals responsible for detaining women and girls in Giwa barracks and administering their detention may have committed the war crimes and crimes against humanity of detention, murder and torture and other ill-treatment.

RECOMMENDATIONS

The Nigerian federal and Borno state government, with the support of donors, UN humanitarian agencies and NGOs, must urgently increase the food assistance to IDPs in the north-east, including to those currently located in the satellite camps, and efforts to ensure that the food provided reaches all intended beneficiaries. They must also ensure that the amount of food assistance provided, the type of assistance provided and the distribution mechanisms used are appropriate and accessible for all IDPs including female-headed-households.

The federal and Borno state government must immediately close all unofficial and secret places of detention facilities such as Giwa barracks and Bama prison. All detainees must be transferred to civilian custody, where they must be released unless they are charged with a recognisable criminal offence and given a fair trial.

The federal government must ensure accountability for the violations of international human rights law and international humanitarian law, and the possible war crimes and crimes against humanity committed by soldiers and Civilian JTF members. As a first step, they should release the report of the Presidential Investigation Panel that reviewed compliance of the armed forces with human rights obligations, which was reportedly finalised in February 2018, and implement its recommendations in a transparent manner. In addition to bringing those responsible for violations to justice, they must also establish a reparations program, in consultation with civil society and affected communities, with special consideration given to the violations women have faced and the forms of reparation that would be accessible and meaningful to them.



↓ A 15-year-old mother cries next to the body of her six-month-old daughter at their home in Banki, on 28 September 2016. Her daughter was brought into the MSF clinic suffering from severe malaria as well as malnutrition. Hours later she passed away in need of a blood transfusion that was too complicated for the clinic to perform. © Jane Hahn



2. METHODOLOGY

This report is focused on the Nigerian authorities' treatment of people who lived in villages and towns under Boko Haram control, and who fled or were forced from their homes following military operations from mid-2015. It covers the period until 1 May 2018.

It investigates how men and women were forced from their homes in rural areas of Borno state. It also focuses on the human rights violations committed against women and girls in so-called "satellite camps", established by the military to host them, as well as the arbitrary detention and mistreatment of women and girls in military detention.

Amnesty International conducted over 250 in-depth, private interviews for this report.

Interviewees included 141 displaced people, including 83 women and 34 men who lived or are living in the satellite camps.

Amnesty International focused a case study on the satellite camp in Bama town, Bama Local Government Area (LGA). Bama town had been Borno State's second most populated town before the conflict, after the state capital of Maiduguri. Researchers interviewed 60 people who had been or were currently living in the satellite camp in Bama town – first in Bama Hospital camp, and after December 2017, in Bama Secondary School camp (which replaced Bama Hospital camp).

Researchers also interviewed people who were living or had lived in satellite camps in other towns in Borno state, including in Banki (Bama LGA), Rann (Kala Balge LGA), Damboa (Damboa LGA), Dikwa (Dikwa LGA), Benisheikh (Kaga LGA), Gajiram (Nganzai LGA) and Monguno (Monguno LGA). These interviews indicated that the human rights violations identified in Bama town are likely to have been carried out on a wider scale. Interviews were also conducted with 24 people who had fled their homes before Boko Haram took control of their towns and villages, and who lived in IDP camps in Maiduguri and surrounding areas.

Amnesty International also interviewed 48 women and girls who had been detained in Giwa barracks military detention facility, the main military detention facility in Borno state, located in Maiduguri. These women had been detained by the military while fleeing their homes, or in their villages during military operations. Most had been released from military detention in late 2016, over the course of 2017, or in January 2018.² Researchers also interviewed 15 men and eight boys who had been detained in Giwa and had information about women in detention.

Amnesty International conducted most of these interviews in Maiduguri through identifying people who had been able to visit or relocate from the satellite camps, and who had been released from detention. Some of these interviews were face-to-face during missions in September and December 2016, September 2017 and March 2018, and others were conducted over Skype. In March 2018, an Amnesty International delegate also visited Bama Secondary School camp (which replaced Bama Hospital camp) in Bama town and carried out interviews there.

The vast majority of the women and men interviewed were Kanuri, the dominant ethnic group in Borno state. Twenty-two were Shuwa Arab herders and six were Gamergu.

Forty interviews were conducted with individuals who were or had been involved in the humanitarian response operations, including members of UN humanitarian agencies, international NGOs and national civil society organizations, based in Maiduguri and Abuja.³ Amnesty International also met with officials within the

² At the time this report was issued, this was the last known date of release of detainees from Giwa barracks.

³ Some of these interviews were also conducted over the course of 2015 and early 2016.

National Emergency Management Agency (NEMA), as well as the Nigerian Human Rights Commission (NHRC).

Amnesty International reviewed scores of reports, press statements, meeting minutes and other documents from the military, government and humanitarian actors, and reviewed videos and photos provided by humanitarian workers, journalists, internally displaced people and other contacts. In addition, Amnesty International reviewed satellite images of Bama Hospital, Banki, Dikwa and Rann camps for internally displaced people, and of Giwa detention facility.

In order to protect the security and respect the confidentiality of people who spoke to Amnesty International, all testimonies have been anonymized. In some cases, additional details such as village of origin have been omitted. Details which would make women easy to locate have been removed in each of the detention cases. Several women released from detention mentioned to researchers they had been warned not to speak to anyone about their experiences in detention.

Some of the women and men that Amnesty International spoke to from rural areas of Borno state did not have a clear sense of dates. Where possible, Amnesty International confirmed the dates by referring to external and contextual events (such as dates of military recapture of nearby towns and religious celebrations such as Ramadan) or by triangulating with other sources. There are some cases where dates of events remain approximate and are stated so in the report.

In February 2018, Amnesty International contacted Tukur Yusuf Buratai, Nigeria's Chief of Army Staff, Abubakar Malami San, the Federal Minister of Justice, Ayoade Alakija, the Chief Humanitarian Coordinator in the Federal Ministry of Budget and Planning, Ibrahim Idris Kpotum, the Inspector General of the Police, Fanta Baba Shehu, the Borno Minister for Women's Affairs, and Kashim Shettima, the Borno State Governor. The organization shared a summary of the report findings and asked for information on a number of concerns raised. In three instances, the request for information was issued in line with the Nigerian Freedom of Information Act. As of 1 May 2018, no responses had been received.⁴

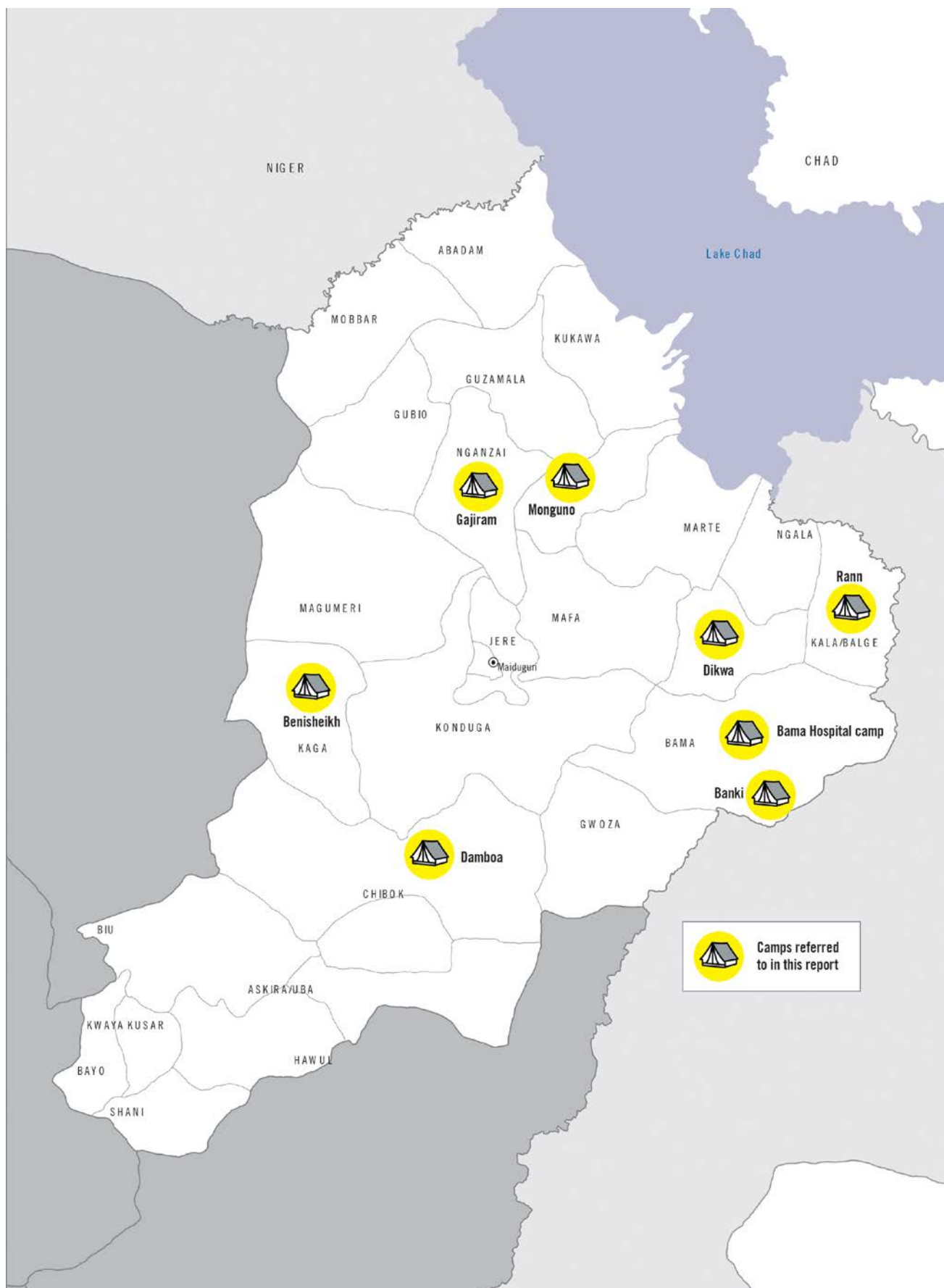
This report builds on earlier reports released by Amnesty International on violations by Boko Haram⁵ and the Nigerian military,⁶ including on arbitrary detention and detention conditions in Giwa barracks.⁷

⁴ The armed forces responded requesting that Amnesty International re-direct it's communications on issues pertaining to the Nigerian army to the Federal Ministry of Justice.

⁵ Amnesty International, "Our job is to shoot, slaughter and kill" Boko Haram's reign of terror in north-east Nigeria" (hereafter: "Our job is to shoot, slaughter and kill") April 2015, AFR 44/1360/2015 available from www.amnesty.org/en/documents/afr44/1360/2015/en/. www.amnesty.org/en/latest/news/2017/09/lake-chad-region-boko-harams-renewed-campaign-sparks-sharp-rise-in-civilian-deaths/; Amnesty International, "Keep away from schools or we'll kill you: right to education under attack in Nigeria", October 2013, AFR 44/019/2013, available at: www.amnesty.org/en/documents/AFR44/019/2013/en/; see also "Nigeria: Trapped in a cycle of violence", November 2012, AFR 44/043/2012, available at: www.amnesty.org/en/documents/AFR44/043/2012/en/.

⁶ Amnesty International, "Stars on their shoulders, blood on their hands: War Crimes Committed by the Nigerian Military" June 2015, AFR 44/1657/2015 www.amnesty.org/en/documents/afr44/1657/2015/en/; (hereafter: "Stars on their Shoulders"); see also Nigeria: Trapped in a Cycle of violence, November 2012, AFR 44/043/2012, available at: www.amnesty.org/en/documents/AFR44/043/2012/en/.

⁷ Amnesty International, May 2016, "If you see it, you will cry: Life and death in Giwa barracks" (hereafter "If you see it, you will cry") www.amnesty.org/en/latest/news/2016/05/nigeria-babies-and-children-dying-in-military-detention/; and Amnesty International, "Welcome to hell fire", torture in Nigeria, September 2014, AFR 44/021/2014, www.amnesty.org/en/documents/AFR44/011/2014/en/.





 Satellite camps referred to in this report, in the north-eastern state of Borno, © Amnesty International

3. CONFLICT IN THE NORTH-EAST

3.1 CONFLICT

The conflict in north-east Nigeria began in 2009 when the insurgent movement Jama'atu Ahlis Sunna Lidda'awati wal-Jihad, popularly known as Boko Haram, started its violent campaign.

Boko Haram was established in 2002 in north-east Nigeria as a religious movement committed to a society based on its interpretation of Islam. After clashes in 2009 between the Nigerian security forces and Boko Haram's members, and the extrajudicial execution of their leader Mohammed Yusuf, the group began revenge attacks against the police in 2010. Their attacks increasingly targeted civilians, and from 2012 the group attacked schools, teachers and students to prevent people from receiving a "western" education.

In mid-2013, state security forces, with assistance from the Civilian Joint Task Force (Civilian JTF), a state-sponsored civilian militia, pushed Boko Haram out of the cities and towns of north-east Nigeria where they had lived among the population. Boko Haram moved to remote communities, such as their headquarters in Sambisa forest in Borno state, and launched raids on towns and villages across the state and neighbouring regions with increasing ferocity.⁸

From July 2014, Boko Haram started taking control of large swathes of territory in north-east Nigeria. At its peak, their control extended across most of Borno state (excluding Maiduguri and the southern-most part of the state), northern Adamawa and into eastern Yobe states.⁹

In the course of the conflict, Boko Haram has killed thousands of civilians -- through bombing crowded markets and roadblocks, during attacks on towns and villages, and in areas under its control to punish individuals for perceived transgressions of the group's rules. They killed and forcibly recruited boys and young men, and abducted boys, girls and women, in particular.¹⁰

While the abduction of large numbers of girls from schools has sometimes received international attention, such attacks are not isolated incidents.¹¹ Boko Haram has reportedly abducted at least 4,000 boys, girls and women since 2009, and trapped tens of thousands more when it took control of towns in the north-east.¹² An unknown number remain under its control.

⁸ Amnesty International has extensively documented abuses committed by Boko Haram fighters, concluding that they amount to war crimes and crimes against humanity. See for example Amnesty International, 'Our job is to shoot, slaughter and kill', which contains information on Boko Haram's organizational structure, recruitment tactics and resources, and details abuses committed by the group from 2013 to 2015.

⁹ Amnesty International, "Our job is to shoot, slaughter and kill".

¹⁰ Amnesty International, "Our job is to shoot, slaughter and kill".

¹¹ Amnesty International has undertaken ongoing campaigning for the release of girls abducted from Chibok and Dapchi. See for example: www.amnesty.org/en/latest/news/2017/04/nigeria-chibok-anniversary-a-chilling-reminder-of-boko-harams-ongoing-scourge-of-abductions/.

¹² SEE FOR EXAMPLE, OFFICE OF THE SRSG FOR CHILDREN AND ARMED CONFLICT, "NIGERIA: FIRST REPORT ON CHILDREN AND ARMED CONFLICT DETAILS VIOLATIONS SUFFERED BY CHILDREN AS A RESULT OF BOKO HARAM'S INSURGENCY AND ENSUING CONFLICT", MAY 2017, P13 AT RELIEFWEB.INT/SITES/RELIEFWEB.INT/FILES/RESOURCES/N1709682.PDF.

WOMEN'S LIVES IN AREAS UNDER BOKO HARAM CONTROL

Boko Haram imposed repressive rules on populations under its control, and prohibited people from leaving its territory without permission. Basic activities like obtaining food and gaining a livelihood often became immensely difficult due to overwhelming restrictions.¹³ Women were not allowed out of their homes without an “acceptable” reason. Women reported being flogged when caught breaking this rule.

Women and girls who were abducted or living in towns and villages under Boko Haram control were often forced into marriage with men from among Boko Haram’s members.¹⁴ Parents who refused to allow their daughters to be married were also punished. Two women from villages near Bama town showed Amnesty International scars and disfigurement on their arms, and said that they had been tied up and flogged for refusing to let Boko Haram members marry their young daughters.¹⁵

Women forcibly married to Boko Haram members were raped. Women and girls who were not married to Boko Haram members but were under the group’s control were also raped.¹⁶ Wives of Boko Haram members were kept inside their homes, except for participating in classes on the Qur’an, and were responsible for domestic tasks. In some cases, women and girls were trained as fighters. Many women and girls were forced to join Boko Haram’s campaign of violence, including being forced into suicide bombings.¹⁷



“Hauwa”, September 2017 © Amnesty International

Twenty-five-year-old Hauwa (not her real name), who fled her home in a village in Gulumba district in Bama LGA in early 2017, told Amnesty International that life under Boko Haram was a nightmare especially after her husband escaped ahead of the family to find a safe place for them to go. She said:

“After my husband was gone, I had to look after the children alone. I had to go to the fields if I was going to feed them. I went to Boko Haram and I said to them that they should let me go to the fields because no-one gives me food. They said no, it is forbidden. But I had no choice. I

had to go to the fields. So I would sneak out. Three times, they caught me. They flogged me with sticks as a punishment. They had guns, and they threatened to shoot me. But I had to keep going. What forced me to flee was that they wanted to marry one of my children. I have a ten-year-old daughter and they came and said they wanted to marry her to one of them. I said she is too young, she is still a child... They told me to get ready and prepare myself for giving her to them for marriage. So I fled that night with her and my six other children. I ran towards Bama town.¹⁸

Many women told Amnesty International that they had witnessed executions of people in their villages by Boko Haram members for “transgressing” the group’s rules. They included seven women who said that they had witnessed executions of family members or neighbours after unsuccessful escape attempts. One woman from Marya town in Dikwa LGA told Amnesty International that when Boko Haram found out that the family was planning to flee their home in mid-2017, “they came to the house to meet my son. They said ‘we heard about your plans of running away’. They went outside, gathered people, and shot my son. They said it should be a lesson to others.”¹⁹ Several other women told of brutal beatings they had received, including as punishment after their family members escaped.²⁰

¹³ Amnesty International, “Our job is to shoot, slaughter and kill”.

¹⁴ Amnesty International, “Our job is to shoot, slaughter and kill”. Between June 2016 and April 2018, Amnesty International also spoke to six women who said they had been forcibly married to Boko Haram members, and numerous women who said they fled to protect their daughters from forced marriage. Some women said Boko Haram tried to force them into marriages with members even though they were already married, after their husbands had fled ahead of them.

¹⁵ Amnesty International interviews, December 2016 and September 2017.

¹⁶ Amnesty International, “Our job is to shoot, slaughter and kill”.

¹⁷ See e.g. www.amnesty.org/en/latest/news/2015/04/nigeria-abducted-women-and-girls-forced-to-join-boko-haram-attacks/, and Amnesty International “Our job is to shoot, slaughter and kill”.

¹⁸ Amnesty International interview, September 2017.

¹⁹ Amnesty International interview, March 2018.

²⁰ Amnesty International interviews, June 2016–April 2018. One woman from Bakari village, Bama LGA, showed her scarred arms to researchers, and said she was tied with a rope and beaten as punishment after her son escape; Amnesty International interview, August 2016. Another woman said she witnessed the execution by stoning of two women in her village of Dawjeri, Bama LGA, for having “relations outside of marriage”; Amnesty International interview, September 2017.



↑ Stills taken from a video showing the aftermath of a military operation in Bama local government area around June 2015. The video shows how what appear to be soldiers and members of the Civilian JTF burning corpses of what are likely dead Boko Haram suspects. Amnesty International received various copies of this video from different sources, including a military source. © Private

The Nigerian armed forces have also committed serious violations of international humanitarian law and human rights law in the context of the armed conflict. As of June 2015, Amnesty International had documented that the Nigerian military had extra-judicially executed more than 1,200 people in the course of the conflict and arbitrarily arrested at least 20,000.²¹

Men and women told Amnesty International that they had been trapped in the cycle of violence and faced impossible ultimatums from government forces as well as Boko Haram. A 52-year-old man from Grosoye village in Bama LGA told Amnesty International that during 2014:

“We [would] get attacks by Boko Haram and the Nigerian army all the time [...] If you join the Civilian JTF, Boko Haram will come and kill you and burn your house; on the other hand, if you don’t join the Civilian JTF, the army will say you’re Boko Haram. They’ll arrest you, kill you and burn your house. We were confused. We didn’t know what to do.”²²

In early 2015, the Nigerian military, in coordination with the armed forces of Cameroon, Chad and Niger, launched a major counter-offensive against Boko Haram.²³ By March 2015, the Nigerian military announced they had recaptured a number of towns that had been under Boko Haram control, including the destroyed and deserted Bama town (in Bama LGA), which once was home to approximately 250,000 people, the second largest population centre in Borno state after Maiduguri.²⁴ The military established bases in these towns and then continued their operations in the surrounding rural villages.

Military operations against Boko Haram are still ongoing in north-east Nigeria, particularly in more remote and rural areas.²⁵ The recaptured towns were – and still are – heavily fortified by the military, in otherwise insecure areas of ongoing fighting. In many cases, there is only a small perimeter of several kilometres outside the town that is secured and under the control of the military. The recaptured towns are otherwise mostly disconnected – from Maiduguri and neighbouring areas that are under the control of the civilian authorities, as well as from each other. They are often difficult to access except via helicopter or land travel in military-escorted convoys.

²¹ Amnesty International, “Stars on their shoulders”.

²² Amnesty International interview, September 2016.

²³ Amnesty International, “Stars on their Shoulders”.

²⁴ Defence Headquarters, 27 March 2015 “Update on counter terrorism campaign: military takes Gwoza the terrorists phantom caliphate headquarters”; defenceinfo.mil.ng/update-on-counterterrorism-campaign-military-takes-gwoza-the-terrorists-phantom-caliphateheadquarters/#sthash.6R0BmzJJ.dpuf Defence Headquarters, 17 March 2015. “Troops finally rout terrorists from Bama and last stronghold in Yobe.”; defenceinfo.mil.ng/troops-finally-rout-terrorists-from-bama-and-last-stronghold-in-yobe/; Daily Trust, 12 March 2015. “Troops retake Bama, 35 towns”; dailytrust.com.ng/daily/top-stories/49259-troops-retake-bama-35-towns.

²⁵ For more information, see: “Updates: Operation Lafiya Dole, at: www.army.mil.ng/.

3.2 DISPLACEMENT PATTERNS

The displacement crisis began in 2014, when over a million people in north-east Nigeria fled insecurity and attacks by Boko Haram towards state capitals.²⁶ Borno was the most affected state, hosting more than 670,000 IDPs by February 2015, mostly in Maiduguri.²⁷

A second wave of displacement started from late 2015, this time following the increased military operations. Hundreds of thousands of people are estimated to have fled or been forced from their homes in rural villages from areas that had been under Boko Haram control.²⁸ Unlike those who had fled before them (to the state capitals), most people displacing at this time relocated to the nearby larger towns that had already been secured by the military.²⁹ The rate of this displacement was at its highest in late 2015 and early 2016, and by mid-2016 there had been displacements towards recaptured main towns in at least 15 Borno LGAs.³⁰ Displacement from rural areas to the recaptured towns continued until the time of writing, albeit at a slower pace.

As of January 2018, a total of almost 1.8 million people were living in displacement in the north-east, including over 1.3 million in Borno state.³¹

SATELLITE CAMPS ESTABLISHED

During late 2015, the military established so-called “satellite camps” in recaptured LGA towns to host arriving IDPs. These camps were managed by the military, with the support of the Civilian Joint Task Force (Civilian JTF, a civilian militia who support the military), who live inside the camps.

In Bama town, the military turned a hospital complex that had been destroyed by Boko Haram into a camp known as Bama Hospital camp. A de facto camp was set up in nearby Banki town, also in Bama LGA, where the military directed arriving displaced people to abandoned homes in an area of the town which was cordoned off.

By April 2016, the National Emergency Management Agency (NEMA) reported that around 216,000 IDPs were living in 14 satellite camps, mostly in Borno LGA. The camps with the largest IDP population were reported to be in Ngala town, with over 70,000 IDPs; Dikwa town, with over 50,000; and Bama and Damboa towns, both with over 25,000.³² Some 15,000 IDPs also lived in Banki town. A stark effect of such mass displacement was that some towns, such as Bama and Banki, became empty aside from the IDPs, the military and the Civilian JTF, as residents from the town fled, were detained or were also relocated into the satellite camps.³³

During late 2015 and the first half of 2016, the military controlled the satellite camps with little oversight and scant support from the civilian authorities. As documented in this report, the situation for people living in the camps during this period was deplorable and at least hundreds and more likely thousands of IDPs died from hunger and sickness during this time. The situation only started to improve after June 2016.

These improvements appear to have been catalysed in June 2016 by 1) the Borno state Governor organizing for medical evacuations and additional assistance to some of the satellite camps,³⁴ and 2) the international attention that stemmed from a press statement by the NGO Médecins Sans Frontières (MSF) highlighting the “humanitarian catastrophe” in Bama Hospital camp and in the satellite camps in general after they visited on 21 June 2016.³⁵ MSF’s statement was described by the head of one prominent NGO working in north-east Nigeria as “a game changer”.³⁶

²⁶ IOM Displacement Tracking Matrix I DTM Round II, February 2015, available at: reliefweb.int/sites/reliefweb.int/files/resources/01%20DTM%20Round%20II%20Report%20February%202015.pdf. Data was only collected from Maiduguri, Jere and Biu, so may not have captured displacement within and between other LGAs.

²⁷ IOM Displacement Tracking Matrix I DTM Round II, February 2015.

²⁸ OCHA, Humanitarian Needs Overview for 2017, November 2016, at: reliefweb.int/sites/reliefweb.int/files/resources/ocha_nga_2017_hno_13012017.pdf.

²⁹ OCHA, Humanitarian Needs Overview for 2017.

³⁰ These are: Kukuwa, Nganzai, Monguno, Marte, Ngala, Kala/Balge, Dikwa, Mafa, Bama, Konduga, Kaga, Damboa, Gwoza, Biu, and Askira/Uba LGAs. UNICEF, 2016, map of newly accessible LGAs (showing displaced children and child protection proposed response areas), at: reliefweb.int/sites/reliefweb.int/files/resources/estimated_children_in_satellite_campsbornostate.pdf.

³¹ IOM Displacement Tracking Matrix I DTM Round XXI, February 2018, available at: drive.google.com/file/d/180qXXFzbWF3V0JVtkNp6vGtUykUPXDgQ/view

³² NEMA PRESS STATEMENT, “1,934,765 IDPS LIVE IN FORMAL CAMPS, HOST COMMUNITIES AND SATELLITE CAMPS”, 24 APRIL 2016, AT: RELIEFWEB.INT/REPORT/NIGERIA/1934765-IDPS-LIVE-FORMAL-CAMPS-HOST-COMMUNITIES-AND-SATELLITE-CAMPS.

³³ Amnesty International interviews, June 2016 to April 2018.

³⁴ Amnesty International interviews, June 2016 to April 2018, with both IDPs and humanitarian officials.

³⁵ MSF, “At least 24,000 IDPs displaced in dire health situation in Bama” 22 June 2016, at: www.msf.org/en/article/nigeria-least-24000-displaced-people-dire-health-situation-bama.

³⁶ Amnesty International interview, NGO official, March 2017. A number of other humanitarian officials also referred to the MSF statement in such a way.



 A woman and her child in an IDP camp in Maiduguri, Borno state, May 2018 © Amnesty International

Several hundred thousand people currently live in the now approximately 50 satellite camps in recaptured LGA towns in Borno.³⁷ In most of the Borno camps, including the satellite camps, humanitarian agencies are now providing monthly food assistance distributions (or complementing assistance provided by the authorities).³⁸ In February 2018, the International Organisation for Migration (IOM) reported that 92% of IDPs living in IDP sites in Borno reported that they had access to food on site, and another 5% off-site (mostly in the form of cash transfers or food distributions).³⁹

Concerns remain, however, as to the availability and adequacy of the food assistance even in the sites where it is being distributed. In the same IOM survey, IDPs in 70% of IDP sites surveyed reported food to be their largest unmet need.⁴⁰ UNICEF have reported that unless remedial actions are taken, an estimated 400,000 children in 14 Borno LGAs will be severely malnourished in 2018.⁴¹

The satellite camps remain heavily militarized. While the military no longer officially run the satellite camps (most are reported to now be run by the federal or disaster management agencies, by NGOs, or do not have any management at all),⁴² they continue to control a number of facets of the lives of IDPs living within them. Aside from the emergency management agencies, in many cases the civilian authorities have not returned (or not fully returned) to the recaptured towns,⁴³ and the military and Civilian JTF continue to fill the gaps left in governance and law and order, including policing. The military also make decisions about the level of freedom of IDPs have to enter and exit the camp.⁴⁴

³⁷ In 15 Borno LGAs, including 2 camps in Bama LGA (one in Bama town and one in Banki town), 13 in Dikwa, 12 in Monguno, 12 in Damboa, 11 in Nganzai, 2 in Ngala and 1 in Kala Balge LGAs, according to the Displacement Tracking Matrix I DTM Round XXI, February 2018, available at: drive.google.com/file/d/18OqXXFzbfWF3VOJVtkNp6vGtUyKUPXDgQ/view.

³⁸ As of December 2017, the WFP-led food security sector reported that international humanitarian agencies and the authorities together reached approximately two million people in need in the north-east with food assistance (either in kind, or through cash grants). See WFP. December 2017, Nigeria Situation report, available at: docs.wfp.org/api/documents/41377199dc654839a28c42ab6e57dc6a/download/?_ga=2.77577878.2076375519.1519827663-23050965.1492545801.

³⁹ Displacement Tracking Matrix I DTM Round XXI, February 2018.

⁴⁰ Displacement Tracking Matrix I DTM Round XXI, February 2018.

⁴¹ Humanitarian Response Plan 2018 for Nigeria, December 2017, reliefweb.int/sites/reliefweb.int/files/resources/2018_hrp_v5.4.pdf.

⁴² Displacement Tracking Matrix I DTM Round XXI, February 2018. Only approximately a third of the camps in the north-east are reported to have any site management, most of these by the government (mostly the federal and disaster management agencies) or NGOs. Food support is reportedly provided to 90 per cent of all displacement sites, and water and sanitation support to 77 per cent of the sites. This data is not desegregated for the satellite camps. For profiles of IDP sites as of February 2018, see DTM Nigeria Site Profiles Borno, at: nigeria.iom.int/dtm-february-2018.

⁴³ See e.g. OCHA, Fact Sheet NE Nigeria: Bama, Bama LGA, January 2018, at: reliefweb.int/report/nigeria/fact-sheet-ne-nigeria-bama-bama-lga-05-january-2018; OCHA, Fact Sheet NE Nigeria: Pulka, Gwoza LGA, November 2017, at: reliefweb.int/sites/reliefweb.int/files/resources/31102017_nga_borno_pulka_factsheet_original.pdf, and OCHA, Fact Sheet NE Nigeria, Rann, Kala/Balge LGA, November 2017 at: reliefweb.int/sites/reliefweb.int/files/resources/31102017_nga_borno_rann_factsheet_0.pdf.

⁴⁴ As noted by ICRC for example, NEMA authorities and LGA Chairmen are usually involved in allocating passes at the camps, but the military retains control over the daily limit and any additional restrictions on movement. See ICRC, "operationalizing the Kampala Convention: internal displacement in north-east Nigeria" December 2016, at: fsccluster.org/sites/default/files/documents/icrc_abi_internal_displacement_in_north_east_nigeria_november_2016.pdf. Recent interviews with IDPs indicate that the military has retained this authority.

4. EMPTYING VILLAGES AND DIVIDING FAMILIES

“The soldiers, they betrayed us, they said that we should come out of from our villages. They said it would be safer and that they would give us a secure place to stay. But when we came, they betrayed us. They detained our husbands and then they raped us women.

35-year-old Yakura (not her real name), who fled her home in Andara village in December 2016.⁴⁵

Amnesty international has documented a pattern since late 2015 in which people living in rural areas have been forced by the military to leave their homes and relocate to the nearest recaptured LGA town. Each person arriving in the recaptured towns has then been subject to a “screening” operation by the military. During this process, large numbers of people, mostly men, have been detained and transferred to military detention facilities, such as Giwa barracks in the Borno state capital of Maiduguri, where many have remained detained for prolonged periods. Only those who “passed” the screening (mostly women and girls, young boys and older men) have been permitted to proceed to the satellite camps.

4.1 FORCED DISPLACEMENT

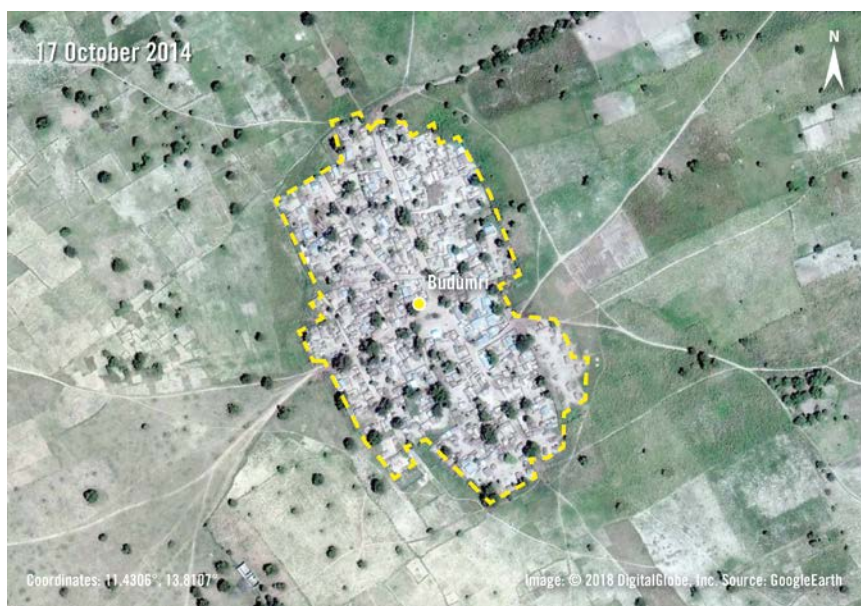
Displaced people interviewed have given a range of reasons they fled to the satellite camps from late 2015 until the present.

Twenty-eight told Amnesty International they came to the satellite camps for protection against Boko Haram.⁴⁶ In most of these cases, they said they had suffered greatly under Boko Haram’s control, but had not dared to try to escape earlier for fear of being killed or because they were afraid that Boko Haram would carry out reprisals against their family members. The military operations, or the presence of the military nearby, had finally made it possible for them to flee. In many of these cases, people interviewed reported that they took great risks in fleeing their villages, which were still under Boko Haram control, and did so as Boko Haram members were trying to forcibly recruit their children or forcibly marry their daughters.⁴⁷

⁴⁵ Amnesty International interview, May 2018.

⁴⁶ Including IDPs from Bama, Monguno, Dikwa, Benisheikh, Damboa, and Marte LGAs. Amnesty International interviews, June 2016–April 2018. Most of the Shuwa Arabs that researchers spoke to reported that they had fled from Boko Haram.

⁴⁷ Amnesty International interviews, June 2016–April 2018.



 Satellite imagery from 29 February 2016 shows Budumri village, approximately 17 kilometres southwest of Bama town, was recently razed. Environmental sensors on NASA satellites also detected a hotspot over Budumri on 8 February 2016, suggesting that was when the village was razed. Since 17 October 2014, the village appears to have expanded which is likely related to the movement of IDPs in the area. The new areas are highlighted in blue.

However, Amnesty International has also documented a pattern across several LGAs in Borno state where people left their villages not because of Boko Haram violence but because they were forced to do so by the military or feared attack by the military if they did not.

Fifty-seven IDPs interviewed gave this as the primary reason they had fled to the satellite camps. Of these, 36 said they fled to the satellite camps after the military bombed or opened fire indiscriminately on residents, and/or set their homes alight, killing men, women and children who were not involved with Boko Haram.⁴⁸ The military often ordered or otherwise made it clear to residents they would not be safe unless they went to the satellite camps. Eight reported that government military forces came to their villages and ordered all

⁴⁸ Amnesty International interviews, June 2016-April 2018. This included IDPs from the following villages/towns: Kaldalanga, Kumshe, Kodoy, Buladogo, Banderi, Budumri, Maleri, Dipchari, Kalamukdoh, Kala Kutu, Bakari, Grossoye, Nenela, Gala Kura, Small Andara, Carnanwa, Zay in Bama LGA; Kalari in Konduga; Alamberi, Musari, Yikduk in Marte LGA, Kumon, in Nganzai LGA.



 ↑ Stills taken from a video showing a military operation in Bama local government in 2015. The video shows how what appear to be soldiers and members of the Civilian JTF burn houses and properties. © Private

residents to go to the satellite camps.⁴⁹ Thirteen said that they fled pre-emptively because they knew that the military had attacked residents of neighbouring villages and feared such an attack if they remained.⁵⁰

Sixty-two-year-old Ibrahim (not his real name), told researchers how he fled to to Bama Hospital camp from Budumri village in Bama LGA after a military operation in February 2016. He said:

Around nine in the morning, the military arrived. I was on our farm when they came. They set fire to the houses, and opened fire with their guns. They said the people had to come out of the houses. They were searching for Boko Haram and everyone said they were not Boko Haram, so then they killed people and burnt the houses... I could see the houses on fire and hear the gunfire from the farm. After they had left, I came back around 2.30, and at 4 pm we made the burial. We buried 32 people – four were women, three of the women were burnt to death in their homes and one was shot. The others were men. Most of the men were escaping when the soldiers opened fire on them and shot them.”⁵¹

Satellite data confirms that Budumri village was burned down, likely in February 2016.

Thirty-eight-year-old Ama (not her real name), who fled Kalamukdoh village in Bama LGA in late 2015, recounted to Amnesty International how she and her family had suffered under Boko Haram control and were then attacked by the military instead of being rescued. She said:

“When we heard that the soldiers were coming, we were hopeful. We thought, finally! But they didn’t come. Instead, they bombed us from the nearby village for many hours. A lot of people were killed by the soldiers’ bombing [...] My husband’s sister and three of her children were all killed by a bomb. They killed some Boko Haram fighters, but the real ones had already gone.”⁵²

Ama said she fled from her village to Banki camp with her family after the bombing.

A second woman from the same town interviewed separately told researchers she had fled from her home to Banki in late 2015 for similar reasons. She said that Boko Haram had been operating in her town for a number of months before the army attacked their village. She added:

“The army didn’t come to Kalamukdoh. They were bombing from a nearby village. A lot of bombs were dropped on the town. These bombings killed a lot of people. They would always happen around Maghreb [evening] time. It would last for about thirty minutes each day.”⁵³

Thirty-year-old Khadeeja (not her real name) from Bakari village in Bama LGA described how she fled after being attacked by the Nigerian military in late 2015. She said the army arrived in her town and that:

⁴⁹ Amnesty International interviews, June 2016–April 2018. Most of these IDPs were from Kala Balge LGA, they told researchers they had been ordered from their villages, including Kala, Malti, and Makandri, to Rann camp, in or around March 2016.

⁵⁰ Amnesty International interviews, June 2016–April 2018.

⁵¹ Amnesty International interview, July 2016.

⁵² Amnesty International interview, September 2016.

⁵³ Amnesty International interview, August 2016.

“They opened fire and they shot at everyone who was running in panic. They killed five people. The dead included one of my daughters. There was a baby with us too, my granddaughter, who was two years old. She was wounded from the gunshot.”⁵⁴

Two Shuwa Arab women from Musari village, Marte LGA, said they fled in early 2016 after being forced to leave by the military.⁵⁵ One said “the army came to our village and all the surrounding ones and put fire to everything and told us that we had to leave. They did this to all the villages near us. I came with my eight children and my mother to Dikwa camp.”⁵⁶

Many IDPs interviewed reported that those killed in these attacks were disproportionately elderly people and people with disabilities who were less able to flee quickly. **38-year-old Musa** (not his real name), from Alamberi village, Marte LGA, told Amnesty International that in April 2016:

“We were in our village, the army came and told us that if we see Boko Haram passing through the village, we should call them. There was a checkpoint about 500 meters outside our village. Three days later, Boko Haram came and they started opening fire towards the checkpoint. Then they left. In response, the army came to Alamberi and opened fire [on residents]. Some of us escaped, but the elders who couldn’t escape were killed. Then the army burned the village. Later on, after two days, we came back to see what happened. We buried 15 bodies, most were elderly men and women, and four children under two years old.”⁵⁷

After this attack, Musa fled with his family to Monguno camp.

One official who was working with an international NGO in the north-east in 2016 also told Amnesty International that the military dropped leaflets across a number of affected LGAs in late 2015 and the first quarter of 2016 informing people that if they did not relocate to the capital of their LGA they would be subject to attack by the military.⁵⁸ Some IDPs reported hearing radio announcements ordering them to leave.

Thirty-year-old Halima (not her real name), from Kalu Kutu village in Bama LGA, told Amnesty International what happened after she and other people in her village chose not to flee to the recaptured towns but tried to remain after the military attacked and burnt their homes. She said that in December 2015,

“The Nigerian army went to our village, they started opening fire, and everybody started running into the bush. The army set fire to our houses and burned the town. We ran to the bush and stayed there. After three months, we came back to the village and we rebuilt our houses. After again three months, [around June 2016] the army came [again]. We all ran. The army killed two people then, a 70-year-old man, and a 20-year-old man with a disability. And they burned the town. We made the burial of those two and then we walked for three days to Banki camp.”⁵⁹

International humanitarian organizations have raised concerns that the Nigerian authorities’ military operations have been associated with a number of protection concerns, and that the campaign has “limited the supply of food and goods to civilians remaining in hard-to-reach areas”, with the result that people who tried to remain behind “are cut off from basic services and humanitarian assistance”.⁶⁰

While most of the IDPs interviewed had travelled to the recaptured towns on their own, some said they were taken by soldiers. This included five who were picked up in their village by soldiers during military operations; nine who approached the military asking for protection in other locations, such as at checkpoints on main roads; and 20 who tried to flee to Cameroon but were intercepted by Cameroonian soldiers on the way or in villages inside Cameroon.

Twenty-eight-year-old Fanna (not her real name), from Dipchari village in Bama LGA, told Amnesty International that the military took her to Bama Hospital camp against her will.

Fanna said that while some people in her village had fled to the satellite camp in Banki in late 2015 fearing attack by the military if they did not, she and others remained in Dipchari as they had also “heard reports that the soldiers were killing and detaining lots of ordinary people” in Banki.⁶¹ She said that several months later the military came to Dipchari; they opened fire, killing three men running away, and burned all their homes down. However, even after this attack, she and scores of others chose to remain in Dipchari and rebuild. She told Amnesty International that she and a group of other women from her village were on their

⁵⁴ Amnesty International interview, September 2016.

⁵⁵ Amnesty International interview, September 2017.

⁵⁶ Amnesty International interview, September 2017.

⁵⁷ Amnesty International interview, December 2016.

⁵⁸ Amnesty International interview, September 2016.

⁵⁹ Amnesty International interview, November 2016. Names of the two men reported killed are on file with Amnesty International.

⁶⁰ Humanitarian Response Plan 2018 for Nigeria, December 2017, reliefweb.int/sites/reliefweb.int/files/resources/2018_hrp_v5.4.pdf.

⁶¹ Amnesty International interview, March 2018.

way to a neighbouring village for a wedding ceremony in mid-2016 when they were stopped by the military, loaded on to military vehicles and taken to Bama.

Fanna said that in early 2018 she was reunited in Bama Secondary School camp with other people from Dipchari who had been brought to Bama by the military, also against their will. They had likewise been forced into military trucks as they were caught outside the village.

In March 2018, an Amnesty delegate visiting Bama town saw a group of women newly arriving in the camp. Amnesty International was later told by other women who were from a nearby area and spoke with them that these women were from a village called Jere and had been brought to the camp after a military operation in their village in which some of their husbands were also killed. One woman said: “These women are always crying. Even when they were given papers for food, they destroyed it, and said they don’t want it, they just want to go home.”⁶²

Ahmed (not his real name), a civilian who accompanied the military on one of their operations in November 2017, told Amnesty International that once the soldiers arrived in a village, they assembled all the women and children and loaded them on a military truck, looted belongings, took food stocks and then burned their houses.⁶³

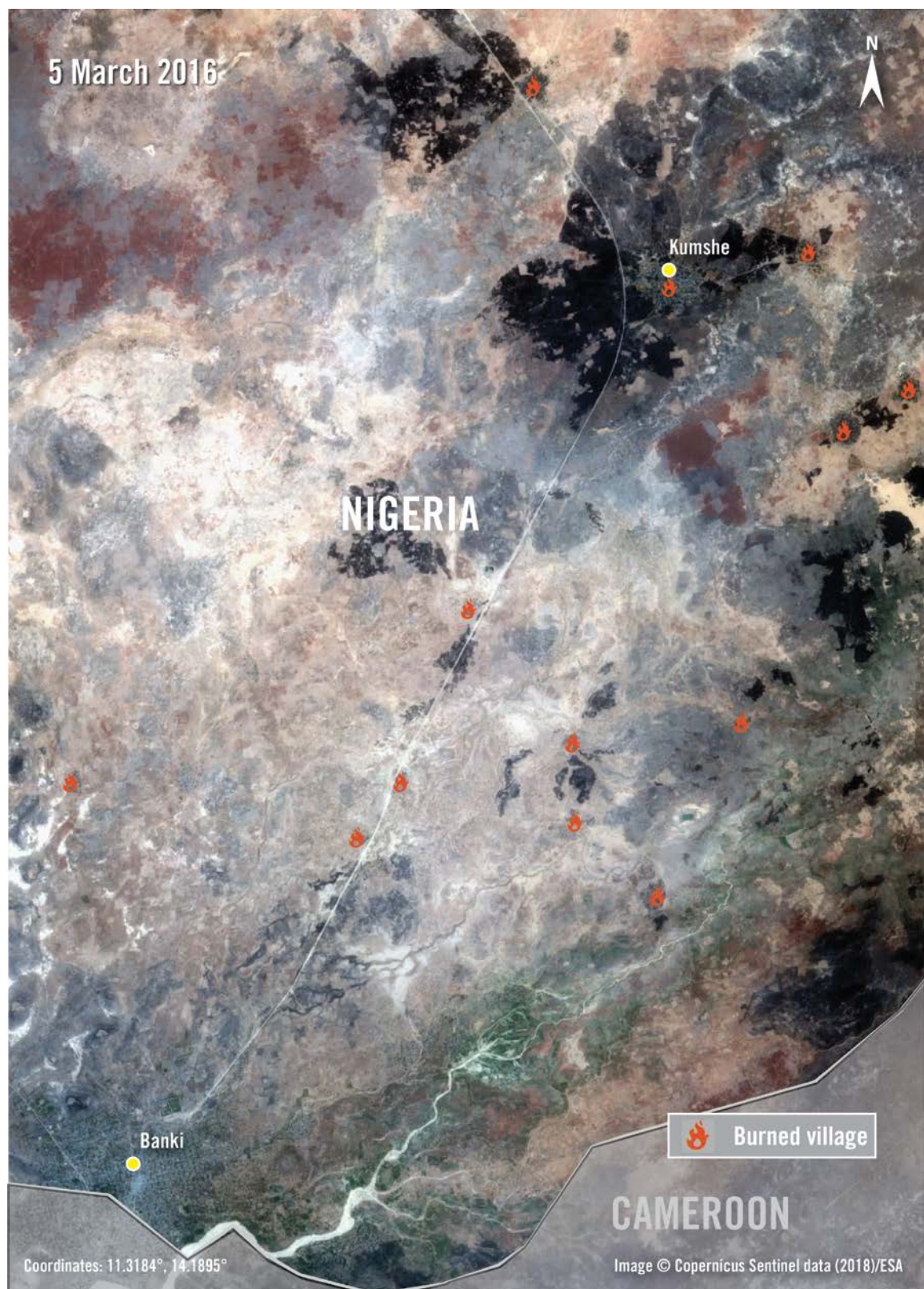


Women and children in Bama Hospital camp, 5 December 2015. Hundreds of displaced people died in this camp. © Gbemiga Olamikan



⁶² Amnesty International, March 2018. Amnesty International was not able to conduct interviews with the new arrivals.

⁶³ Amnesty International interview, December 2017.



↑ Thirteen villages north of Banki – highlighted above – were confirmed using satellite imagery to have been burned between 4 February 2016 and 5 March 2016. The black areas on the image above show large recently burned areas.

THE CAMEROONIAN MILITARY

Most of the 20 IDPs who were intercepted by Cameroonian forces reported that the men in their group were beaten by the soldiers. Almost all of them also reported that they were robbed.

Four women interviewed who were intercepted by the Cameroonian military in separate incidents along the border area or in Cameroonian villages around the same period reported that the soldiers forced all the women and girls in their group to remove their clothes before searching them as they stood naked. These incidents mostly occurred in 2016.

Twenty-year-old Kellu (not her real name) told Amnesty International that she fled to the village of Ombasheer in Cameroon in early 2016. On the morning after she arrived she was approached by three Cameroonian soldiers:

“They asked where we were from. I said Gala [village]. One said ‘where are you going’? [Then] he said ‘you are Boko Haram women’. We were seven, including my children and two other women... They told us to take off our clothes. Then they said take off your underwear. So we took off our underwear. All of us were standing there naked. The soldiers said we should stand. But I was shy, so I sat down. One of the soldiers grabbed me and said stand up, like the others [in the group]. I tried to sit a second time and he beat me and made me stand again. They searched us, but found nothing. Then searched all our bags, one by one, everything. I had 20,000 naira in my luggage because I had sold my mattress. They took it. I had no money left. ... Then they took us to Banki.” ⁶⁴

One woman also reported that women in her group were raped and sexually humiliated by the Cameroonian military in the Cameroonian town of Kulujiya before transferring them back to Banki camp in Nigeria. She said:

“The Cameroonian military told us to remove all our clothes and we were left naked, both men and women. Some of the women were raped by the military that day, and they raped them anyhow they liked with different sex positions.... [Some of the group] were raped again [that night] and from there they kept us naked and told us to open our private parts up and they were laughing at us. That was how they humiliated us.” ⁶⁵

Human Rights Watch has reported that the Cameroonian armed forces have continued to kill, beat, rob and rape Nigerians who fled into Cameroon before forcibly returning them to recaptured towns in Nigeria. ⁶⁶

Amnesty International also received a report that Cameroonian armed forces were involved in an attack on civilians in the Nigerian village of Gala Kura.

Forty-year-old **Judam** (not her real name) told Amnesty International that she and other civilians were attacked by Cameroonian military in late 2015 while they were on a joint patrol with the Nigerian military.

“That day they came, we were all very happy, we saw the military, we said, we have been freed! One of our leaders [of our village] said, everybody should get ready. Everybody raised their arms up, and we went to the main road. In my group, we were about 30 women, men and children. An armoured tank with the Cameroonian military came to us, when it was maybe 20 metres away from us, it opened fire. The armoured tank was turning the head like this, opening fire. All of the people standing with me were shot. I fell down. When I woke up, there was flesh of people on all over my body.” ⁶⁷

Judam said that she and other survivors buried 20 bodies after the attack, including her husband and sister. She said they fled to Banki after that as they knew it would be dangerous to stay in their village.

⁶⁴ Amnesty International interview, March 2018.

⁶⁵ Amnesty International interview, March 2017.

⁶⁶ Human Rights Watch report, “They forced us on trucks like animals”, 27 September 2017 <https://www.hrw.org/report/2017/09/27/they-forced-us-trucks-animals/camerouns-mass-forced-return-and-abuse-nigerian>.

⁶⁷ Amnesty International interview, February 2017.



 ↑ Stills taken from a video showing a military screening in Bama local government in 2015. The video shows how what appear to be soldiers and members of the Civilian JTF beat and threaten men. © Private

4.2 SCREENING OPERATIONS AND MASS DETENTION

Most people arriving in the recaptured towns had spent months or years living in areas under Boko Haram control, or where Boko Haram was operating. According to the accounts of dozens of IDPs, the military treated all men, women and, in some cases, children, as potential Boko Haram members.

Those arriving in the recaptured towns were subject to a “screening” operation during which the military, with the Civilian JTF, decided who is allowed to proceed to the satellite camps and who they will detain. The screenings themselves often involved separation of family members, arbitrary detention, humiliation, beatings, ill-treatment and in some cases torture.

Young men have often been targeted for violence during “screenings”: a number of women interviewed witnessed their husbands being beaten.

One adult woman said her husband was hung from the ceiling by a group of soldiers and Civilian JTF members in early 2016 and beaten in front of her while they questioned him as to why he was carrying a (relatively) large amount of money.⁶⁸ She said:

I saw they tied him and hung him on the ceiling in a room. He was shouting. I started crying, they said they will beat me too. I heard him crying, my eyes became very dark and I fainted. They left him in the room.... I wondered why did we come here, we came to the safest place, but it is horrible. I fell sick. For twenty-four hours, I was not conscious.”⁶⁹

Another woman said that she and her children witnessed her husband beaten unconscious by a Civilian JTF member after he stepped in to protect their daughter from being beaten.⁷⁰ In both of these cases, which occurred in Bama town, the husbands were detained and their families had not seen them since. Three women also said that they had witnessed men being killed during screenings in Banki town.⁷¹

In some cases, women were also beaten and abused during screenings. An elderly woman, Bintu, told Amnesty International, for example, that she fled her home in Falla Falla village in Dikwa LGA in late 2017 to Dikwa town with several of her daughters-in-law – she said they had risked their lives to finally flee their Boko Haram controlled village after members demanded that her daughters-in-law and granddaughters marry them.

⁶⁸ Amnesty International interview, December 2016. The interviewee said that her husband was relatively wealthy as he was a nut merchant.

⁶⁹ Amnesty International interview, January 2017.

⁷⁰ Amnesty International interview, September 2017. The interviewee said her husband had intervened to protect their young daughter from being beaten by the Civilian JTF in punishment after she had urinated on the ground in fright.

⁷¹ Amnesty International interviews, June 2016–April 2018.



 Stills taken from a video showing how what appear to be soldiers, shoot men after they were screened in Bama local government in 2015. © Private

She said that her group were screened at the checkpoint to Dikwa town:

“[The soldiers] started searching all of us. They told us to take off our clothes and we were standing there [at the checkpoint], naked. So I argued with them – I said ‘I am elderly, how can I be naked. How can [you make] these women be naked?’ They told us, ‘We are not concerned with your nakedness, so pull off [your clothes].’ We took off all our clothes, all of us women. One of the CJTF beat me, hit me with stick. He said, ‘you are the mother of Boko Haram.’ I said to him, ‘how can I be the mother of Boko Haram, if I was, I would still be in the bush’.”⁷²

In most towns, screenings took place at or close to a checkpoint on arrival in the town, or in a section of the camp. In some cases, IDPs were detained for a number of days or weeks while they were undergoing the screening, and given inadequate food, water and shelter during this period.⁷³

DEPLORABLE CONDITIONS FOR WOMEN “SCREENED” IN BAMA TOWN

In Bama town, all arriving IDPs were taken to Bama prison where they underwent the “screening” operation. Most women told Amnesty International they were detained for two or three days in the prison for “screening” operations before being transferred to the satellite camp. Some said they were detained for a week or two for this process.⁷⁴

During this time, they reported being locked in cells and insulted and shouted at by the soldiers and Civilian JTF members, who called them “Boko Haram wives”.⁷⁵ Some women said they were beaten when they begged for more food or water for themselves or their children.⁷⁶

Women consistently reported receiving food only once a day. Some reported that they had to wait one day or more after they arrived before they received any food. Soldiers would provide a tray of rice for many women and children to share and women reported that they would often fight to get just a few handfuls, which some said they gave straight to their children. They reported that they were given access to a tap for drinking water only once a day and for a short period of time. Several described lapping up dirty water from the floor near the tap out of desperation.⁷⁷ Several women reported that there were people who fainted in their cell because of the terrible conditions, and several more said there were deaths in their cells as hundreds of people were crammed into a small space.

Three women told Amnesty International they gave birth in Bama prison during screening operations and had received no medical assistance.⁷⁸

Thirty-five-year-old Aiya (not her real name), who arrived in Bama town in late 2016, said:

“When we arrived in Bama prison, it was awful. People were being beaten in the yard in front of us. They started beating my husband and son. So much fear came into me. I was pregnant and I went into labour. I found the toilet and I had my baby next to it. No-one helped me. At the beginning, I didn’t know if my baby was

⁷² Amnesty International interview, March 2018.

⁷³ Amnesty International interviews, June 2016–April 2018, including in Bama town and Dikwa town.

⁷⁴ Amnesty International interviews, June 2016–April 2018, consistently reported.

⁷⁵ Amnesty International interviews, June 2016–April 2018, consistently reported.

⁷⁶ Amnesty International interviews, June 2016–April 2018, six interviews.

⁷⁷ Amnesty International interviews, June 2016–November 2017.

⁷⁸ Amnesty International interviews, June 2016–November 2017.

alive or dead, she was silent. In the morning, my in-laws were able to collect some water and give it to me in the toilet room.”⁷⁹

Aiya said her baby was born about a month prematurely, but the military took her to a health clinic and the daughter survived. Her husband and 12-year-old son were detained and transferred to Giwa barracks. At the time of interview, her son had been released a few months earlier, but her husband was still in detention.

Women who were interviewed by Amnesty International in March 2018 confirmed that arriving IDPs were still being screened at Bama prison, and that they would typically spend several days locked in poor conditions.

MASS DETENTION OF MEN IN BAMA AND BANKI TOWNS

Amnesty International has documented a pattern in Bama and Banki towns: in both, the military separated the vast majority of men aged approximately between 14 and 40 from the rest of the IDP population during the “screening” operations and transferred them to Giwa barracks where many have faced prolonged detention. Amnesty International has previously documented the screening and arbitrary detention of men arriving in Bama town, and the arbitrary detention and large numbers of deaths of men and boys in Giwa barracks.⁸⁰

Amnesty International spoke to many women aged approximately 18-40 who had arrived in Bama or Banki towns with their husbands but had subsequently been separated from them. All of them said that their husband had been detained and had not followed them to the camp. In some cases in Banki, they had been taken from the camp. Other women also reported the same pattern relating to their sons or brothers. The majority of the incidents related to late 2015 and throughout 2016, when most IDPs arrived from rural villages to the camp. In most cases, these women said their family members had not yet been released.⁸¹

The decision to detain these men and transfer them to other military facilities appeared to be solely based on the fact that they were, or perceived to be, men of “fighting age”. Men from different ethnic backgrounds were detained. The numbers of IDPs who gave similar accounts strongly indicates that the detentions they witnessed have been part of a wider pattern of arbitrary detention of hundreds, if not thousands, of men arriving in these two towns alone.

On their arrival in the camps, some women said they were told by members of the Civilian JTF that their male relatives had been taken to Giwa barracks, and would not be coming back. Some women said they were told nothing.⁸²

Thirty-year-old Kusam (not her real name), from Gala Kura village, said that she and her family fled their home following a radio announcement telling them to do so. On arrival in Bama town, they were taken to Bama prison for a “screening” operation. She said:

“We were there for three days. Then they took me and the children to the camp in Bama. My husband was with us until Bama prison. Then he didn’t come with us [to Bama Hospital camp]. I do not know where he is. We were a large group coming to Bama prison from our village... They took all the young men.”⁸³

Another woman said that after arriving in Banki town and presenting themselves to soldiers on the outskirts of the town in early 2016:

“The soldiers announced that men and boys one way, women and girls another way. So, my husband who is 42 years old and my eldest son who is 15 years old moved to one place and I stayed with my youngest son and our daughter, along with my husband’s mother who is over 70 and was already sick. We waited and waited while they screened the men. They took about 30 men and boys away, my husband and son included... up until now I have no idea where they are.”⁸⁴

⁷⁹ Amnesty International interview, September 2017.

⁸⁰ See Amnesty International, “If you see it, you will cry”.

⁸¹ Amnesty International interviews, June 2016-April 2018, consistently raised.

⁸² Amnesty International interviews, June 2016-April 2018, consistently raised.

⁸³ Amnesty International interview, September 2017.

⁸⁴ Amnesty International interview, September 2016.

Thirty-year-old Farnay (not her real name), a Shuwa Arab herder, said her family fled Carnawa village with their cows in mid-2016 after the army burned the homes in their village:

“We ran into Boko Haram on the road, and they took our cows. We continued walking to Soje town and there we met the army. The army transferred us to Bama [prison]. There were five men in our group, including my husband and son. They were all detained.... My son was released a few months ago in one of the big releases [from Giwa barracks]. He was malnourished. He is only 12. My only hope now is for the release of my husband [who is still detained in Giwa]”.⁸⁵

Amnesty International has received consistent reports from IDPs in Bama, and humanitarian organizations that young men in particular continue to be detained and transferred to Giwa barracks.⁸⁶



→ *Kusam (not her real name), September 2017 © Amnesty International*



4.3 HUSBANDS AND SONS STILL MISSING: IMPACT ON WOMEN

Almost all of the women that Amnesty International interviewed expressed great anguish about the fate of their husbands, sons and brothers who had been detained. In the vast majority of cases, women told researchers that their male family members had not yet been released. Families had not been given any official information on their detained relative's current whereabouts, let alone the chance to visit them.

Displaced women living in satellite camps have few or no means to find out information about their family members in military detention. Amnesty International has extensively documented that lawyers are denied access to the detention facility at Giwa barracks, and detainees are denied contact with legal representatives and family members.⁸⁷

Several women told Amnesty International that when they asked the military or the Civilian JTF in Bama Hospital camp for information, they were told to give up as their husbands and sons would never return.⁸⁸ Two women from Dikwa told researchers in January 2018 that elders from their village had gone to Giwa barracks several times since their husbands were detained in late 2015, but had not been given any information.⁸⁹ One woman said she had searched military detention facilities looking for her husband, but had not been able to obtain any information about him from the soldiers.⁹⁰ Other women told Amnesty International that they had not tried to go to Giwa barracks or other military detention facilities for information as they were not permitted to leave their camp to do so, did not feel safe doing so, and/or had been told by others that it was fruitless.⁹¹

In practice, women interviewed were only able to discover information on detained family members from former detainees, who may have been with them in detention. Through this method, approximately half of the women that Amnesty International interviewed said that they had confirmed that their family members were alive/had been held in Giwa barracks, although the information was often more than a year old.⁹²

⁸⁵ Amnesty International interview, September 2017. At the time of interview, she said that her teenage son had been released in a series of mass releases from Giwa earlier that year. Her son confirmed his father was still detained at Giwa barracks.

⁸⁶ Amnesty International interview UN staff member, September 2017; Amnesty International interview NGO staff member, February 2018.

⁸⁷ Amnesty International, “If you see it, you will cry”; and Amnesty International, “Stars on their shoulders, blood on their hands”.

⁸⁸ Amnesty International interviews, June 2016-April 2018.

⁸⁹ Amnesty International interviews, January 2018.

⁹⁰ Amnesty International interview, March 2018.

⁹¹ Amnesty International interviews, June 2016-April 2018. Three interviews.

⁹² Amnesty International interviews, June 2016-April 2018. Consistently reported. Two humanitarian officials responsible for running protection programmes in Bama Hospital camp confirmed in September 2017 that IDPs in the camp frequently raised concerns about now knowing the whereabouts of their husbands or male family members, and confirmed that there was no system in place to inform individuals of family members or loved ones detained in military detention.

Some women had believed their husbands or other family members were dead, until they received news they had been seen alive in military detention. **Twenty-five-year-old Hauwa** (not her real name) from a village in Bama LGA said she last saw her husband after he left their town in late 2014 to look for an escape route for the family to flee their Boko Haram-controlled village to a government-controlled area. She had been told by people in a neighbouring village that they had seen him pass, then seen a military patrol go in his direction, and heard gunshots. The neighbours counselled her to assume the worst and she mourned him until she found out several years later from former detainees he was in fact alive but had been detained. Like many women, Fanna explained she desperately wanted her husband to return, and that she also needed him to help provide for the family and share the responsibility of looking after their children.⁹³

Other women found out through former detainees that their relatives were no longer alive. **Thirty-five-year-old Zara** (not her real name), was no longer able to use her arms properly after being beaten and tortured by Boko Haram members in her village in Bama LGA after she refused to accept a demand that her daughter be married to one of their members. She said she fled with her husband and children hoping to find protection from the military. She last saw her husband during a “screening” operation in Bama prison in early 2016. A former detainee who once shared a cell with her husband has since told her that he had died in detention, but she had received no official information to confirm this.

“From what I heard, my husband spent a month in Bama prison and then he was transferred to Giwa barracks. He died in Giwa. He got sick and died. He used to look after me and help me eat and drink. Now I have to ask my young daughter to look after me.”⁹⁴

Sixty-five-year-old Jiday (not her real name), a Shuwa Arab herder, desperately wanted her son back. She said Mohammed (not his real name), her only son, had been detained when they arrived together in Bama town in mid-2016. In his absence she struggled to raise his three children. She expressed how much she missed and suffered without him, saying:

“I need him to care for me because I am old. Without him, I am the one collecting firewood [to sell for food]. I need his support.”⁹⁵

“BINTU”: ONE OF MANY WOMEN DESPERATE FOR THE RETURN OF THEIR HUSBANDS



Bintu (not her real name) March 2018 © Amnesty International

“We were in our villages when Boko Haram invaded.... We found refuge with government... They then took our husbands to [military detention facilities in] Maiduguri, telling us that they were taking them to an IDP camp It is [almost] three years now, we don’t know where our husbands are.”⁹⁶

⁹³ Amnesty International interview, September 2017.

⁹⁴ Amnesty International interview, September 2017. She said she was beaten in punishment for refusing to allow Boko Haram to marry her ten-year-old daughter to a member.

⁹⁵ Amnesty International interview, September 2017.

⁹⁶ Amnesty International interview, March 2018.

Tens of women described psychological suffering caused by the detention of their husbands and sons. An Amnesty International delegate met one elderly woman in Bama Secondary School camp in March 2018 who was emaciated.⁹⁷ Other women from her village said she didn't want to talk about anything apart from her three sons who had been detained when she arrived in Bama Hospital in late 2015, and that she had been refusing food. They told Amnesty International that the detention and lack of information about their sons and other male relatives was causing pain and mental health concerns. Weeks later, she died.

Many of the satellite camps are disproportionately made up of women and their dependents, with few young (civilian) men present.⁹⁸ While some of this disparity may have been because more men were involved or killed in the conflict, the high number of women who recounted that they had arrived with their husbands and male relatives who were then detained and transferred to military detention facilities suggests that the arbitrary detention of men and boys could be a major reason for the gender imbalance.

Almost all the women told Amnesty International how the mass detention of men had not only left them to struggle to care for their families alone, but the lack of civilian men in the camps also left them exposed to greater protection risks.

Referring to the high levels of sexual violence in the satellite camps, addressed later in this report, one woman told Amnesty International for example that "if our husbands were with us, nobody would make all these sexual advances at us, nobody would abuse us sexually and maltreat us like this."⁹⁹ Numerous other women gave similar accounts.

The vast majority of women that Amnesty International interviewed said that their biggest hope for their future was that their husbands or other male family members would be released.

⁹⁷ She was transferred to Maiduguri where she received treatment for malnutrition.

⁹⁸ Amnesty International interviews, June 2016-April 2018. See also, for example, Oxfam, Missing men and boys, Nigeria's unfolding tragedy, September 2017, www.oxfam.org/en/west-africa-crisis-nigeria/missing-men-and-boys-nigerias-unfolding-tragedy and MSF, 10 August 2017, Crisis Info Borno emergency, at: www.msf.org/en/article/nigeria-crisis-info-borno-emergency-august-2016.

⁹⁹ Amnesty International interview, March 2017.

5. LEFT TO DIE IN THE SATELLITE CAMPS

“Because there was no food... people started dying [in Bama Hospital camp], 20-30 a day. I lost my mother, my father, my older brother, my aunt and one of my daughters; a total of five family members. Three of my (other) children also fell sick from malnutrition.”

30-year-old Judam (not her real name) talking about the situation in Bama Hospital camp after she arrived around October 2016.¹⁰⁰

IDPs interviewed who passed the “screening” operations and proceeded to the satellite camps have faced deplorable conditions and abuse.

In Bama Hospital camp (replaced by Bama Secondary School camp in December 2017) and other satellite camps, women have been confined to the camp and prevented from leaving for the surrounding areas or relocating to other places.

For a period of approximately nine months to a year after they were established, from late 2015 to mid/late 2016, the food, water and health care provided to IDPs in Bama Hospital and other satellite camps was so inadequate that thousands died from hunger and sickness.

While the humanitarian situation has improved in the months since, IDPs now in Bama Secondary School camp and other satellite camps still battle with hunger. In some camps, hunger and sickness-related deaths have continued to be reported.

5.1 CONFINED TO THE CAMPS

IDPs interviewed have reported being prohibited or severely restricted from leaving the satellite camps, which in some cases effectively confined them in a situation of de facto detention.

BAMA HOSPITAL/SECONDARY SCHOOL CAMP

Women who arrived in Bama Hospital camp in late 2015 or early 2016 reported that they had some freedom to enter and exit the camp for the surrounding areas when they first arrived. However, as more IDPs arrived in the camp, they were no longer allowed to go to the town and nearby areas.

¹⁰⁰ Judam was able to leave the camp through a medical evacuation in July 2016. Amnesty international interview, September 2017.

Eighteen-year-old Ashetu (not her real name) from Gala village, described how the military started imposing restrictions that confined IDPs to the camp:

“When we arrived [in November 2015], the first month we were allowed to leave the camp to get zinc [for shelter] and firewood, to get whatever we wanted to eat. We went to the farm. We even went out to get water. Later [around late 2015/early 2016], some women from a village near Bama ran back to their villages when they went to get firewood... When the soldiers saw that the women were escaping, they said no more movements. It was wickedness of the soldiers, they wanted to detain women.”¹⁰¹

Some people also reported that the movement restrictions were imposed differently on men and women in the camp, and that men were sometimes allowed to leave the camp to collect firewood while women were always prevented. Women reported that the soldiers and Civilian JTF told them that they were not permitted to leave the camp as they would “run back to their Boko Haram husbands”.¹⁰²

Women have continued to report being prohibited from leaving the camp for the surrounding area, including since being relocated to the Secondary School camp.¹⁰³ This both denies women an income generating opportunity and means that single women need to buy firewood from men in order to cook.

IDPs interviewed also reported being prohibited from leaving the camp in Bama town to Maiduguri or to other locations that may be safer and where more goods and services are available.

Men and women reported being completely prohibited from leaving Bama Hospital camp for other locations in late 2015 or the first half of 2016.¹⁰⁴

From late 2016 to the present, some IDPs have been permitted to visit Maiduguri, but only on a temporary basis and in line with a restrictive quota system which also requires permission from the village head (bulamas) and the State Emergency Management Agency (SEMA), who now formally run the camp.¹⁰⁵ Some told researchers that if they are given a pass to exit the camp they are required to leave their older children behind to show their intention to return.¹⁰⁶

Several women told researchers that they have been waiting (unsuccessfully) for months to obtain a permit to visit Maiduguri.¹⁰⁷ Amnesty International also interviewed one woman who said she has been denied a permit to leave the camp ever since she used a previous visit to Maiduguri to search for her husband in Giwa barracks. **Zara**, (not her real name), said that not only was she denied accurate information on her husband’s whereabouts when she visited Giwa, but she was prohibited from visiting Maiduguri a second time to continue her search in mid-2017.¹⁰⁸

“The camp managers said no, last time you went to roam about so we don’t want you to go there [to Maiduguri] again. Because last time you were disturbing people. I went eight times to get a permit but they would not give me. So later I stopped. My elderly mum came to Maiduguri and she wanted me to come to visit her, but they told me I was not allowed to go anywhere. They said ‘nobody will permit you again to go to Maiduguri because when you went you caused trouble.’”¹⁰⁹

Women have not been allowed to return to their villages of origin. Several told Amnesty International that they were desperate to return, either to escape the camp, and/or because they wanted to reunite with family members who had remained behind and who in some cases they had not seen for several years.¹¹⁰

¹⁰¹ Amnesty International interview, February 2017.

¹⁰² Amnesty International interviews, June 2016-April 2018. See also: Protection Sector Nigeria, Rapid Protection Assessment in Liberated LGAs, Borno State, July 2016, (hereafter: Protection Assessment in Liberated LGAs), which also found that women were restricted to the camp while men were sometimes allowed out, at: reliefweb.int/sites/reliefweb.int/files/resources/rapid_protection_assessment_in_bama_konduga_and_monguno.pdf.

¹⁰³ Amnesty International interviews, February, March and April 2018.

¹⁰⁴ Amnesty International interviews, June 2016-April 2018. Consistently reported. International Crisis Group, December 2016, “Women and the Boko Haram insurgency”, at: www.crisisgroup.org/africa/west-africa/nigeria/nigeria-women-and-boko-haram-insurgency. Exceptions were sometimes made for Shuwa Arab herders, who were sometimes permitted to transfer to Maiduguri or Konduga where they had family/community and could live with their cattle, although many had to wait for several months in Bama Hospital camp before being able to do so. Amnesty International also identified two other exceptional cases where IDPs were permitted to transfer to Maiduguri – one was a civil servant (male), another was an elderly woman who was scarred from being tortured and beaten by Boko Haram. In both cases, individual officials appeared to have intervened on their behalf.

¹⁰⁵ Amnesty International interviews with humanitarian actors and with IDPs. One woman, interviewed in March 2018 while she was visiting Maiduguri, explained: “It is very difficult getting a pass to leave the camp. A person’s bulama [village or district head], would have to vouch for you before you are given a pass. Usually, the 10 bulamas each get, say, 10 tallies from SEMA [the State Emergency Management Agency], which they are to give to their people interested in going outside the camp. Those who are lucky to get the tallies go to SEMA for a pass and SEMA takes down the address of where they are going to. Each bulama has the day his people can go to SEMA for pass, meaning if it’s not a bulama’s people’s turn/day to get pass, they can’t leave the camp. I have wanted to come to Maiduguri for long but was never lucky to get a tally for a pass until now.”

¹⁰⁶ Amnesty International interview, March 2018.

¹⁰⁷ Amnesty International interviews, February, March, and April 2018, four interviews.

¹⁰⁸ Amnesty International interview, March 2018.

¹⁰⁹ Amnesty International interview, March 2018.

¹¹⁰ Amnesty International interview, March 2018.



  Women collecting water in Bama Hospital camp, December 2016 © AFP/Getty Images

MOVEMENT RESTRICTIONS IN OTHER CAMPS

The movement restrictions imposed in Bama Hospital/Secondary School camp are not unique. Similar limitations have been imposed on IDPs in living in satellite camps including Dikwa and Banki for example.

A report by the UNHCR-led “Protection Sector” in May 2016 found that IDPs living in the satellite camp in Dikwa town were mostly confined to the camp.¹¹¹ These restrictions remain in place. Like IDPs in Bama Secondary School, women currently living in the (now multiple) satellite camps in Dikwa also told Amnesty International in March 2018 that only men are allowed to leave the camp for the surrounding areas, and that they may not leave even to collect firewood.¹¹² They likewise reported that while they are sometimes permitted to visit Maiduguri, they are also prohibited from relocating there.¹¹³

Twenty-year-old Fatima (not her real name) from Marya village in Dikwa LGA told Amnesty International for example that when people try to leave:

“The military and CJTF will see it and ask, ‘where are you going’? They won’t let you go. Even if the CJTF allow you to go through the gate, the military would stop you. The military is preventing people from leaving... They know we are not registered that we are hungry and begging. We want to leave this place. But they are saying no, we are not allowed. They have uniforms and are telling us, no, you cannot go.”¹¹⁴

¹¹¹ Protection Sector, Rapid Protection Assessment in Borno, May 2016, at: reliefweb.int/sites/reliefweb.int/files/resources/rapid_protection_assessment_report_pswg_borno_may_2016.pdf.

¹¹² Amnesty International interviews, March 2018. The women reported however that scores of men have been killed in Boko Haram attacks while collecting firewood in recent months.

¹¹³ Amnesty International interview, March 2018. The ability of IDPs to leave Dikwa to other locations such as Maiduguri appears to depend on their ability to convince the military and the Civilian JTF at the gates of the camp and at checkpoints that they have a legitimate reason for travel and will return. They also said that in practice, if they wanted to leave their camp in Dikwa, this meant leaving some of their children behind in the camp with relatives or neighbours.

¹¹⁴ Amnesty International interview, March 2018.

5.2 THOUSANDS OF DEATHS

Shocking statistics emerged from the satellite camps as the crisis developed. Thousands of displaced people – mostly women, children and the elderly – died from starvation and sickness in appalling conditions across the camps in the first nine months to a year after they were established.

IDPs interviewed consistently reported up to 15-30 deaths daily in Bama Hospital camp alone, which continued unabated from late 2015 to June 2016. Amnesty International's findings indicate that the actions and/or inaction of the authorities, particularly the military, contributed to these deaths.

BAMA HOSPITAL CAMP – INADEQUATE FOOD, WATER AND HEALTH CARE

Men and women confined in Bama Hospital camp in the first nine months to a year after it was established described living in a famine-like situation, which resulted in at least hundreds of deaths from hunger and sickness.

IDPs who arrived in the camp in or just before October 2015 said that there was no assistance provided when they first arrived. Instead, they ate any food that they brought with them, or that they could beg or buy from others.¹¹⁵ Several also said that soldiers sometimes shared their own food with them when they begged. At some point, likely to be in or around November 2015, IDPs said that they started receiving food distributions of dry rice or spaghetti every 15 or so days.

By January 2016, IDPs obtained food from central kitchens established in the camp. This food was provided by the National Emergency Management Agency (NEMA),¹¹⁶ but went through a series of intermediaries before it reached them. NEMA transferred food assistance packages to the Borno State Emergency Management Agency (Borno SEMA) in Maiduguri. From here, Borno SEMA transferred the packages to the military.¹¹⁷ The military, in turn, took them to the Civilian JTF in the camp, from where they were transferred to male community leaders, who organized women to cook the food.¹¹⁸

Women interviewed said they received one plate of cooked rice or maize once a day during this period that they shared with their families. Everyone received the same amount, regardless of their family size.

The food was not available every day. Some days (approximately once every one or two weeks), there was no food available at all.¹¹⁹ No special provisions were made for women with particular needs such as the elderly or sick, or women who were pregnant or lactating.¹²⁰ Scores of IDPs reported selling their jewellery and spare clothes they had brought with them to soldiers and Civilian JTF for additional food or other items. They also said that the food they bought with these items or money had been “diverted” – that the Civilian JTF in particular were stealing food meant for them and selling it back to them.¹²¹ Using the word “diverting” as a euphemism for stealing, one woman told Amnesty International:

“Some [Civilian JTF] are diverting the food, and sell it to people. We suffered, they have seen how everybody was dying of hunger. Sometimes a military person will give you N100, N200 or N500, to be nice, so you can buy more. If you complain, they will never give you anything.”¹²²

Twenty-year-old Fanna (not her real name) from Buduwa village likewise said:

“I sold all my clothes... I bought food with that... We had to sell everything we had, the CJTF bought it from us... They will give their price, something that is worth 5000 naira, maybe they will give 500 or 1000 naira. We had to sell it to them because we were hungry. Everything they are selling will be diverted. If you have money you can buy, if you don't have money you will die there.”¹²³

Tens of women gave similar accounts. Those interviewed also said that they also faced a constant battle to get water. **Thirty-year-old Fatima** (not her real name) described drinking water that she collected from pools on the ground in Bama Hospital camp in late 2015:

¹¹⁵ Amnesty International interviews, June 2016-April 2018, five interviews.

¹¹⁶ Amnesty International interviews with IDPs, June 2016-April 2018, consistently reported.

¹¹⁷ Amnesty International interviews with NEMA, March 2017, and with IDPs, June 2016-April 2018. See also: NEMA, Press Statement, “North-East humanitarian challenges – matters arising”, 5 July 2016, at: nema.gov.ng/north-east-humanitarian-challenges-matters-arising.

¹¹⁸ Amnesty International interviews, June 2016-April 2018, consistently raised.

¹¹⁹ Amnesty International interviews, June 2016-April 2018, five interviews.

¹²⁰ Amnesty International interviews, June 2016-April 2018, consistently reported. See also Protection Sector Nigeria, July 2016, Protection Assessment in Liberated LGAs.

¹²¹ Amnesty International interviews, June 2016-April 2018.

¹²² Amnesty International interview, July 2016.

¹²³ Amnesty International interview, July 2016.

“It was raining season. We took rainwater, but the water has come through stool [near areas of open defecation]. Some who can, warmed the water, but others – children will just drink that water. They would not allow us to go out and fetch the water [from the stream].”¹²⁴

Other women described collecting the water that dripped down from a roof.

Guidelines provided by the World Health Organization require that every individual should have access to at least 15 litres of water each day in an emergency situation.¹²⁵ While women reported that several boreholes were drilled by the State authorities, by early/mid-2016 they said that they still had to queue for up to five hours to fill one container and even then could not get enough water for their families.¹²⁶ At the end of June 2016, the International Organisation for Migration reported that each IDP in the camp still only had access to 5-10 litres of water per day.¹²⁷



*A mother with her severely malnourished child in Bama Hospital Camp, 5 December 2015. Hundreds of displaced people died in this camp.
© Gbemiga Olamikan*

¹²⁴ Amnesty International interview, January 2017.

¹²⁵ WHO, Environmental Health in Emergencies, at www.who.int/water_sanitation_health/emergencies/qa/emergencies_qa5/en/.

¹²⁶ Amnesty International interviews, June 2016–April 2018, consistently reported. See also the report from a journalist who visited the camp in early June 2016, at www.icirnigeria.org/inside-bama-idp-camp-21-people-die-daily/ www.icirnigeria.org/inside-bama-idp-camp-21-people-die-daily/.

¹²⁷ IOM DTM data. In July 2016, an NGO called ESNFI stated that there were six functioning boreholes in the camp, but noted that because of the number of IDPs relying on the water, access still took ‘a long period of time’. ESNFI, July 2016, Bama Hospital Camp, Response, Action Points and Site Plan (Bama Hospital camp response plan), at: www.humanitarianresponse.info/system/files/documents/files/response_action_points_and_site_plan_bama_general_hospital_camp_management_july_2016.pdf.

During this period, there were no toilets in the camp.¹²⁸ Some IDPs interviewed also said that they had had no shelter – they slept on the ground, and would seek cover when it rained.¹²⁹

Ahmed (not his real name), a 62-year-old man who Amnesty International interviewed in June 2016, days after he had transferred from Bama Hospital to Maiduguri for medical treatment, said:

“The condition of [Bama Hospital] camp is terrible. The food is once daily... just boiled rice or boiled maize flour. The quantity is very small... There is a problem of water, once a week or two there is a whole day with absolutely no water. Even if you go out and they allow you to get water, it is not enough. There is not any shelter. We have no roof. We live are under a tree. When the rain comes, we cover our heads with our plastic mats. Later on we will sleep on that ground. There is stool everywhere. That is why everybody is sick.”¹³⁰

Several women reported to Amnesty International that women who gave birth in Bama Hospital camp had no access to medical assistance. **30-year-old Aisha** (not her real name) said that in early 2016,

“My sister gave birth to a baby under a tree. They [members of Civilian JTF] were in rooms opposite us, but nobody talked to us or helped us, we couldn’t even wash the baby [for lack of water].”¹³¹

A government health team, supported by UNICEF, were present in the camp from May 2016¹³² but their number and reach was limited and they were not able to significantly reduce the high mortality and morbidity rates in the camp that persisted during this period.¹³³

HUNDREDS OF DEATHS IN BAMA HOSPITAL CAMP

Hundreds of displaced people – mostly women, children and the elderly – died in these conditions. IDPs consistently reported up to 15-30 deaths daily which continued unabated from late 2015 to June 2016.¹³⁴

Eighteen-year-old Kaltun (not her real name) who arrived at Bama Hospital camp from Gala Kura village, explained how people died on a daily basis because of lack of food and water before she and her family were medically evacuated in June 2016.¹³⁵

“So many of us died. We were in Bama Hospital camp [from late 2015 to June 2016]. We were a group of 50 women from our village – there were more children. Of our group, 28 women and 18 children died in Bama hospital camp... It was hell. My younger sister died, she was four years old, my cousin’s wife died, his mother died, four of his children died. My mother-in-law became sick...”

Twenty-four-year-old Falta (not her real name), who arrived in November 2015 and spent around nine months in Bama Hospital camp before being medically evacuated said:

“When we were there, two people in our family died - my baby boy and my aunt. Daily people died, sometimes ten, twenty or even thirty, every day... When somebody dies, the neighbours will help and make the burial. Daily you will see them do it. Even the burial ground in the hospital became full.”¹³⁶

Others gave similar accounts. Most of the women Amnesty International interviewed said at least one of their family members had died in the Bama Hospital camp from hunger or sickness. One elderly man said that he had been to over 150 funerals of people in the camp in the four months he lived there until June 2016.¹³⁷

Accounts of the tremendous sadness and pain of being unable to feed their children ran through the testimonies of many women interviewed. Half of the women Amnesty International interviewed who had lived in Bama Hospital camp during this time said that at least one of their children had died.¹³⁸

¹²⁸ Amnesty International interviews, June 2016-April 2018, and see also Protection Assessment in the LGAs, July 2016, and ESNFI, , Bama Hospital Camp response plan, July 2016.

¹²⁹ Amnesty International interviews, June 2016-April 2018. Amnesty International has not been able to estimate a proportion of IDPs who were living without any shelter, but an assessment conducted in July 2016 by the UNHCR-led protection sector also confirmed that “some IDPs” were sleeping out in the open. See Protection Sector, Protection Assessment in the Liberated LGAs, July 2016.

¹³⁰ Amnesty International interview, June 2016.

¹³¹ Amnesty International interview, January 2017.

¹³² UNICEF press statement, “Update on UNICEF response to humanitarian situation of displaced persons in Bama, Borno State, Nigeria”, 23 June 2016 available at: www.unicef.org/nigeria/media_10408.html.

¹³³ Amnesty International interview with journalist who visited the camp in early June, December 2017. Amnesty International interviews with a NGO official who visited Bama Hospital camp in July 2016.

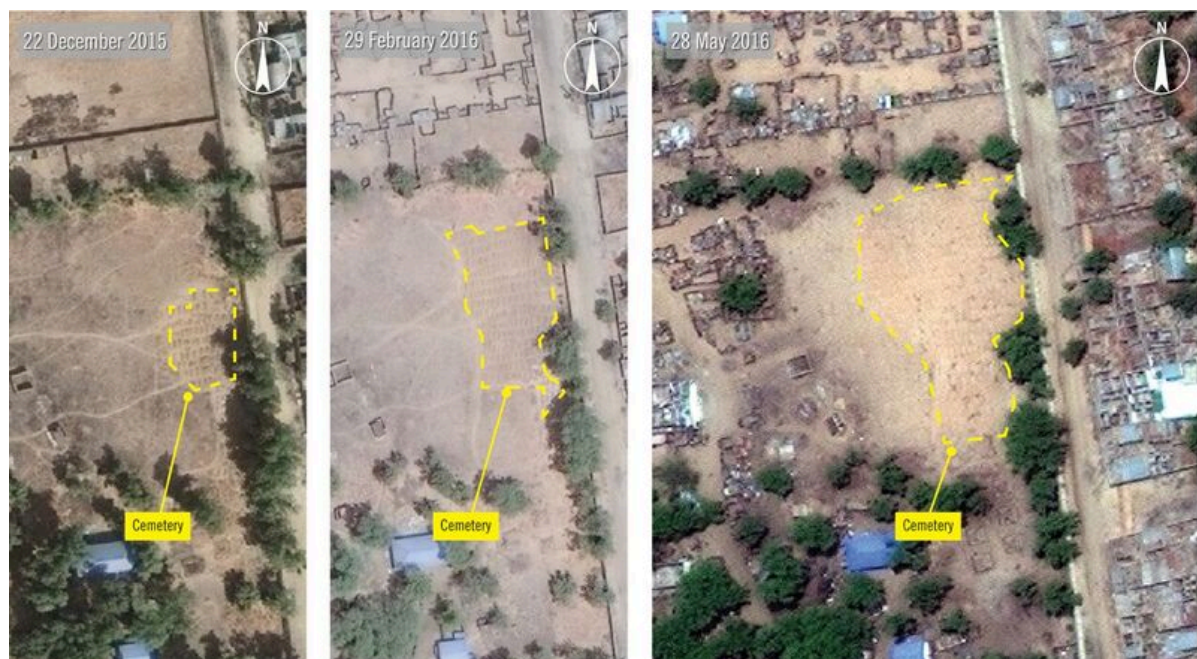
¹³⁴ Amnesty International interviews, June 2016-April 2018, consistently reported.

¹³⁵ Amnesty International interview, February 2017.

¹³⁶ Amnesty International interview, July 2016.

¹³⁷ Amnesty International interview, August 2016.

¹³⁸ Amnesty International interviews, June 2016-April 2018. This excludes interviewees with Shuwa Arab women, who were generally in Bama Hospital camp for much less time than Kanuri women as they were able to transfer to be with other Shuwa Arabs in Konduga.



↑ Satellite images of the cemetery inside Bama Hospital camp, showing how it expanded from October 2015 to July 2016 © DigitalGlobe

Four said they had lost more than one child. One woman from Buduwa village, who recounted that her baby son and aunt had died in the camp, also told Amnesty International that:

“Most of the women have lost children, somebody lost three, another woman lost four, in our group there are 15 women from one village. We lost 20 children [between us].”¹³⁹

Because the women were so malnourished, they had no milk to breastfeed their babies. **Hauwa** (not her real name), who lost her one-year-old son, told Amnesty International:

“My baby boy died. There was no food for me, so there was no breastmilk anymore. Because of the hunger he died. The babies in Bama died daily... everybody will tell you, up to 30 to 40 babies died daily. Because we are mothers, we know, our babies died, our neighbours’ babies died. It is so horrible.”¹⁴⁰

In March 2018, a group of women who had been in Bama Hospital Camp produced a list of 800 names of men, women and children who had died in the camp (mostly in the period between October 2015 and June 2016), based on information gathered from 1,200 other women who had lived in the camp.¹⁴¹ The women told Amnesty International that this list is not comprehensive.

IDPs interviewed also reported to Amnesty International a total of three cases in which women died during or just after giving birth – either during the screening operation or while in the camp.¹⁴²

Satellite images confirm the testimonies of the women that there were many deaths in Bama Hospital camp in late 2015 and early 2016. In December 2015, a cemetery outside Bama Hospital camp was approximately 565 metres in size, in February 2016 it was approximately 1,000 square metres. Between February and May 2016, the cemetery doubled in size again. On 21 June 2016, when MSF visited the camp, staff counted 1,233 graves near the camp which had been dug during the previous year.¹⁴³ As witnesses told researchers that several people were often buried in each grave, especially when children were buried, there may have been more deaths than the number of graves counted.

DEATHS AFTER BEATINGS

Almost all of the women that Amnesty International researchers interviewed said that members of the Civilian JTF beat them gratuitously in Bama Hospital camp, calling them “Boko Haram wives”. Such beatings took place especially near the water boreholes or while queuing for food distributions. One woman showed crisscrossed scars on her legs and said “All these marks are from where they beat me when I was trying to get water. If you want to get water, you will get beaten. That is the price for water.”¹⁴⁴ Another said she was beaten unconscious by a member of Civilian JTF with a bicycle tyre when she went to a food distribution point.¹⁴⁵ Amnesty International received reports of the deaths of at least four women, three children and one man as a result of unlawful use of force, including severe and unprovoked beatings by members of the Civilian JTF.¹⁴⁶ The women were already suffering from lack of food and water, and had very limited or in some cases no access to medical care.

OTHER SATELLITE CAMPS – THE SAME STORY

The situation in Bama Hospital was not unique, and thousands of IDPs may have died across the satellite camps during the period between late 2015 and late 2016 due to movement restrictions and failures to provide adequate assistance.

IDPs consistently reported the lack of provision of even basic levels of food across the satellite camps during this time. IDPs in Rann reported spending several months in mid- and also late 2016 without food distributions. They said some IDPs were given land nearby to farm. One 35-year-old woman from Makandri village told Amnesty International that:

¹³⁹ Amnesty International interview, August 2017.

¹⁴⁰ Amnesty International interview, January 2017.

¹⁴¹ List is on file with Amnesty International. The list was developed as part of an appeal that they wrote to President to address the injustice they have faced. They had already written to the National Assembly in April 2017. The authorities have not commented on this list, but as of September 2017, the National Human Rights Commission was meeting with the women to discuss the petition.

¹⁴² Amnesty International interviews June 2016-April 2018.

¹⁴³ MSF, 24,000 Displaced People Face Dire Health Situation in Bama, 22 June 2016 at: www.msf.org/en/article/nigeria-least-24000-displaced-people-dire-health-situation-bama.

¹⁴⁴ Amnesty International interview, September 2017.

¹⁴⁵ Amnesty International interview, February 2017.

¹⁴⁶ Amnesty International interviews, June 2016-April 2018, based on eight interviews. Amnesty International was not able to verify these reports.

“Life in the camp was very difficult. Around June, July, August, September, after Ramadan, people were in severe difficulties because at that time there was no food.... We sold our clothes, the jewellery, anything we had. There are some Civilian JTF members and their women who will buy from us.”¹⁴⁷

In Monguno, IDPs said they received food distributions on an irregular basis. They said they only survived as they were allowed to leave the camps to work, and some had access to nearby farms.¹⁴⁸ IDPs in Banki were given distributions once each week or two, but said they were insufficient.¹⁴⁹ One 25-year-old woman told Amnesty International:

“The food given to families [In Banki] for one week wasn’t enough for even one day. Sometimes people were not even able to stand on their legs in the queue...There were times when a whole family will go for three days without food. It was terrible.”¹⁵⁰

Data collected by humanitarian actors also highlights the alarming levels of acute malnutrition in these camps. An assessment by UNICEF in Dikwa in April 2016 found 58.8% of IDPs acutely malnourished. An assessment by the NGO Alima in June 2016 found that 32% of IDPs were malnourished in Monguno camp.¹⁵¹

In some of the other satellite camps, IDPs again reported having access to only a few litres of water per person per day during this period, often after queuing for many hours.¹⁵²

IDPs also reported daily hunger and sickness deaths as a result of these conditions. In Banki, IDPs reported 10 to 20 people dying daily in early 2016.¹⁵³ In July 2016, MSF estimated as many as one in 12 people may have died in the previous six months in Banki camp (which may total over 1,000 deaths).¹⁵⁴ Based on these and other sources, referring to both Bama hospital camp and Banki combined, the Famine Early Warning Systems Network (FEWSNET), concluded that “at least 2,000 famine-related deaths may have occurred in Bama LGA between January and September [2016], many of them young children.”¹⁵⁵

An assessment by the UNHCR-led Borno “protection sector” in May 2016 highlighted reports of up to 20 IDPs dying daily in Dikwa camp.¹⁵⁶ Satellite images show that one graveyard, created in late 2015 as Dikwa camp began to expand, grew rapidly between late 2015 and September 2016. While it is hard to estimate the total number of graves, the size of the cemetery in Dikwa is larger than the one in Bama Hospital camp (which contained more than 1,200 graves).

IDPs in Monguno told Amnesty International that in the first half of 2016, up to four or five IDPs, mostly children, were dying in the camp daily for lack of food, water and health care. IDPs in Rann also reported a similar number of deaths daily in mid and late 2016.

After a visit to several satellite camps in November 2016, MSF’s International president reported that she saw few babies and toddlers in any of the camps and that young children in displacement had been “wiped out” by malnutrition and disease.¹⁵⁷

¹⁴⁷ Amnesty International interviews, January 2017.

¹⁴⁸ Amnesty International interviews, June 2016-April 2018.

¹⁴⁹ Amnesty International interviews, June 2016- April 2018, consistently raised.

¹⁵⁰ Amnesty International interview, August 2016.

¹⁵¹ FEWSNET, “A Famine likely occurred in Bama LGA and may be ongoing in inaccessible areas of Borno State”, 13 December 2016, at: www.fews.net/sites/default/files/documents/reports/FEWS%20NET%20Borno%20%20Analysis_20161213release.pdf.

¹⁵² In Banki, women reported that in late 2015 to mid-2016, they had to wait all day in line for water, and only managed to obtain two or three litres of water for their whole family. In Rann, one IDP said he would have to make a 25 litre jerry-can last him and his family for five days during mid and late 2016. In November 2016, MSF reported that IDPs in Banki, and Ngala camps still had access to less than five litres and eight litres of water per person per day respectively, see: MSF, Snapshot on OCG Operations in Borno State, November 2016, at:

reliefweb.int/sites/reliefweb.int/files/resources/nga_borno_msf_swiss_snapshot_ocg_operations_november_2016.pdf and in January 2017 MSF also reported that IDPs in Rann camp could access only an average of one litre of water per person daily, see: MSF, Press Statement “Nigeria: Rainy season may worsen humanitarian crisis affecting people displaced by violence in Borno State” 20 July 2017.

¹⁵³ Amnesty International interviews, June 2016-April 2018, consistent across IDPs interviewed in each of these camps.

¹⁵⁴ MSF ARTICLE, MSF WARNS OF LARGE-SCALE HUMANITARIAN DISASTER IN BORNO STATE, 27 JULY 2016, AT: WWW.MSF.ORG/EN/ARTICLE/NIGERIA-MSF-WARNS-LARGE-SCALE-HUMANITARIAN-DISASTER-BORNO-STATE. BASED ON A FIGURE OF 15,000 IN THE CAMP AT THAT TIME.

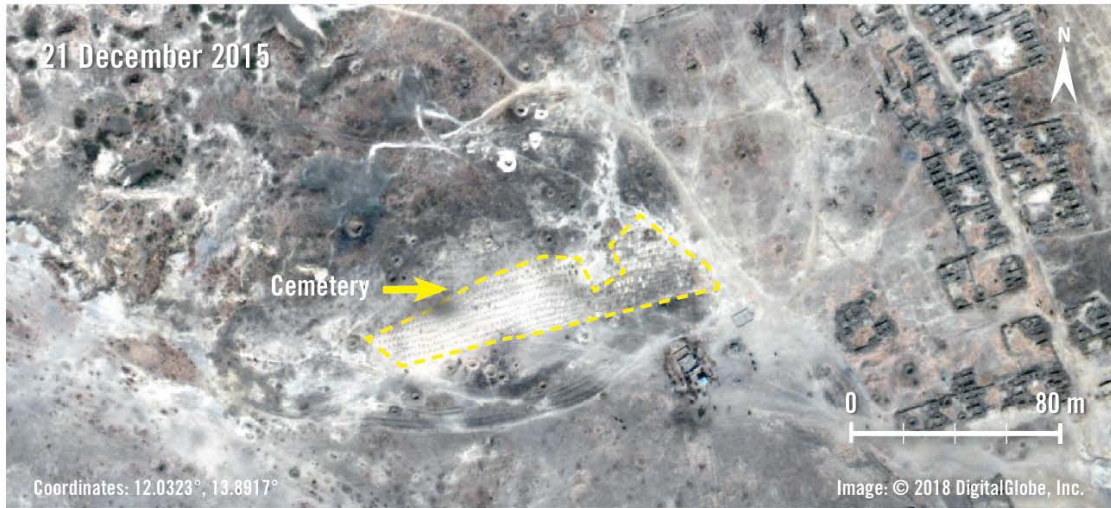
¹⁵⁵ FEWSNET, “A Famine likely occurred in Bama LGA and may be ongoing in inaccessible areas of Borno State”, 13 December 2016, at:

www.fews.net/sites/default/files/documents/reports/FEWS%20NET%20Borno%20%20Analysis_20161213release.pdf.

¹⁵⁶ Protection Sector, Rapid Protection Assessment in Borno, May 2016, at:

reliefweb.int/sites/reliefweb.int/files/resources/rapid_protection_assessment_report_pswg_borno_may_2016.pdf.

¹⁵⁷ MSF, “Why are the children of Borno state missing?”, 21 November 2016, at: msf.lu/en/news/testimonies/why-the-children-of-nigerias-borno-state-are-missing.



↑ Cemetery in Dikwa, showing its rapid growth between December 2015 and September 2016

DENIALS BY THE AUTHORITIES

When reports of large numbers of deaths in Bama Hospital reached the national and international media in late June 2016, the Nigerian authorities downplayed the scale, claiming that any deaths were the result of IDPs who arrived in the camps already suffering from malnutrition.¹⁵⁸

Amnesty International's findings indicate not only that thousands of IDPs may have died in the satellite camps between October 2015 and June 2016, but that the actions and/or inaction of the authorities, particularly the military, caused or contributed to these deaths.

As noted above, many of the IDPs Amnesty interviewed came to the satellite camps because they were forced to do so by the military. In some cases, they had tried to flee elsewhere, and were taken to Bama Hospital camp by the military in their vehicles. Even in the constrained circumstances of the time, not all of them had chosen to come to the camp, and in some cases were de facto detainees.

While some may have arrived malnourished, they were unable to regain their health because they were not provided with adequate food, water or basic health care once they were confined to the camp. Moreover, some IDPs reported that they had arrived in the camp with an adequate food supply to last them for some days, indicating that their problems in accessing basic levels began within the camp. Others reported how their confinement in the camp meant that they were not able to go to their homes to retrieve food, again indicating some capacity to access food in their areas of origin. Finally, many of the women interviewed who reported the death of a child or family member said the death occurred after they had been living in the camp for some months.¹⁵⁹

FAILURES OF THE GOVERNMENT TO PROTECT IDPS FROM STARVATION

While the military is responsible for confining IDPs to camps where there was inadequate food, water and health care, the federal and state government authorities also failed to ensure that IDPs received even survival levels of food and services in these camps between late 2015 and mid-2016.

The National Emergency Management Agency (NEMA) reported in June 2016 that they had been delivering 24,000 sacks of rice to the Borno state government every two months, "who in turn warehouse and bring [it] to the camps along with condiments and other cooking accessories".¹⁶⁰ As there were over 1.4 million IDPs in displacement in Borno state at this point, 16% in camps across Borno state¹⁶¹, the amount mobilized between the national and state level appeared too small to meet the urgent needs.¹⁶²

Moreover, much of the food assistance did not reach the intended beneficiaries. As noted above, the accounts given to Amnesty International from IDPs strongly indicate that much of the food assistance that reached these satellite camps was stolen, and in some cases sold back to them. They also indicate that there were inadequate efforts made by the civil authorities to monitor the distribution of aid, and to ensure that the assistance they provided reached displaced people. According to the reports of displaced persons, in many of the satellite camps there appeared to have been little, if any, presence in the camp by government officials or emergency management agencies personnel, and thus no oversight or monitoring of whether aid reached its intended beneficiaries.¹⁶³

A NEMA official confirmed to Amnesty International in March 2017 that there were areas which his staff could not access for security reasons, and that in these locations they relied on the military to provide assistance to the IDPs.¹⁶⁴ A NEMA press release issued in July 2016 stated that humanitarian officials were not present in Bama Hospital camp for security reasons.¹⁶⁵ Albeit late, the Nigerian government did acknowledge this failure. In June 2017, the acting President of Nigeria, Yemi Osinbajo, reportedly stated that half of the assistance dispatched by the federal government for the north-east had not reached IDPs.¹⁶⁶

¹⁵⁸ NEMA, Press Statement, "North-East humanitarian challenges – matters arising", 5 July 2016, at: nema.gov.ng/north-east-humanitarian-challenges-matters-arising.

¹⁵⁹ Amnesty International interviews, June 2016-April 2018.

¹⁶⁰ NEMA, Press Statement, "North-East humanitarian challenges – matters arising", 5 July 2016.

¹⁶¹ IOM Displacement Tracking Matrix I DTM Round X, June 2016, available at: reliefweb.int/report/nigeria/displacement-tracking-matrix-dtm-round-10-report-june-2016

¹⁶² Even if this was just given to IDPs in camps, it would amount to one sack between 18 persons per month. See also para 34. SR of IDPs, para 34 report, which also raises concerns that the authorities underestimated needs in the camps. Human Rights Council, April 2017, Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Nigeria (SR on IDPs report from Nigeria), daccess-ods.un.org/TMP/7856217.02671051.html.

¹⁶³ Amnesty International interviews with IDPs in Bama Hospital camp and Banki, June 2016-April 2018, consistently reported.

¹⁶⁴ Amnesty International interview, March 2017.

¹⁶⁵ NEMA, Press Statement, "North-East humanitarian challenges – matters arising", 5 July 2016, states that humanitarian officials could not be present in Bama Hospital camp for security reasons.

¹⁶⁶ See e.g. Reuters, 19 June 2017, "Nigeria says half of government food aid never reached Boko Haram IDPs" at: af.reuters.com/article/topNews/idAFKBN19A0NQ-OZATP.

In such a protracted humanitarian crisis, where the civil authorities were not able to be present in the satellite camps, consideration should have been given to moving IDPs to other, safer locations, where their ability to access basic assistance and services could have been ensured. Instead, in December 2015 the federal and state emergency management agencies transferred at least hundreds of IDPs from Maiduguri, where they had relatively more access to food and other basic goods and services, to satellite camps including Bama Hospital and Dikwa.¹⁶⁷ They also moved IDPs around the satellite camps, including from Dikwa camp to Bama Hospital and other camps.¹⁶⁸ Even if the intention may have been to protect people or to decongest camps, this action by federal and state government authorities meant that they facilitated the transfer of IDPs to the deplorable conditions described in this report.

In addition to the shortcomings in the provision of food, ministries responsible for the provision of water and health care are also responsible for failing to act to ensure that people living in the satellite camps could access basic goods and services.

Officials from the Nigeria Foundation for the Support of Victims of Terrorism (VSF), a foundation established by the federal government to mobilize funds from Nigeria's business sector to support victims of Boko Haram in July 2014, visited several of the satellite camps, including in November 2015 and January 2016, and delivered food and non-food items.¹⁶⁹ Although their efforts were highly commendable, VSF do not have a direct mandate for humanitarian action and their distributions did not fill the gaps left by an inadequate response from the disaster management agencies and relevant line ministries.¹⁷⁰

From the week of 11 June 2016, upon the instructions of the Borno state governor, the NGO Empower54 transferred almost 2,000 IDPs from Bama Hospital camp to Maiduguri to receive medical care, mostly for malnutrition.¹⁷¹ In the several months' window that followed, thousands of other IDPs were also transferred to other displacement locations. IDPs also reported that the Borno State governor visited several of the satellite camps (including Bama Hospital camp and Banki) and provided additional humanitarian distributions to the camp populations from June 2016.¹⁷²

¹⁶⁷ See the following tweets by NEMA on 21 December 2015, twitter.com/nemanigeria/status/678995518626897920 and twitter.com/nemanigeria/status/678996214487101441.

¹⁶⁸ NEMA, "NEMA AND BOSEMA relocates IDPs", 2 February 2016, available at: nema.gov.ng/nema-and-bosema-relocates-idps/.

¹⁶⁹ VSF Press Statement, "VSF, UNICEF and Nigerian Army Support IDPs", at: victimssupportfundng.org/events/vsf-unicef-and-the-nigerian-army-support-bama-internally-displaced-persons/. VSF also worked to highlight the severity of the situation to government and international humanitarian actors, for example by holding a briefing on the situation in February 2016.

¹⁷⁰ Amnesty International has seen notes of the meeting taken by an NGO official present. See also, "What we do": victimssupportfundng.org/what-we-do/.

¹⁷¹ See e.g. www.empower54.org/projects/.

¹⁷² Amnesty International interviews, June 2016-April 2018, four interviews.



Map showing deaths in the satellite camps © Amnesty International



👁️ ↑ Women and children in Bama Hospital camp, 5 December 2015. Hundreds of displaced people died in this camp. © Gbemiga Olamikan

THE INTERNATIONAL HUMANITARIAN RESPONSE

In late 2015 and early 2016, as displaced people were facing severe starvation, protection and other humanitarian needs in the satellite camps, UN agencies and other international humanitarian groups were present in the North-East Nigeria. However, their capacity was limited,¹⁷³ and their operations in Borno focused on Maiduguri and surrounding areas/southern parts of the state.¹⁷⁴ The assistance they provided to the satellite camps was not enough to stem the alarming mortality rates until after MSF brought international attention to the severity of the crisis in these camps on 22 June 2016.

UN humanitarian staff visited Bama Hospital camp on several occasions in late 2015 and early 2016.¹⁷⁵ UN humanitarian agencies led by the World Food Program (WFP) also conducted a multi-sector assessment in April 2016 that included Bama, Dikwa, Damboa and Monguno towns. They identified massive “urgent life-saving assistance” needs of 250,000 IDPs in the satellite camps, and reported that in Bama town, “some 30,000 IDPs are not allowed to leave camp and rely entirely on irregular supplies of food assistance.”¹⁷⁶

The International Committee of the Red Cross (ICRC), working with the Nigerian Red Cross Society, had a presence in some of the satellite camps, including in Dikwa and Damboa camps, providing IDPs with food and non-food items.¹⁷⁷ UN International Children’s Emergency Fund (UNICEF) also provided primary healthcare, water and sanitation in a number of satellite camps including in Bama Hospital camp from March 2016.¹⁷⁸ However, the assistance provided did not reach all satellite camps. The UN multi-agency assessment of April 2016 reported that there was “limited” or “very limited” service provision in Monguno and Gajiram LGAs respectively, and no international humanitarian presence in Bama.¹⁷⁹ An assessment carried out in late June 2016 also highlighted that no humanitarian assistance had been provided to Banki camp.¹⁸⁰

Even in the camps where international humanitarian assistance was provided, it fell short of meeting the basic needs. An assessment done by the UN High Commissioner for Refugees (UNHCR) led “protection sector” humanitarian group in Dikwa and Damboa LGAs and issued in May 2016 found that the food assistance provided was not enough to prevent IDPs sometimes going without food,¹⁸¹ and that the medical assistance, both in terms of qualified personnel and drugs, was inadequate.¹⁸² Assessments conducted in Bama Hospital camp in June 2016 likewise found that there were no latrines in the camp, and no civilian doctors or nurses.¹⁸³

Amnesty International wrote to the UN Resident Coordinator / Humanitarian Coordinator in Nigeria in March 2018 raising concerns and asking clarification.

¹⁷³ See September 2017, “northeast Nigeria Humanitarian overview”, reliefweb.int/sites/reliefweb.int/files/resources/12092017_northeast_nigeria_humanitarian_overview.pdf. “At the beginning of 2016, only a dozen international humanitarian staff were operating in the area. As of mid-2017, more than 500 international and 2,000 national staff are dedicated to the humanitarian response, mainly in Borno State.” The need for urgent increased scale up in North-East Nigeria had been recognised by the UN and global humanitarian leadership in previous years, see e.g. IASC Emergency Directors Nigeria Mission report March 2015 (on file with Amnesty International).

¹⁷⁴ See e.g. the development of IOM’s Displacement Tracking Matrix, which has been used as the basis for organising the humanitarian response (including the humanitarian response plan, and humanitarian periodic monitoring reports), which in Borno was limited in reach to Maiduguri and neighbouring or southern areas (excluding areas recaptured from Boko Haram) until June 2016, at: reliefweb.int/sites/reliefweb.int/files/resources/DTM%20Nigeria.pdf.

¹⁷⁵ On 23 November 2015, UNICEF staff visited Bama Hospital camp, along with the Victims Support Fund. See VSF Press Statement, “VSF, UNICEF and Nigerian Army Support IDPs”, victimssupportfundng.org/events/vsf-unicef-and-the-nigerian-army-support-bama-internally-displaced-persons/. On 5 April 2016, the UN Regional Humanitarian Coordinator for the Sahel visited Bama Hospital camp alongside and at the invitation of the Borno State Governor. See OCHA press statement, 12 April 2016, at: reliefweb.int/sites/reliefweb.int/files/resources/PR%20Nigeria%2012%20April%202016.pdf. A multi-sector UN team also visited Bama Hospital camp to carry out an assessment conducted between 11 and 14 April 2016. See: WFP et al., “UN multi-sector assessment”, April 2016, available at: reliefweb.int/sites/reliefweb.int/files/resources/nga_joint_un_multi_sector_assessment_042016.pdf.

¹⁷⁶ UN multi-sector assessment, April 2016, available at: reliefweb.int/sites/reliefweb.int/files/resources/nga_joint_un_multi_sector_assessment_042016.pdf.

¹⁷⁷ Amnesty International interviews, June 2016-April 2018, 2 interviews. See also UN multi-agency assessment, April 2016, available at: reliefweb.int/sites/reliefweb.int/files/resources/nga_joint_un_multi_sector_assessment_042016.pdf.

¹⁷⁸ UNICEF, “UPDATE ON UNICEF RESPONSE TO HUMANITARIAN SITUATION OF DISPLACED PERSONS IN BAMA, BORNO STATE, NIGERIA” 23 JUNE 2016, AT: WWW.UNICEF.ORG/MEDIA/MEDIA_91725.HTML.

¹⁷⁹ UN multi-sector assessment, April 2016, p19. UNICEF established a permanent primary healthcare presence in Bama Hospital camp from May 2016.

¹⁸⁰ Banki Inter-agency assessment report, 28 June 2016, at: www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/banki_-_rapid_needs_assessment_02jul2016_en_v5.pdf.

¹⁸¹ Protection Sector, “Rapid Protection Assessment in Borno”, May 2016, at: reliefweb.int/sites/reliefweb.int/files/resources/rapid_protection_assessment_report_pswg_borno_may_2016.pdf. For example, for Dikwa, the report stated, p21, “The IDP have received food from the government and ICRC but the high rate of consumption (about 251 bags of rice per day) depletes the food consent very fast. At one point the IDPs were without food for 48 hours.”. Confirmed also in Amnesty International interviews, June 2016-April 2018, 2 interviews.

¹⁸² Protection Sector, “Rapid Protection Assessment in Borno”, May 2016, p18, available at: reliefweb.int/sites/reliefweb.int/files/resources/rapid_protection_assessment_report_pswg_borno_may_2016.pdf.

¹⁸³ ESNFI, “Bama general Hospital IDP Camp, Action Points and Site Plan”, July 2016, at: www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/response_action_points_and_site_plan_bama_general_hospital_camp_management_july_2016.pdf. See also Protection Sector, “Rapid Protection Assessment in Liberated LGAs”, 4 July 2016.

5.3 ONGOING BATTLES WITH HUNGER

While more humanitarian food and other forms of assistance is now being delivered to the satellite camps, the situation in many camps remains dire.

BAMA SECONDARY SCHOOL CAMP – HUNGER BETWEEN DISTRIBUTIONS

IDPs interviewed have consistently told Amnesty International that while the food assistance that they received in Bama Hospital camp improved as of late 2016, it has remained inadequate. This has been the case even after IDPs were relocated from Bama Hospital camp to Bama Secondary School camp in December 2017.

Six women told Amnesty International that the food assistance does not last from one distribution until the next, especially as the intervening time sometimes extends beyond a month (standard) to 35 or more days.

IDPs have also reported that they do not receive all the basic items they need in the camp, and single women in particular told researchers that as they have no other income, they are forced to sell some of their food assistance package to obtain these other items. They raise concerns that food is provided without any spices to make it edible, and that they are not provided with the firewood needed for cooking, or other necessary non-food items such as soap.¹⁸⁴ The concern that some IDPs need to sell some of the food assistance package to buy other basic items, thereby causing their food to run out faster, was also raised by several humanitarian officials that Amnesty International interviewed.¹⁸⁵

Many women told Amnesty International that they would often be forced to beg between distributions, and go days without eating after their food ran out and as they waited for the next distribution. Several mentioned that they would go without food themselves so that their children could eat.¹⁸⁶

Three women said that the manner in which families were registered for food assistance meant that women sometimes faced additional struggles accessing their share. They said that women whose husbands were in detention would often be registered by their father-in-law as part of his family, and that their father-in-law would therefore collect and be in charge of their food assistance. As one woman said, this means that: “When there is a misunderstanding, when the food runs out, we women are the first to go hungry”.¹⁸⁷

ONGOING HUNGER AND SICKNESS DEATHS IN OTHER SATELLITE CAMPS

Women in some of the other satellite camps raised similar concerns to those raised by women in Bama Secondary School camp, and reported spending several days or more going hungry between distributions each month.

Moreover, IDPs in some satellite camps also reported not receiving any food distributions, and that there had been deaths in recent months from ongoing hunger and sickness.

In some satellite camps, this appears to be because there were no distributions of food assistance at all. As Yanna (not her real name) from Falla Falla village who had arrived in Dikwa in late 2017 and lived in Fulatari camp told Amnesty International:

“In eight months [since I arrived], I didn’t get anything, nothing. I have not gotten any support from anybody. Even the clothes I am wearing were given to me [by other IDPs as charity]. There was nothing. People are dying, [always there is a] burial, burial, burial. I am thinking, maybe one day it will be my own.”¹⁸⁸

Another woman gave a similar account of the situation in Fulatari camp, saying she had not received any assistance in the camp since she had arrived 11 months earlier in mid-2017. Both women said that they had been registered when they arrived in the camp by the military, that an NGO had supported them by providing toilets and water facilities, but that their need for food was not being addressed.

Women who were interviewed by Amnesty International in Agric camp, a second satellite camp in Dikwa town, also said that they had not received any food assistance. In this camp, however, they reported that although an international NGO was distributing food on a monthly basis, many people, especially those who had arrived in the last year, did not receive it, while others received multiple distributions.¹⁸⁹ From some accounts, it appears as though the woman received tokens to obtain food assistance, but when they went to collect the assistance with these tokens, they were not given

¹⁸⁴ Amnesty International interviews, two interviews, September 2017.

¹⁸⁵ Amnesty International interviews with humanitarian officials, September 2017 and February 2018.

¹⁸⁶ Amnesty International interviews, February-April 2018.

¹⁸⁷ Amnesty International interview, April 2018.

¹⁸⁸ Amnesty International interview, March 2018.

¹⁸⁹ Amnesty International interviews, March and April 2018.

anything. In other accounts, it appeared that the tokens or papers needed to access the distributions in the camp were being given to people living in Dikwa town instead of the camp residents. Numerous accounts indicated corruption, including in some cases individuals using multiple tokens to collect many assistance packages.

Thirty-eight-year-old Carla (not her real name) told Amnesty that she had lived in Agric camp in Dikwa for 11 months, “but I haven’t got any distribution. If you take the camp, 65% of the women don’t get [food distributions]. More than half do not get anything – the beneficiaries of the items are few... [The rest of us] survive with begging. Our children beg and we beg. Some of our relations were here longer, and they get food. So they will give us two or three kilograms.”¹⁹⁰

Amnesty International received reports that during the first few months of 2018, between around five and 15 people died each day from hunger and sickness in Fulatari and Agric satellite camps. As of March 2018, there were still several deaths daily or every few days in each of the two camps.¹⁹¹ Several of the displaced people that Amnesty International spoke to reported deaths of members of their family or community in satellite camps in Dikwa in recent months.

¹⁹⁰ Amnesty International interview, March 2018.

¹⁹¹ Amnesty International interviews, March 2018, four interviews. The two camps they mentioned as particular concerns were Fulatari and Agric satellite camps.

6. RAPE IN THE SATELLITE CAMPS

Soldiers and members of the Civilian JTF have taken advantage of the famine-like conditions and hunger in the satellite camps to perpetrate sexual violence.

Given the number of IDPs that researchers spoke to who said they knew of cases of sexual violence or directly experienced it (including the majority of women interviewed aged 30 or under), and their reports on how commonly it was occurring, it appears that sexual violence has been and continues to be perpetrated on a wide scale in the satellite camps.

6.1 RAPE OF STARVING WOMEN

Nine women and girls told Amnesty International of cases they knew of in which women had been raped by soldiers or Civilian JTF members in the satellite camps.

Five women said they had been raped in Bama Hospital camp in late 2015 and early 2016 when they were starving or near starving.

These women said they were raped after they refused to have sex in exchange for food or other assistance, or after they were intercepted on their way to collect water outside the camp.¹⁹² The situation was exacerbated by the absence (or near absence) of the civilian authorities or humanitarian actors.

Twenty-year-old Ama (not her real name) told Amnesty International that she was raped after accepting food from a Civilian JTF member who then felt entitled to “payment”. She said:



“They [the soldiers and Civilian JTF] will give you food but in the night they will come back around 5pm or 6pm and they will tell you to come with them... one [Civilian JTF] man came and brought food to me, he came back in the evening, but I hid myself. The next day he said I should take water from his place [and I went]. He then closed the tent door behind me and raped me. He said I gave you these things, if you want them we have to be husband and wife.”¹⁹³



Ama (not her real name) © Amnesty International, March 2017

¹⁹² Amnesty International interviews, June 2016-April 2018.

¹⁹³ Amnesty International interview, March 2017.

Thirty-year-old Hauwa (not her real name), told Amnesty International that she was raped on several occasions after refusing to have sex with a member of the Civilian JTF soon after her arrival in the camp. She explained:

“There was a young boy called Ahmed (not his real name) who is a CJTF... He came with money and told me that he will give me this money if I agree to have sex with him and he will build a shelter for me with zinc from town. He said I should look at my neighbours, that he did the same with them and built them their shelters.”¹⁹⁴

Hauwa said that she declined to have sex with Ahmed, and he retaliated by beating her. She recounted:

“[Later] a soldier came and was sharing macaroni with the women. When I reached for some, [Ahmed] whipped me on my back till I fell...”

A few weeks later, she said he returned to find her:

“He started raping me forcefully. I became so sick because there was no food... Ahmed came back to me and said if I had agreed peacefully I wouldn’t be going through all this, and I wouldn’t need to struggle for food.”

Zara (not her real name) told Amnesty International that a soldier who she had seen whipping her husband during a “screening” operation in Bama prison regularly forced her to have sex with him in early 2016. She said the soldier would offer yam in exchange for her agreeing to become his “girlfriend” but that she refused, explaining that she was married. She recounted:

“The soldier told me he knows my husband and if anyone goes to Giwa barracks he’s not coming back so [I should] forget about him... When I saw him coming I’d run into the room and cover myself. He’d come and take the cover off me, then he’d take me in their vehicle outside the camp to a place to rape me. The next day he’d come and take me there by force again and repeat the same thing. I would be shouting and crying that I do not want to. He would force me all the time and keep telling me, ‘Don’t worry I’ll take care of you and give you money and I will take you to the hospital when you are sick’.”¹⁹⁵



 ↑ Zara (not her real name) © Amnesty International, March 2017

¹⁹⁴ Amnesty International interview, March 2017.

¹⁹⁵ Amnesty International interview, March 2017.

Zara said that rape by the soldiers and members of the Civilian JTF was common. She told Amnesty International of other cases she was aware of, including one where her neighbor accepted money from a soldier:

“He came back in the afternoon and met her sitting with her in-laws. He was looking at their faces one after the other to identify whom he gave money to. So he finally saw her and took her away with him... and had sex with her by force.”¹⁹⁶

Twenty-five-year-old Kale (not her real name) told Amnesty International she was raped on two occasions in the camp. She said:

“There was a day [in or around April 2016], I was pregnant, and a soldier raped me. He knew I was five or six months pregnant. He said he saw me three times before. He didn’t offer me any food, he called me and I ignored him but on the third day [after I ignored him], he forced me to a room and raped me.”¹⁹⁷

Kale said that she was also raped by another soldier when trying to collect water outside the camp.

“Five of us went together, all of us were raped; the soldiers took us one by one when we came out of the camp. We told the other women and they said we won’t go to fetch water unless we are in a group of 20 or 30. We decided to go in large groups so nobody touched us. But when we were just few, they raped us. It had happened to others as well.”

Three other women also told researchers that in the months after the camp was established, women were raped when they went to collect water. The women confirmed that they started going to collect water outside the camp only when there was a group of 30 or more to protect themselves.¹⁹⁸



Stills taken from a video showing women fetching water in Bama Hospital Camp, 2015. © Private

¹⁹⁶ Amnesty International interview, March 2017.

¹⁹⁷ Amnesty International interview, March 2017.

¹⁹⁸ Amnesty International interviews, March 2017 and April 2018.

The circumstances in which women and girls complied with demands to become “**wives**” and “**girlfriends**” of soldiers and Civilian JTF members were so coercive that consent to sex was not possible.



THE ACTIONS OF THOSE RESPONSIBLE THEREFORE CONSTITUTED RAPE

6.2 SEXUAL EXPLOITATION

Scores of IDPs said that women and girls were being sexually exploited by soldiers and Civilian JTF members in the satellite camps. They said women and girls were coerced to become the “girlfriend” or “wife” of the soldiers or the Civilian JTF members, which involved being available for sex on a regular basis.¹⁹⁹ They often described this as “forced” or said the women and girls did not have a choice to refuse sex. The circumstances were such that they could not have consented to sex and the actions of those responsible therefore constituted rape.

SEXUAL EXPLOITATION OF STARVING WOMEN IN BAMA HOSPITAL CAMP

Ten women and girls said that they were coerced to become girlfriends of soldiers or Civilian JTF in Bama Hospital camp during the famine-like situation of late 2015 and early 2016, when people were dying daily from hunger.

Women who complied with these demands to be “girlfriends” or “wives” said they did so in order to be able to obtain enough food to survive and keep their families alive and out of fear that declining sex would lead the men to beating or detaining them or their family members. In most cases, the women said that their (actual) husbands had been detained and at least one family member had died from hunger or sickness. They were desperate to keep other dependents alive. They explained to Amnesty International how the soldiers and Civilian JTF members both created and took advantage of these circumstances.

Thirty-year-old Miriam (not her real name), said to Amnesty International that when she arrived in the camp in late 2015, soldiers and Civilian JTF members stole the food meant for them, forcing women to have sex to access supplies. She said:

“First we had some money which we brought from our village. Then we sold all of our jewellery to buy food. Sometimes we were not given the food [intended for them], you will see they are even selling the food. They would bring a quarter [of the food meant for us] – and sell the rest... If you want anything, they will tell you that you have to offer yourself. They will then give you food, when you offer yourself.”²⁰⁰

Fanalpa (not her real name) told Amnesty International how she was forced to be the “girlfriend” of a member of the Civilian JTF and a soldier. She had arrived in the camp with her two children, one of whom

¹⁹⁹ Amnesty International interviews, June 2016–April 2018.

²⁰⁰ Amnesty International interview, July 2016.

died. She gave birth to a third child who also died a few months later, in early 2016. In this context, she was desperate to find food for herself and her surviving child. She said:

“People don’t have money to give [to soldiers or Civilian JTF for food], but a woman can offer herself, no money, just that”.²⁰¹

Fanalpa related that the soldier took her every two or three days for sex, to which she acquiesced out of desperation.

“There is a military room inside the camp, maybe 120 metres away, there is a house that they gave to the military [...] He will invite me and I go around eight and come back around one in the night, he will have sex two or three times [...] The soldier doesn’t stop. Even some of the other women will be called... If they see a woman bathing and she is pretty, they will call her.”

Thirty-year-old Khadeeja (not her real name), said five of her family members died in the camp from hunger and sickness. She told Amnesty International that women approached by soldiers and Civilian JTF members could not afford to refuse demands for sex:

“If you say you are a woman and that you will stay with your family, you will die and your children will die. You have to be the ‘girlfriend’ of a Civilian JTF. If you are a ‘girlfriend’, you get everything. If you don’t, you won’t get anything. There is no food or water unless you are a ‘girlfriend’ of the Civilian JTF.”²⁰²

She stressed that even when physical violence was not being used: “It was forced. The army and Civilian JTF denied us food. They took advantage of us when we are starving and seeing our children die. There was no choice.” Many other women also stressed to Amnesty International that such “relationships” were forced.

Highlighting the power differentials between soldiers in the camp and women IDPs, 30-year-old Halima (not her real name) described to Amnesty International how she was approached for sex by a soldier who had been involved in torturing her husband by beating him while he was suspended from the ceiling during interrogation on their arrival in Bama prison. She said:

“[He] started coming to me, he said he loves me and that my husband won’t come back as he is in Giwa ... He would bring food, chicken and yam to me. He says I am his ‘wife’ ... The soldiers are kings in Bama, when you see them, everybody is afraid. They decide, they say nobody should complain, so I did what he wanted... That time, the majority of women were taken by the soldiers. They take [for sex] who they like and leave what they don’t like.”²⁰³

NO RESPITE – WOMEN STILL BEING COERCED TO BECOME “GIRLFRIENDS”

Even as the humanitarian situation in many of the satellite camps has relatively improved, soldiers and members of the Civilian JTF have continued to perpetrate sexual exploitation in the satellite camps, taking advantage of ongoing impunity and a context in which women are for the most part still confined and hungry.

Women and girls currently living in Bama Secondary School camp specifically told researchers that because the food remains insufficient, many women are still being coerced and pressured to become “girlfriends” of the soldiers and Civilian JTF. Along these lines, several said that the number of soldiers and Civilian JTF members finding “girlfriends” among the IDP women and girls, or otherwise perpetrating sexual violence, has increased over the last two years.²⁰⁴

Twenty-eight-year-old Yanna (not her real name), said that the levels of sexual exploitation of displaced women is worse now in Bama Secondary School camp than it was in Bama Hospital camp after she first arrived in early 2016.

“It is even more of them involved [in sexual exploitation]. Seventy-five per cent of the women in the camp have a ‘boyfriend’. Because no-one will give you soap, detergent, jobs unless you become their ‘girlfriend’. Without this, you can’t live. There is still no choice.”²⁰⁵

Women interviewed told Amnesty International that if they want to access the limited livelihood opportunities available in the camp, and ad hoc assistance distributions of non-food items, they must become the

²⁰¹ Amnesty International interview, October 2016.

²⁰² Amnesty International interview, September 2017.

²⁰³ Amnesty International interview, January 2017.

²⁰⁴ Amnesty International interviews, March and April 2018, six interviews.

²⁰⁵ Amnesty International interview, March 2018.

“girlfriend” of a soldier or civilian JTF member, as they are still the gatekeepers to these resources.²⁰⁶ They also said that without being close to the village head or being a “girlfriend” of the Civilian JTF or the soldiers, it was more difficult to get a permit to leave the camp.²⁰⁷

One woman told Amnesty International, “For so many things, if you have a ‘boyfriend’ you can get it. But if you want anything you need a ‘boyfriend’ – for jobs, for clothes. When there are jobs going, only the ones who have ‘boyfriends’ get it. They [soldiers and the Civilian JTF] call them and employ them.”²⁰⁸

The connection between job opportunities in the camp and sexual exploitation was raised by a number of women. One woman explained that an international NGO working in the camp “make employment for some people to clean the water taps and toilets. Only the CJTF and the military men can give you this employment; if you don’t have someone to help you, you won’t get it...”²⁰⁹

Another woman described the climate of inducements and fear which combine to coerce women and girls into becoming “girlfriends” of soldiers and Civilian JTF members:

“All of us IDPs - we need support to get what we need to live. And the soldiers and CJTF they know this. So when they see you, if the lady is very young and beautiful the soldiers and the CJTF will start helping you. So then when they give you help, you know you have to pay for it, so you will go and sleep with them. From there the relationship starts. If you didn’t say ok to them, you wouldn’t get anything. Any benefit available in the camp would be denied to you. They will say you are a Boko Haram woman, a Boko Haram wife. You may be in trouble. They will harass you. You will have to keep away from them, near your own family. You may have to hide in your tent. Otherwise they will make trouble for you.”²¹⁰

Although researchers had been told by humanitarian officials that soldiers were no longer permitted to enter the camp at night,²¹¹ several women disagreed. They said that soldiers continued to enter the camp in the evening to have sex with women, and that “girlfriends” are able to leave the camp at night to meet the soldiers. They said that the military barracks are outside Bama town (at the prison), but that some soldiers also have rooms in the town.²¹²



 ↑ *Survivor of sexual violence feeding her children, 2017. © Amnesty International*

²⁰⁶ Amnesty International interviews, March and April 2018, three interviews.

²⁰⁷ Amnesty International interviews, March and April 2018, four interviews.

²⁰⁸ Amnesty International interview, March 2018.

²⁰⁹ Amnesty International interview, April 2018.

²¹⁰ Amnesty International interview, April 2018.

²¹¹ Amnesty International delegate visit to Bama Secondary School camp, March 2018. A humanitarian worker told Amnesty International that she had been told on a visit to Bama that soldiers were prohibited from entering the camp at night in or around November 2017.

²¹² Amnesty International small group discussion, March 2018.

FEAR OF REPRISALS

Women and men explained to Amnesty International that if they tried to complain about the sexual violence in the camp they risked reprisals.

One woman who said she was raped told researchers that the perpetrator, a Civilian JTF member, had forced at least seven other women in the camp to have sex with him. She further recounted that the husband of one of these women was in the camp and tried to complain: “The day that the elderly husband started talking about it, when he tried to complain, they took him to the prison, we haven’t seen him again.”²¹³

A 70-year-old man said: “Sometimes they will give the women food, sometimes they will force her and threaten to detain her if she says no or tries to complain. They can say she is a ‘Boko Haram wife’ and detain her. Even if the husband is there, if he talks they say he is Boko Haram and take him to prison.... [The sexual violence] is rampant everybody knows about it, just people don’t want to talk about it because they may arrest you or beat you.”²¹⁴

OTHER SATELLITE CAMPS – THE SAME STORY

Amnesty International received reports of sexual exploitation in a number of other satellite camps, including in Banki, Rann, Damboa, Monguno, and Dikwa.

In Banki camp, five women told Amnesty International that they had witnessed or experienced sexual exploitation as IDPs were battling with starvation in late 2015 and early/mid 2016.

One of them, **28-year-old Yanna** (not her real name) from Andara village in Bama LGA, told Amnesty International that in Banki the soldiers and men from the Civilian JTF would choose the women they wanted and coerce them to have sex. She said:

“The military and the CJTF choose what they want. It’s according to their rules. We had to satisfy [their demands]. We knew we had to or they would not give us food. They would attempt [sex], and then if we didn’t agree, they would hit us, they wouldn’t give us food, and they would send our husband to prison. You would be mistreated if you didn’t give them what they wanted [which was] sex. It happened to most of us women. They just left the elderly and sick.”²¹⁵

Another woman, Zara, told Amnesty International how she formed a relationship to be able to leave Banki camp. She described the camp as “living hell”, telling researchers that “nobody can describe the pain of hunger, let alone the pain of hunger of a two-year-old child.”²¹⁶ She said her mother-in-law died three weeks after they arrived at the camp in late 2015. After this death, and out of desperation to leave, she said she formed a relationship with one of the soldiers. Several months later he helped her leave the camp.

A 50-year-old man from Buladogo village who had arrived in Banki camp in late 2015, described how the behaviour of soldiers and men from the Civilian JTF had become increasingly tolerated and even accepted over time. He said: “Thirty days after we arrived [in Banki] one of the men [from Civilian JTF] was caught with a woman. When people reported him, the [senior Civilian JTF] man said they will take action. But later on even the military were going to the women openly.”²¹⁷

Researchers also received recent reports of sexual exploitation occurring in other satellite camps which is still ongoing, including in satellite camps in Dikwa.

Forty-year-old Bintu (not her real name) told Amnesty International that women are being coerced to become “girlfriends” to soldiers and Civilian JTF members to survive in the camps in Dikwa, especially as they are not allowed out of the camp to farm or collect firewood to sell. She said single women are observed by the soldiers and Civilian JTF as they arrive in the camp in Dikwa and prepare their tents, and that after that:

“The CJTF and military will [then] send people to call the woman. We women have so much hunger, what can we do, when our children have no food, when you know they live in hunger? Women will do it [have sex with the Civilian JTF and soldiers] if they are called. But women don’t do it because it is their own wishes.... They force us”²¹⁸

²¹³ Amnesty International interview, February 2017.

²¹⁴ Amnesty International interview, July 2016.

²¹⁵ Amnesty International interview, August 2016.

²¹⁶ Amnesty International interview, September 2016.

²¹⁷ Amnesty International interview, November 2016.

²¹⁸ Amnesty International interview, March 2018.

6.3 ORGANIZED SYSTEMS OF SEXUAL VIOLENCE

In some locations such as Bama Hospital/Secondary School camp, women's accounts consistently indicated that the sexual violence was organized and followed an agreed system between soldiers and the Civilian JTF members. Soldiers stationed outside the camp would enter it to find women for sex, and Civilian JTF members would also act as middle-men – selecting women and girls and taking them outside the camp to the soldiers for the purposes of sex.²¹⁹

Several women told Amnesty International that this “system” was already in place as far back as late 2015/early 2016. Speaking of this time, one woman said:

“The men [from Civilian JTF] were always looking for the young girls. They would come and choose a girl and take to the soldiers. It happens at around 4pm each day. They will come in to the camp and look for girls for the soldiers.”²²⁰

Another said that members of Civilian JTF would choose among the women in the camp those that they considered the most beautiful, and take these women to the soldiers for sex.²²¹ A total of seven women gave similar accounts. Two women also told Amnesty International that they believed soldiers were choosing women for sex during the screening process, and relaying instructions from Bama prison to the Civilian JTF members to identify and bring these women to them.²²²

Amnesty International has continued to receive reports that the Civilian JTF members choose women in Bama Secondary School camp to take to the military. Women told the Amnesty International delegate who visited Bama Secondary School camp in March 2018 that the Civilian JTF will select as many as 15 or 20 women and girls inside the camp and take them in the evenings to the soldiers in the barracks or the town.²²³

Women interviewed believed that Civilian JTF members were involved in selecting women and girls in expectation of rewards from the soldiers.

Four women also reported that the layout of Bama Secondary School camp was organised to facilitate sexual violence and exploitation, with young single women given tents together in a specific area of the camp.²²⁴

Fatima (not her real name), a woman from Gala Kura village, whose husband was in detention, told Amnesty international,

“As we arrived in Bama Secondary School camp [in late December 2017, relocated from Bama Hospital camp], first of all they [soldiers] asked us if we are married, and from there they decided where to put us in the new camp. Women who are married are on one side, women who are not married on the other side. From that day the problems started... In the camp, everything depends on who you know and what you do. You won't get any support without becoming a 'girlfriend' of someone in the camp.”²²⁵

The women reporting this arrangement believed the separation of young single women to a particular section of the camp was not designed to protect or otherwise benefit them, but to separate them from their families and communities to make them more accessible to the soldiers and Civilian JTF members. For example, another woman, who said her husband was still in their village [name withheld], told Amnesty International that:

“On our first arrival to the Government Secondary school [in December 2017], the soldiers screened all of us women arriving – they ask who don't have husbands, and they screen us to a different side. They will not even keep us near those who do have husbands, to make it easier for us to be their 'girlfriends'.”²²⁶

Amnesty International also received reports from five displaced women that between approximately one and two hundred women and girls had been taken from the camp to work selling food in Bama town, where they have been coerced or pressured into transactional sex by soldiers and the Civilian JTF.²²⁷

The women said that the soldiers and Civilian JTF members involved were using coercion, false inducements (such as false land sales) and/or were preventing the women and girls from returning to live in the camp, in

²¹⁹ Amnesty International interviews, June 2016-April 2018.

²²⁰ Amnesty International interview, September 2017.

²²¹ Amnesty International, September 2017.

²²² Amnesty International interview, March 2017 and September 2017. Amnesty International was not able to verify these allegations.

²²³ Amnesty International, small group discussion, March 2018.

²²⁴ Amnesty International interviews, March and April 2018, three interviews.

²²⁵ Amnesty International interview, March 2018.

²²⁶ Amnesty International interview, April 2018.

²²⁷ Amnesty International interviews, April 2018.

order to pressure them to have sex for money with other soldiers, Civilian JTF members and construction workers.

Twenty-eight-year-old Yanna (not her real name) told Amnesty International that her sister was being forced to live in the market and engage in transactional sex. She said:

“The situation is very bad – our children are in bad condition so they [the soldiers and Civilian JTF] tell some women they will give us a job. It is not an NGO job, but a job in the market. Some people they come and give you money, it becomes a place of prostitution - they force some women to become a prostitute. One of my sisters [is in this situation]. She said she wants to leave the market to come back to the camp, but they say no, she has to stay in the market. She is allowed to visit the camp, but then the soldier who is her boyfriend will come and take her back [to the market] with the motorcycle... When she asks to stay in the camp, the soldier says ‘no, no, no, this is not allowed’.”²²⁸

Yanna said that her sister had initially believed she was moving to the market to work in a restaurant. The other women that Amnesty International spoke to also said that women were pressured and coerced by soldiers and the Civilian JTF or prevented from returning to the camp. One said “It is not their choice, they are forced. If they [the soldiers] tell you, that you are needed, you have to go. If you don’t go, you will not benefit [from assistance provided in the camp]. Even your children will not benefit. If you want to get any benefit, you have to be with them.”²²⁹

Amnesty International was not able to confirm the reports of women being forced to engage in transactional sex in the market, or the involvement of soldiers and civilian JTF members, however the reports received were credible and consistent and must be urgently investigated.



 [↑] Women in a Maiduguri camp, Amnesty International, May 2018. © Amnesty International

²²⁸ Amnesty International interview, April 2018.

²²⁹ Amnesty International interviews, April 2018.

6.4 INADEQUATE RESPONSE AND IMPUNITY

Journalists, NGOs and UN agencies have been raising concerns about the prevalence of widespread sexual violence involving soldiers and members of Civilian JTF (as well as camp officials), within IDP camps located in Maiduguri since at least 2015, and in several satellite camps from May 2016. Nevertheless, the authorities have done little to stop this violence and hold those responsible to account.

For example, in January 2015, the International Centre for Investigative Reporting (ICIR) reported widespread sexual abuse of women and trafficking of children in IDP camps, involving NEMA and camp officials, in and around the capitals of affected states.²³⁰

In May 2016, the UNHCR-led protection sector reported a prevalence of so-called “survival sex” to overcome inadequate food and movement restrictions, involving the military and Civilian JTF, across 26 sites they assessed, in and around Maiduguri and in two satellite camps.²³¹

In July 2016, a protection sector assessment of Bama Hospital camp raised concerns that “Some IDPs reported incidents of sexual and gender-based violence involving CJTF”.²³²

In a report issued in October 2016, Human Rights Watch documented 43 cases of rape and sexual exploitation of displaced women and girls by camp officials, members of the military and Civilian JTF in seven camps located in Maiduguri.²³³

In the same month, the UN Special Rapporteur on the human rights of internally displaced persons reported ongoing concerns of sexual exploitation in IDP camps, and raised concerns that the military and civil authorities appeared to be “downplaying” allegations of sexual violence in the camps and the complicity of security and camp officials.²³⁴

On 8 December 2017, an article in the *New York Times* highlighted patterns of rape in IDP camps in the north-east involving members of the military.²³⁵

The civilian authorities have taken some steps to respond to these allegations, but they have been inadequate.

LACK OF INVESTIGATIONS/ACCOUNTABILITY

In February 2015, the federal government tasked NEMA with creating an inter-agency committee to investigate the allegations of sexual violence and trafficking made by ICIR.²³⁶ The fact-finding committee visited seven camps in and around Maiduguri and other state capitals. It concluded in a report issued in the same month that there “appears a high likelihood that officials associated with protection and aid ... may be taking advantage of the vulnerability of the IDPs to demand for sexual gratification”.²³⁷ However, the authorities did not make the report public and do not appear to have established any follow-up mechanisms to identify and recommend ways to address ongoing patterns of sexual violence since that time.²³⁸

In October 2016, President Buhari mandated the Inspector General of Police and Governors of affected states to respond to the allegations of rape and sexual violence included in HRW's report.²³⁹ The Inspector General responded by announcing on 6 November that he had deployed 100 female police to the IDP camps.²⁴⁰ While the presence of female police in the camps in Maiduguri and neighbouring areas is a

²³⁰ ICIR, Grim tales of rape, child trafficking in Nigeria's displaced persons camps, 29 January 2015, at: www.icirnigeria.org/grim-tales-of-rape-child-trafficking-in-displaced-persons-camps/

²³¹ The 26 sites included Dikwa and Damboa satellite camps. Protection Sector, Rapid Protection Assessment in Borno, May 2016, reliefweb.int/sites/reliefweb.int/files/resources/rapid_protection_assessment_report_pswg_borno_may_2016.pdf.

²³² Protection Sector, “Protection Assessment in Liberated LGAs”, July 2016.

²³³ Human Rights Watch, “Nigeria: Officials abusing displaced women and girls”, 31 October 2016, at: www.hrw.org/news/2016/10/31/nigeria-officials-abusing-displaced-women-girls.

²³⁴ Human Rights Council, SR on IDPs report from Nigeria.

²³⁵ NYT, “They Fled Boko Haram, only to be raped by Nigeria Security Forces”, 8 December 2017, at: www.nytimes.com/2017/12/08/world/africa/boko-haram-nigeria-security-forces-rape.html.

²³⁶ Report of fact-finding committee on the allegation of ‘rape and child trafficking’ in internally displaced persons (IDPs) camps in the North-East of Nigeria (hereafter “Fact-finding Committee on sexual violence”), February 2015. On file with Amnesty International. The Committee was comprised of members of the following organizations: Department of State Services, Nigerian Police Force, National Human Rights Commission, Journalists Against Disaster, Nigeria Red Cross Society, National Agency for Prohibition of Trafficking in Person and other related offences, National Emergency Management Agency, Nigeria Security and Civil Defence Corp, Office of the Attorney General of the Federation, Office of the National Security Adviser, United Nations Office for the Coordination of Humanitarian Affairs. The report did not confirm the allegations of trafficking, and this report does not address trafficking.

²³⁷ Report of fact-finding committee on sexual violence.

²³⁸ A senior NEMA official confirmed to Amnesty International in March 2017 that NEMA has not undertaken or been involved in any follow-up investigation of patterns of sexual violence in the camps following the fact-finding committee's 2015 report. An official from the National Human Rights Commission (NHRC) also told Amnesty International in September 2017 that they had struggled to identify patterns of sexual violence in the camps since their participation on the 2015 inter-agency panel as they had not received any individual complaints of sexual violence. They recognized a need to increase their outreach activities.

²³⁹ Vanguard, “Buhari orders IGP, state governments to investigate sexual abuses reported at IDP camps by HRW”, 31 October 2016, at: www.vanguardngr.com/2016/10/breaking-buhari-orders-igp-state-govs-investigate-sexual-abuses-reported-idp-camps-hrw/.

²⁴⁰ Premium Times, “Sexual abuse: Police deploy 100 female personnel to Borno IDP camps”, 6 November 2016, available at: www.premiumtimesng.com/news/headlines/214622-sexual-abuse-police-deploy-100-female-personnel-borno-idp-camps.html.

positive step, female police officers have not been deployed to all of the satellite camps.²⁴¹ Moreover, Amnesty International has also documented several cases in the Maiduguri camps of female police officers pressuring women to drop their rape cases against Civilian JTF members, highlighting the need for additional efforts to ensure that accountability systems are effective.²⁴²

The Inspector General of Police announced on 6 December 2016 that 10 officials had been arrested, including four members of the military and two members of the Civilian JTF, for alleged abuse of IDPs.²⁴³ Since this date, Amnesty International has received no information about any other such arrests. Amnesty International wrote to the Inspector General of Police, the Federal Minister of Justice and the Borno state Governor in February 2018 seeking further information on any arrests and prosecutions related to rape or sexual exploitation of IDPs but received no answer. None of the women that Amnesty International interviewed knew of any cases in which soldiers or members of the Civilian JTF had been arrested in connection with rape or sexual exploitation, including the women who reported being victims/survivors of sexual violence.²⁴⁴

In April 2017, a group of several hundred women who had lived in Bama Hospital camp wrote to the National Assembly complaining of a number of violations that they had experienced there, including sexual violence by members of the military and Civilian JTF.²⁴⁵ In response, in June 2017, the Chief of Army Staff of the Nigerian military was reported in the press to have ordered an investigation into allegations of misconduct of soldiers in Bama Hospital camp.²⁴⁶ However, as of the publication of this report, there is no indication of any follow-up on this commitment, and none of the women have been asked to give evidence to any military investigation. Amnesty International wrote to the Chief of Army Staff, and to the Ministry of Justice, in February 2018, asking for more information as to the status of any such investigation, but received no response.

In August 2017, the Acting President of Nigeria established a “Presidential Investigation Panel” with the mandate to review compliance of the armed forces with human rights obligations and rules of engagement.²⁴⁷ Interested parties were invited to submit written memorandum to the panel, and present it during hearings organized by the panel. The same group of women from Bama who appealed to the National Assembly, submitted written information to the panel and presented their experiences by sending a delegation to testify during one of the Panel’s hearings held in Abuja. They presented a number of violations they experienced, including the detention of their male relatives and the starvation and sexual violence they endured in the camp.²⁴⁸ In February, media reports stated that the Presidential Investigation Panel had submitted its report to the president, but it had not been made public when this report went to publication.²⁴⁹

TRAININGS AND AWARENESS RAISING

The 2015 fact-finding committee on sexual violence made a number of recommendations focused on training of camp officials, improving reporting mechanisms, and raising awareness among IDPs on their rights to be free from sexual violence. It also recommended that relevant law enforcement agencies investigate cases of rape promptly.²⁵⁰ Amnesty International is not aware of any significant action by the authorities to implement the committee’s recommendations. In February 2018, Amnesty International wrote to the Federal Minister of Justice, seeking information on whether the recommendations had been implemented and any subsequent follow-up, but received no response.

While some humanitarian actors who specialize in gender-based violence interventions reported that they had been invited to provide training to soldiers and camp officials on sexual exploitation and abuse,²⁵¹ a

²⁴¹ Interviews with IDPs in Bama Secondary School and observations of an Amnesty International delegate at the camp in March 2018 confirm there were no female police deployed to this camp. In February 2018, IOM also reported that among IDPs surveyed across IDP sites in the north-east, only 9% reported that police were the main source of camp security, compared to 54% who reported that security was self-organized and 34% who said that the military provides security in camps. drive.google.com/file/d/18OqXXFZbWF3VQJVtkNp6vGtUykUPXDgQ/view.

²⁴² Amnesty International interviews, November 2016-March 2017

²⁴³ Premium Times, “Nigeria: Soldiers, Policemen Arrested for ‘Raping, Sexually Exploiting’ Displaced Women”, 6 December 2016, available at: allafrica.com/stories/201612060854.html.

²⁴⁴ Amnesty International is aware of one investigation that was opened after a woman transferred from a camp in Bama Hospital to Maiduguri and reported to the police that she had been sexually exploited by a Civilian JTF member. At the time this report was released, however, almost a year had passed and the accused Civilian JTF member had not been arrested, charged with any crime or, according to the victim/survivors knowledge, subject to any disciplinary action.

²⁴⁵ A copy is on file with Amnesty International.

²⁴⁶ Vanguard, “Army chief orders investigation into alleged misconduct of soldiers at IDP camp”, 6 June 2017, at: www.vanguardngr.com/2017/06/army-chief-orders-investigation-alleged-misconduct-soldiers-idps-camp/.

²⁴⁷ Office of the Presidency, 14 August 2017, at: www.publicnotice.ng/2017/08/14/presidential-investigation-panel-to-review-compliance-of-the-armed-forces-with-human-rights-obligations-and-rules-of-engagement/

²⁴⁸ See entry, 12 September 2017, “Knifar submitted to the #PresidentialInvestigationPanel: 1,230 names of our relatives in military detention and 466 deaths in Bama #IDP camp”, at: twitter.com/Knifar2017.

²⁴⁹ See e.g. Von, “Presidential investigation Panel recommends overhaul of Rights Commission”, 9 February 2018, at: www.von.gov.ng/presidential-investigation-panel-recommends-overhaul-rights-commission/.

²⁵⁰ Report of fact-finding committee, February 2015.

²⁵¹ Amnesty International interview, June 2017.



Displaced women line up to try to testify in front of the Presidential Investigation panel © Private, September 2017

senior NEMA official told Amnesty International in September 2017 that only a handful of NEMA staff, including those responsible for camp management and distributions, had received any such training.²⁵²

FAILURES TO ADDRESS ROOT CAUSES/DRIVERS

Patterns emerging from testimonies of victims of sexual violence and exploitation reveal that comprehensive measures have not yet been taken to address sexual exploitation in the camps. Root causes need to be tackled, including the inadequacy of food assistance provided, the barriers to free movement into and out of the camps, vulnerabilities that arise from family separation, and the particular forms of exclusion and marginalization faced by female-headed households in some locations. As one staff of a humanitarian agency operating in Borno state put it, “Women [still] don’t have enough food. This is still a main driver of sexual exploitation. This is even in camps where they should be receiving food.”²⁵³

In discussions with Amnesty International, a senior NEMA official appeared dismissive of the correlation between the state of provision of assistance and sexual exploitation in IDP camps. He downplayed concerns around sexual violence in the camps, saying that women were having sex with security officials in camps for enjoyment, or because they are professional sex workers.²⁵⁴ The UN Special Rapporteur on Human Rights of IDPs also reported that the “civil authorities and the military downplayed the issue of sexual abuse and the complicity of security and camp officials”, and recounted a similarly dismissive response from a senior NEMA official in regard to the issue of sexual violence in the camps.²⁵⁵

²⁵² Amnesty International interview, September 2017.

²⁵³ Amnesty International interview, humanitarian official, February 2018.

²⁵⁴ Amnesty International conversation at a meeting in Abuja, March 2017.

²⁵⁵ Human Rights Council, Report of the Special Rapporteur on the Human Rights of IDPs following his visit to Nigeria, April 2017, A/HRC/35/27/Add.1, para 50, at: reliefweb.int/sites/reliefweb.int/files/resources/G1709125.pdf.

7. WOMEN IN MILITARY DETENTION

“When Boko Haram first came to my village, they killed my husband and they took me to the bush... If they saw soldiers they’d make us run, they’d tell us that if we went to the soldiers, they’d kill us. When [the soldiers] rescued us... they brought us to Bama [prison]. They beat us on the way. They beat us in the cell. They said we are the wife of Boko Haram. They said if you weren’t Boko Haram, why didn’t you come to Bama? We tried to explain to them that we couldn’t, that Boko Haram would kill us if we fled, but they kept beating us... They said we had secrets, and we had to tell them.”

Thirty-year-old Hadiza (not her real name), from a village near Bama town, who was detained for a year at Giwa barracks between early 2016 and early 2017.²⁵⁶

During screenings and military operations, hundreds of women and girls were also detained by the military on the slightest hint they may have some connection to Boko Haram.

In August 2014, there were 28 women and girls detained by the military in Giwa military barracks in Maiduguri.²⁵⁷ As the military started recapturing territory, it started arresting more women and girls. At the start of 2017, there were approximately 1,000 women detained in Giwa. Women were held in three cells. Children up to five were held with women, at which point boys were transferred to a separate children’s cell. Girls remained with their mothers.

²⁵⁶ Amnesty International interview, September 2017.

²⁵⁷ Letter from Chief of Defence Staff to Amnesty International, 23 December 2014.

The vast majority of the women and girls Amnesty International interviewed who had been released said they were detained for between 6 months and two years. None of those interviewed were ever charged, brought before a court, or tried or convicted of any crime. None knew of any other women in the barracks who had been charged or brought before a court. Only seven of those interviewed said they were given a reason for their detention; they were told it was because they were a “Boko Haram wife”, with no further explanation. Some were adolescents at the time of detention.²⁵⁸ Most women were detained with their children.



 ↑ Hadiza (not her real name), September 2017 © Amnesty International

Since 2015, there have been at least 1200 women released from Giwa barracks.²⁵⁹ Most women and girls were freed in a series of mass releases over the course of the year, or in January 2018.²⁶⁰

According to testimonies gathered from women released in January 2018 (the last time women or girls were released from Giwa barracks that Amnesty International is aware of), there were 10 women and girls remaining in detention – none of whom had been charged with a crime or been given access to a court.

Amnesty International is concerned that more women might have been detained since January 2018. It has also received unconfirmed reports that women remain in detention in other military facilities in the state. Amnesty International wrote to the Chief of Army Staff and Federal Minister of Justice in February 2018 asking for information about women in military detention in Borno, but did not get a response.

7.1 DETENTION OF BOKO HARAM VICTIMS

Eleven women and girls interviewed said that they had previously been victims of abductions or forced marriages by Boko Haram members, and were detained by the Nigerian military after they were found with Boko Haram members during military operations, or after they had escaped captivity.

They each said they were interrogated – often repeatedly - but during these interrogations there was no effort to determine through any independent process of investigation, if they had committed a criminal act or to verify their claims that they were victims of Boko Haram. There appears to be a consistent pattern of presumption of guilt or Boko Haram membership for all those found in Sambisa forest or similar remote areas. None were interrogated by civilian officials. All of the women reported being beaten by soldiers or Civilian JTF members during interrogations.

Twenty-five-year-old Abgua (not her real name) from Bama town told Amnesty International that Boko Haram killed her husband when they captured her town in 2014. She fled back to her parents’ village, where she was detained for two months by Boko Haram after shouting at one of their members for the misery that they had caused her and her family. Abgua said that during this time she was repeatedly threatened with execution by Boko Haram members, and was forced to witness the execution of another detainee.²⁶¹ Boko Haram members then took her and other detainees to Sambisa forest. They moved from village to village, each time being chased away by soldiers. She said: “During this time, I was married to a Boko Haram man. It was a forced marriage. I didn’t have a choice, they told me I would marry him. You have to do as they say or they will kill you.”²⁶²

Abgua was pregnant when she was found by soldiers after they recaptured the village she was in from Boko Haram. She said she was detained for two and a half months in Bama prison, and a year in Giwa barracks where she gave birth, before being released in January 2017. She said she was only questioned once - the soldiers asked her where she was from, and about her husband, they weren’t interested in the rest of her account.

²⁵⁸ Of the 48 former detainees that Amnesty International spoke to, 12 were aged under 18 when they were detained.

²⁵⁹ Based on interviews with former detainees, humanitarian officials and press reports.

²⁶⁰ Amnesty International interviews, June 2016-April 2018.

²⁶¹ The execution was reportedly of a woman who had tried to escape Boko haram controlled areas to Maiduguri.

²⁶² Amnesty International interview, September 2017.

“AISHA”: DETAINED WHEN FOUND BY SOLDIERS IN SAMBISA FOREST



Aisha (not her real name), September 2017. Aisha said she was transferred to Giwa barracks where she spent around two years without any charges before being released in January 2017. © Amnesty International,

Aisha (not her real name), from a village near Bama Town, was only 15 when she was detained by the military along with her baby daughter. She told Amnesty International that she was found in Sambisa forest near Boko Haram members in or around early 2015 by soldiers during an operation. She explained:

“Boko Haram was coming to my parents’ village. After a few months, my father said to me that I had to go with Boko Haram and marry them or they would kill him. So I went.... [My new husband] was not a good husband and I was not happy. I went only because I had no choice and they killed people who tried to escape... When the soldiers came, I was in the bushes cooking and washing. There were lots of us, maybe fifty. Most started running away. I raised my hands [to surrender] and so did a few others.”²⁶³

Aisha said the soldiers gathered her and the two other women and three men who had surrendered, and took them to Bama prison. She said that the soldiers who interrogated her did not believe her when she told them that she was in Sambisa forest because she had been forcibly married by Boko Haram: “[T]hey said I was a Boko Haram wife. They asked why I hadn’t come to Bama [town]. I tried to explain I couldn’t, and that I was trying to go to the soldiers when they arrived.”

Yanna (not her real name), said that she had been living with her husband and children in Bama LGA, when their town came under the control of Boko Haram members, who detained and killed her husband.²⁶⁴ A relative of her husband - who she later found out had joined Boko Haram – then took her three children to Sambisa forest without her consent. She said she followed them to Sambisa forest in an effort to reunite with and rescue her children. She spent several months in Sambisa forest, where she was forced to marry (because, she said, women were not allowed to remain unmarried). Months later, she was able to escape, with two of her three children, and reached Bama town in mid-2016. Upon arrival, she told soldiers that she had come from Sambisa forest and gave them the names of other people in Bama Hospital camp who could confirm that she was not a Boko Haram member. She told Amnesty International that during her interrogations, “I was not asked about myself. The soldiers weren’t interested in what happened to me in Sambisa or why I was forced to go there, they just wanted to know about how Boko Haram got food, and what weapons they had with them.” She said she overheard a disagreement among soldiers as to whether she would be transferred to Giwa barracks or released, but she was transferred to Giwa barracks a couple of

²⁶³ Amnesty International interview, September 2017.

²⁶⁴ Hauwa’s account of her husband’s killing by Boko Haram matched a pattern previously documented by Amnesty International.

weeks later. She spent over a year in detention with her two children before being released in October 2017.²⁶⁵

Three other women and girls told Amnesty International that they and a friend (all of them aged between 13 and 20), had been abducted by Boko Haram when they went out to collect firewood from their village in Mafa LGA in early 2015. They recounted how they were held for four days in a house in Monguno town, before the army rescued them as they recaptured the town. They then spent seven months in detention at Giwa barracks.²⁶⁶

One of them, **15-year-old Judam** (not her real name), said: “We realized the soldiers entered the house, were searching around, and were opening fire. We were shouting ‘we are here’. They asked ‘who are you?’ We said ‘we are from village they abducted us here.’”

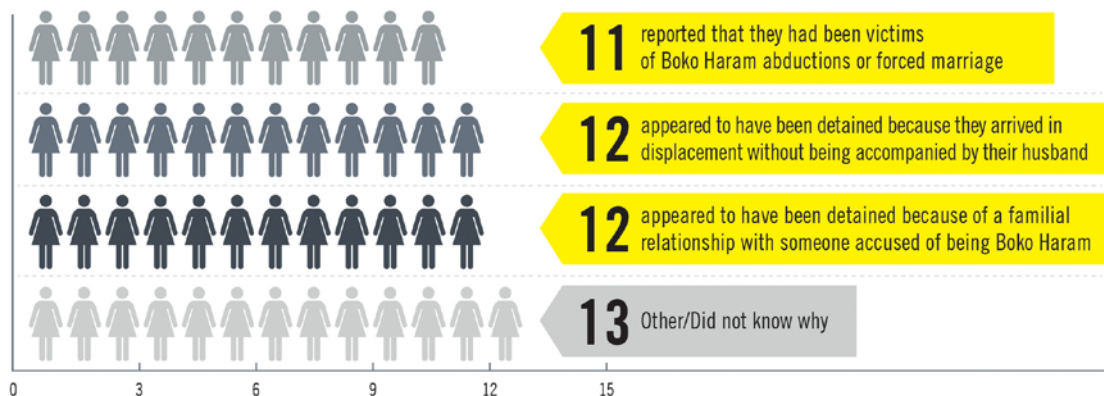
Judam said that the soldiers disagreed among themselves about what to do with them. She recalled:

“One soldier said ‘you have to finish with them. Kill them.’ Another soldier said ‘no they are women you can’t do this. Let us make an interrogation’. ... After the interrogation [in Monguno barracks] one officer said that because we told us them the truth they should set us free or take us back to our village. Another said no - they have to take us to Giwa barracks; he said maybe there we will tell the truth.”²⁶⁷

Amnesty international interviewed two other women from the group, who gave consistent accounts.²⁶⁸

Refugees International, Human Rights Watch and International Crisis Group have also raised concerns that the military detained women who were reported to have been Boko Haram victims.²⁶⁹ In April 2017, the UN Secretary General, in a report on conflict-related sexual violence, urged Nigeria to treat women returning from Boko Haram captivity as victims rather than affiliates.²⁷⁰

Of the 48 women and girls Amnesty International interviewed that had been released after spending months or years in Giwa barracks:



7.2 DETENTION OF WOMEN FLEEING WITHOUT HUSBANDS

All of the women who fled or were forced from their homes from late 2015 and arrived in Bama town without their husbands faced risk of arbitrary detention. Amnesty International documented 12 cases of women who arrived in Bama town between late 2015 and throughout 2016 and were detained solely on this basis. These

²⁶⁵ Amnesty International interview, January 2018.

²⁶⁶ Amnesty International interview, December 2015.

²⁶⁷ Amnesty International interview, December 2015.

²⁶⁸ Amnesty International interview, December 2015.

²⁶⁹ In a report issued in April 2016, Refugees International highlighted two cases in which women who had been abducted by Boko Haram were later arrested by the Nigerian military. Relief International, Nigeria's Displaced Women and Girls, 20 April 2016. In a report on sexual violence in IDP camps in Maiduguri, Human Rights Watch highlighted a case of a former victim of Boko Haram who had been detained for three months in Bama town, and a second case of a woman from Gwoza who was detained in Giwa for four months, "Nigeria: Officials abusing displaced women and girls", 31 October 2016. International Crisis Group raised concerns with the vetting process employed by the military to determine victims from affiliates, "Women and the Boko Haram insurgency", 5 December 2016, at: www.crisisgroup.org/africa/west-africa/nigeria/nigeria-women-and-boko-haram-insurgency.

²⁷⁰ UNSG report, Sexual violence in conflict, April 2017, www.un.org/en/events/elimination-of-sexual-violence-in-conflict/pdf/1494280398.pdf.

women reported that they were only asked a few questions during screening operations in Bama prison before they were detained and transferred to Giwa barracks, and that these questions focused almost exclusively on the whereabouts of their husbands. Between them, these women also referred to at least 20 other cases of women detained for the same reason.

Twenty-eight-year-old Yanna (not her real name), who fled from her village near Bama town in mid-2016, said she was detained for about 15 months with her children. She told Amnesty International:

“I fled [my village] because of the insurgency. Boko Haram wouldn’t leave us alone. I couldn’t even go to the farm or fetch water. My husband was in Maiduguri so there was no-one to tend our field – I was not allowed [because I was a woman]. So I went with some other women and men to Soje [town in Bama LGA where the military were stationed]. We travelled all night and arrived in the morning. When we went to the military to present ourselves, they took us to Bama prison. I was with my brothers in law and their wives. The wives, because they arrived with husbands, were transferred to Bama Hospital camp after 24 hours. But for me, my husband was in Maiduguri, and when I told them this they started asking me all about him. I explained he had gone to Maiduguri to escape from Boko Haram because they were harassing us and threatening him, but they didn’t believe me. When they took the others to Bama Hospital camp, they kept me behind. After 15 days, they took me from Bama prison to Giwa barracks. I was in a car with 12 women and some men. Most of the women in the car were women who arrived without husbands; there were at least six others in the same situation from nearby towns. I was never told why I was arrested. The only questions I was asked were about my husband.”²⁷¹

Yanna also recounted that she saw her husband once from a distance in Giwa barracks (which is how she found out he had also been detained). She was released in October 2017, but said her husband and brothers-in-law remained there.

A second woman, **Mariam** (not her real name), who was also released, said she was in the same vehicle as Yanna transporting detainees from Bama prison to Giwa barracks in mid-2016. She also said she was detained because she arrived without her husband, who had fled their village earlier, and that during the screening the military only wanted to know about who her husband was and why she had fled without him. She said to Amnesty International:

“Maybe the soldiers don’t understand what is going on. Most of the men are leaving [from Boko Haram controlled areas] before the women. If they wait longer, or if Boko Haram sees the family trying to leave together, it is clear [that they are trying to escape], you will all be slaughtered. So the men try and find a way to escape. Then they say to the women, if you see a chance, come and follow me. Most of the women then go separately, but then they get taken to Giwa.”²⁷²

Mariam was also released in October 2017.

Fatima (not her real name), said she was arrested after fleeing to Banki in early 2016. She told Amnesty International that her husband fled their village in mid-2015, fearing that Boko Haram wanted to kill him. She stayed behind to look after their sick daughter, and finally escaped with a large group, including family members after Banki was recaptured by the military. Fatima recalled that when they arrived in Banki, soldiers transferred them to Bama prison. There, she said:

“The army [officer] said [to us the women], those who arrived with a husband should go one side. Those without husband, should go another side. We [me and my children] stayed in Bama prison... then they transferred us to Giwa prison with my father and brothers.... Nobody told me why I was detained. Possibly because my husband was not around.... the women without husbands, they take them”.²⁷³

Fatima said she spent several weeks in Bama prison and nine months in Giwa barracks, along with 14 other women from her village who were likewise detained because they were not accompanied by their husbands. She was released in January 2017. Her daughter, who she had initially stayed behind to care for, died in Giwa barracks. Amnesty interviewed two other women in the same group as Fatima who independently confirmed her account.²⁷⁴

Thirty-year-old Yaaji (not her real name), from Banki town, was detained with her seven children and her husband’s second wife. She told Amnesty International that: “When the army came [to Banki – in September 2015], we hoped we would be safe. Everyone was happy.” However, she and her husband’s second wife

²⁷¹ Amnesty International interview, January 2018.

²⁷² Amnesty International interview, January 2018. Mariam specified seven other women in the same vehicle were arrested as they arrived without husbands.

²⁷³ Amnesty International interview, November 2016.

²⁷⁴ Amnesty International interviews, December 2016 and September 2017.

were separated from their husband, who was taken away by soldiers soon after they controlled the town. She believes he was killed, recalling seeing their husband being taken to the outskirts of Banki town by soldiers with a group of other young men and soon after hearing sounds of shooting from the direction he was taken. He was never brought back and Yaaji, her seven children and her husband's second wife were then taken to Bama prison where they were subjected to a screening operation.

Yaaji said that all the questions she and the other wife were asked related to their husband and his whereabouts. "We said he was taken by soldiers; we didn't mention how they shot him. They said we didn't tell them the truth, and that maybe we left our husbands back in the bush [with Boko Haram]. We said no, and we repeated that he is in Banki. So the soldiers said that if we were telling the truth, our husband should come and show himself".²⁷⁵ Yaaji was detained for over a year, during which time her daughter died in Giwa barracks. The second wife's account, Fame (not her real name), who was also detained in Giwa, confirmed her testimony.²⁷⁶

Several other IDPs also confirmed that women who were travelling unaccompanied by their husbands had been singled out for arbitrary detention. An older man who had passed through screening operations in Bama town and had lived in Bama hospital camp told Amnesty International how IDPs arriving in Bama prison were ordered into queues for security screenings. He said that unlike men, "only a few women are interrogated – those who came unaccompanied by men."²⁷⁷ Two women who said they were fleeing to Bama town told Amnesty International that they avoided detention by varying their routes after they were warned by people they met on the way that women arriving without husbands in Bama town were being arrested.²⁷⁸



7.3 DETENTION OF RELATIVES OF BOKO HARAM MEMBERS

Twelve women who Amnesty International interviewed said they were detained solely because they were related to Boko Haram members or suspected members. Where these women were interrogated by members of the military, there appears to be no investigation or even questioning to determine if they had personally committed any crimes. Instead, they were all told explicitly that they were being detained because their husbands, sons or, in one case, a daughter, were believed to be active members of the armed group.

Thirty-one-year-old Fanna (not her real name) from Gwoza LGA said that her family fled to Pulka camp in mid-2016. Soldiers detained them on arrival, apparently because of suspicions about her husband. She said:

²⁷⁵ Amnesty International interview, September 2017.

²⁷⁶ Amnesty International interview, September 2017.

²⁷⁷ Amnesty International, interview, May 2016.

²⁷⁸ Amnesty International interviews, September 2017.

“We fled our home [...] to Pulka because of Boko Haram. In Pulka, soldiers detained my husband and accused him of being Boko Haram and buying a gun for his younger brother, who was one of them. My husband denied being [a Boko Haram member] and said he had to run to Pulka with his family because he was scared of [Boko Haram]”. She said that the soldiers “took me and my children, his [other] brother and family and brought us all to Giwa Barracks while he [her husband] was held in Pulka. When they released us [in April 2017], I heard that the soldiers shot him in Pulka and buried him.”²⁷⁹

In several of these cases, the women interviewed said or indicated that they were indeed married to or were the mothers of men that had joined Boko Haram, but that during their interrogations, they were not asked any questions related to whether they had personally committed any crimes.

Information given to Amnesty International by the Chief of Defence Staff confirms that from 2014, the military detained women including because they believed their family members to be Boko Haram members. A document dated 23 December 2014 gave an overview of all female detainees in Giwa barracks as of 26 August 2014: 28 women and girls aged between 10 and 60. The documents stated that those detained included 13 women believed to be mothers or wives of suspected Boko Haram members, and a 16-year-old whose dowry was paid to her “in the presence of her father in a BHT [Boko Haram terrorists] Camp”.²⁸⁰

7.4 TORTURE, ILL-TREATMENT AND DEATHS IN MILITARY FACILITIES

BEATINGS AND PHYSICAL VIOLENCE

Ten women independently interviewed by Amnesty International provided accounts of being beaten during interrogations in either military barracks located in the LGAs where they come from, or upon arrival in Giwa barracks, or both.

Fifteen-year-old Mariam (not her real name), said she was beaten in Monguno barracks after she had been rescued from Boko Haram custody, even though she explained that she and her friends had been abducted by Boko Haram. She said:

“The soldiers started beating us saying we are Boko Haram wives. When it [the beating] started, one [soldier] will come and beat us and then leave, then another will beat us and leave. We were beaten with a stick and a cane. All parts of our bodies were hit including our heads. You can see the signs of the beating even now on our backs....” She also said that before transporting them to their barracks with their vehicles, the soldiers made them lie on the road and threatened to run them over.²⁸¹

Five of these women reported being beaten while they were interrogated in Bama prison. They described being taken by either soldiers or members of Civilian JTF from their cells and blindfolded; their arms were then tied behind their backs and they were beaten with a belt or stick.²⁸² These sessions would last 40 minutes to an hour, and sometimes occurred repeatedly.

Women consistently reported that military police would beat women in Giwa barracks as punishment for “misbehaviour”. They said that sometimes there were fights in the cells between the women because they were under terrible pressure for lack of space and food for themselves and their children. One woman, Falmata (not her real name) described how both of her arms were broken while being beaten by soldiers after she knocked on the door of the cell repeatedly, calling for water.²⁸³ When Amnesty International met her in Maiduguri, she was unable to lift her arms properly.²⁸⁴

²⁷⁹ Amnesty International interview, September 2017.

²⁸⁰ Letter from Chief of Defence Staff to Amnesty International, 23 December 2014. The list is on file with Amnesty International. Four girls were arrested “after BHT [‘Boko Haram terrorists’] attack near their village”. One 13-year-old girl was arrested in April 2014 after she was abducted and forced to marry a Boko Haram member. The reason for her arrest was, according to the documents, that “she was confirmed to have killed 4 people with rifle”. An additional five women were detained in 23 Armoured Brigade barracks in Yola, Adamawa state.

²⁸¹ Amnesty International interviews, December 2015.

²⁸² Amnesty International interviews, June 2016–April 2018.

²⁸³ Amnesty International interview, September 2017.

²⁸⁴ Amnesty International interviews, September 2017.



 ↑ *Falmata (not her real name), showing one of her injured arms, February 2017 © Amnesty International*

Women and girls consistently told Amnesty International that the cells in Giwa barracks were dirty, heavily overcrowded and poorly ventilated, and that they were unable to wash themselves or their children more than once a week.

LACK OF MEDICAL CARE LEADING TO DEATHS

Women reported that they did not receive prompt or adequate medical care for their sick children. They said that deaths in their cells in Giwa barracks in 2016 and 2017 were mostly of young children and infants.

Twenty-five-year-old Falta (not her real name) was one of five women who told Amnesty International that her child died in Giwa barracks in or around mid-2016. She said: “My daughter was five months old when she died. She always fainted whenever she went to the toilet. They gave us drugs in the barracks but she was not responding to them and when I took her to the soldiers to complain, they would chase me away. They never admitted her in the hospital or carried out tests on her to find out what was wrong. She was sick for two weeks before she died.”²⁸⁵

Many women said they lived in fear that their children would die. Soldiers did not act quickly to separate sick children or to contain an outbreak of measles.²⁸⁶ As a result an outbreak in 2016 killed at least 29 babies and young children who were detained with their mothers.²⁸⁷ According to former detainees, a measles vaccination was finally administered in late 2016/early 2017.

Three more children died in the women’s cells in 2017. According to the separate accounts of four women, these children had arrived with malnutrition.²⁸⁸

At least five women also died in detention between 2015 and 2017. One woman was reported to have died when she was taken to give birth in a military clinic in Mai Malari barracks in early 2015.²⁸⁹ A second woman who was also taken to Mai Malari barracks to give birth died in April 2016; soldiers from Mai Malari barracks brought her corpse to a mortuary in Maiduguri.²⁹⁰ Another woman died in June 2016.²⁹¹ An elderly woman

²⁸⁵ Amnesty International interview, October 2017.

²⁸⁶ Amnesty International interviews, June 2016–November 2017. The release of women in mass released in late 2016/early 2017 appeared to have prioritized women and breastfeeding children who were most at risk of measles.

²⁸⁷ Amnesty International interviews, June 2016–April 2018.

²⁸⁸ Amnesty International interviews, January and February 2017.

²⁸⁹ Amnesty International interviews, two women.

²⁹⁰ Amnesty International received a video showing the body of a female detainee with a drip on her arm, deposited on 20 April 2016 at a mortuary by soldiers from Mai Malari barracks.

²⁹¹ Her body was deposited on 14 June 2016 at a mortuary by soldiers from Giwa barracks.

was reported to have died in Giwa around August 2016 the day she arrived, after being beaten during an interrogation.²⁹² A fifth died in mid-2017.²⁹³ According to one former detainee, five women who were arrested at the same time in Gwoza and were severely malnourished, died early 2017.²⁹⁴

LACK OF PRE- AND POST-NATAL HEALTH CARE

Nine women told Amnesty International that they gave birth while detained in Giwa barracks between 2015 and 2017, including a 16-year-old girl. They confirmed they did not receive any pre-natal healthcare.²⁹⁵ Of these nine, two reported that they were taken to the military clinic in Mai Malari barracks to give birth and returned to their cell the next day with their child. Seven, however, said they gave birth in their dirty and overcrowded cells without any medical assistance. They explained they gave birth inside the cells because soldiers did not transfer women who started labour in the evening.²⁹⁶ Only two received any extra food, water or other items for themselves or their newborn babies. One woman said 15 women gave birth inside the cell in the six months she was in Giwa during 2016.²⁹⁷ Another woman who was detained in 2017 said she witnessed at least ten births inside the cell.²⁹⁸

One woman, who was taken to Giwa with her two children in early 2015 and imprisoned for two years said “I gave birth to my son in the cell [around September 2016]. He came at night. The women in the cells helped. I got nothing from the guards. They didn’t give me any extra food or water or even clothes for the baby or myself. They didn’t open the cell doors for four days, so only then could I go to the clinic and get some medicine”.²⁹⁹ She was released in January 2017.

SEXUAL VIOLENCE

Since 2015 Amnesty International received five reports about sexual violence in Giwa Barracks.³⁰⁰ One woman said: “The soldiers have relationships with detainees. Sometimes they are coming to [name withheld], they say they want to marry her. They have relationships with them.”³⁰¹

Another woman confirmed: “Some women have ‘special relationships’ with soldiers. Most are girls, teenagers, they give them everything. Then at 5pm, everybody will be inside, silent, but they [the soldiers] will call one or two girls. You may not even hear when they come back to the cell... The young girls have open relationships, they will invite them to the office, they spend a few hours and then they come back.”³⁰² She said one of girls was 15 years old. She further said that some of the women and girls who had “relationships” with the soldiers, would be released secretly. According to her, she witnessed at least 30 such relationships during the 28 months she was in Giwa.

If the soldiers had sex with detained women or girls in Giwa, these acts would constitute rape since detention negates any consent apparently given by a detainee. Although Amnesty International has not been able to interview women who said they had “special relationships” with the soldiers, such allegations are so serious that they should be further investigated.

The sexual violence appears to be linked to the soldiers in charge of the detainees. While former detainees reported one woman soldier present in 2015, the women detainees were supervised through most of 2016 and 2017 by male soldiers. The women named several officers who were particularly brutal. Around August 2017 these individuals were transferred and replaced again with female soldiers.

Amnesty International also interviewed a woman who was detained in Mai Malari barracks who said that a soldier took the women in her cell out at night and raped them. She said that when he tried to take her out, she shouted, which alerted the security officers. Days later, she and the other women in her cell were taken to a court martial to testify on the case. She said the soldier was then discharged from duty.³⁰³

²⁹² Amnesty International interview, November 2016.

²⁹³ Amnesty International, four women, January 2018. The reason that women interviewed gave for the death was “hypertension”.

²⁹⁴ Amnesty International interview, April 2018. According to the former detainee, two women died after they were transferred in hospital. The other three died in custody. Two other former detainees confirmed the death of three of these women.

²⁹⁵ Amnesty International interviews, June 2016-March 2018.

²⁹⁶ Where women knocked on the door or flashed their light for attention, they said they were ignored by soldiers.

²⁹⁷ Amnesty International interview, September 2016.

²⁹⁸ Amnesty International interview, August 2017.

²⁹⁹ Amnesty International interview, September 2017.

³⁰⁰ Amnesty International interviews, December 2015-April 2018. Most did not want to give details.

³⁰¹ Amnesty International interview, November 2016.

³⁰² Amnesty International interview, April 2018

³⁰³ Amnesty International interview, April 2018.

8. VIOLATIONS OF INTERNATIONAL LAW

Nigeria has ratified all of the major international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR),³⁰⁴ the International Covenant of Economic, Social and Cultural Rights (ICESCR),³⁰⁵ and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),³⁰⁶ and is therefore bound by them.

Nigeria is also bound by regional human rights instruments, including the African Charter on Human and People's Rights,³⁰⁷ the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa,³⁰⁸ and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention).³⁰⁹ Moreover, the Nigerian government is required to comply with its own country's Constitution and all relevant domestic laws.

The situation in north-east Nigeria constitutes a non-international armed conflict, and therefore international humanitarian law (IHL) rules that regulate non-international armed conflicts also apply. This includes Additional Protocol II to the Geneva Conventions, which Nigeria has ratified.³¹⁰

As members of the Civilian JTF were acting under the instructions of the military, and/or were carrying out government functions as they committed the acts set out in this report, they have also committed violations of international human rights and international humanitarian law, and the Nigerian government bears international responsibility for any violations within this context.³¹¹

Acts that constitute war crimes or crimes against humanity incur individual criminal responsibility. Serious violations of international humanitarian law constitute war crimes.³¹² Crimes against humanity are prohibited acts committed as part of a widespread or systematic attack directed against a civilian population as part of a government or organizational policy.³¹³ The contextual elements of crimes against humanity require that each individual act be perpetrated in the context of a widespread or systematic attack directed against a civilian population and with knowledge of the attack. Each element of these requirements must be proved before any accused person can be convicted of crimes against humanity. In 2015, Amnesty International reported that these contextual elements may have been met in the treatment of civilians by the Nigerian military in north-east Nigeria.³¹⁴ The human rights violations documented and reported in this report further demonstrate the nature of the attack perpetrated against the civilian population in north-east Nigeria, may each constitute further crimes against humanity, and emphasize the obligation on Nigeria to investigate these violations as possible crimes against humanity.

³⁰⁴ Ratified by Nigeria in 1993.

³⁰⁵ Ratified by Nigeria in 1993.

³⁰⁶ Ratified by Nigeria in 1984.

³⁰⁷ Ratified by Nigeria in 1983.

³⁰⁸ Ratified by Nigeria in 2004.

³⁰⁹ Ratified by Nigeria in 2012.

³¹⁰ Ratified by Nigeria in 1988. It also includes customary international humanitarian law, which Nigeria is also bound by.

³¹¹ International Law Commission, Responsibility of States for internationally wrongful acts, Draft articles of 2001, articles 8 and 9. The Civilian JTF were supporting the military run IDP camps when they committed the acts described in this report.

³¹² Rome Statute of the International Criminal Court, Article 8. See rule 156 of the ICRC's Customary International Humanitarian Law.

³¹³ Article 7 of the Rome Statute of the International Criminal Court, to which Nigeria is a party.

³¹⁴ Amnesty International, June 2015, "Stars on their Shoulders".

Security Council resolutions 1325 and 1820 call on all parties to conflict to take special measures in situations of armed conflict to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse. They also require Nigeria to reaffirm the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction.³¹⁵

8.1 FORCED DISPLACEMENT

Applicable international humanitarian law (IHL) prohibits the displacement of civilians except for their own security or for imperative military reasons.³¹⁶ Human rights law also provides for individuals' right to freedom of movement and to choose their own residence.³¹⁷

According to testimonies received by Amnesty International, civilians from at least scores of villages were forcibly displaced by the military, who ordered residents to travel to the recaptured towns and physically attacked those who remained.

While there may be military reasons to justify some localized and strategic displacements, the forced displacement of IDPs across scores of villages in Borno do not appear to have been sufficiently targeted to be in line with any imperative military reasons. The violent nature of many of these displacements also indicates that these actions did not appear to be lawful nor designed to ensure the security of civilians.

WAR CRIME AND CRIME AGAINST HUMANITY OF FORCED DISPLACEMENT

Ordering the displacement of the civilian population in the context of a non-international armed conflict without a lawful reason constitutes a war crime under the Rome Statute of the International Criminal Court.³¹⁸ Where this occurs as part of a widespread or systematic attack directed against a civilian population, it also constitutes a crime against humanity.³¹⁹

The acts described in this report were carried out as part of a military operation against a mostly civilian population. The commanders involved would have been aware of the facts establishing an armed conflict.³²⁰ The attacks on villages and forced displacements also fit within the pattern of violations previously documented by Amnesty International³²¹ and cumulatively corroborate the existence of an attack directed by the Nigerian military on the civilian population in the north-east of the country. Those responsible for forcing civilians from their homes should thus be investigated for the commission of the war crime and possibly crime against humanity of forced displacement.

8.2 ARBITRARY DETENTION AND DENIAL OF FREE MOVEMENT

ARBITRARY DETENTION

All persons have a right to liberty and, in turn, the right to not be arbitrarily detained under international human rights law.³²² These rights are also guaranteed by Nigeria's Constitution.³²³

³¹⁵ See documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement and www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20S%20RES%201820.pdf.

³¹⁶ International Committee of the Red Cross study, Customary International Humanitarian Law: Volume 1: Rules, J-M Henckaerts and L Doswald-Beck, eds, 2005 ("ICRC Customary IHL Study"), Rule 129, available at www.icrc.org/customary-ihl/eng/docs/v2_rul_rule129. IDP Guiding Principles on Forced Displacement, Principle 6.

³¹⁷ ICCPR Article 12.

³¹⁸ ICC Statute, Art. 8(e)(viii), ratified by Nigeria in 2001. The elements are that I. The perpetrator ordered a displacement of a civilian population; II. Such order was not justified by the security of the civilians involved or by military necessity. III. The perpetrator was in a position to effect such displacement by giving such order. IV. The conduct took place in the context of and was associated with an armed conflict not of an international character. V. The perpetrator was aware of factual circumstances that established the existence of an armed conflict. This conduct took part as part of a military operation, by the armed forces involved in fighting the conflict.

³¹⁹ Article 7 (1) (d) of the ICC Statute. The elements are that 1. The perpetrator deported or forcibly transferred (interchangeable with forcibly displaced) without grounds permitted under international law, one or more persons to another State or location, by expulsion or other coercive acts. 2. Such person or persons were lawfully present in the area from which they were so deported or transferred. 3. The perpetrator was aware of the factual circumstances that established the lawfulness of such presence. 4. The conduct was committed as part of a widespread or systematic attack directed against a civilian population. 5. The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population.

³²⁰ Where an individual's status is not known, there should be a presumption of civilian status. Even if it was known that some of those displaced had taken part in the hostilities, the population remained a predominantly civilian one sufficient to satisfy this criteria. See eg. Kordic and Cerkez, (Trial Chamber), February 26.

³²¹ Amnesty International, "Stars on their Shoulders".

³²² ICCPR, Article 9(1), African Charter of Human and People's Rights, Article 6.

³²³ Constitution of Nigeria, Article 35(1).

The Nigerian military has admitted that women have been detained in Giwa barracks as they were undergoing a further screening, and stated that they were released as soon as they were cleared.³²⁴ However, Amnesty International's research indicates that their detention was arbitrary and a violation of human rights and international humanitarian law.

Individuals may only be detained in relation to a recognizable criminal offence, on grounds provided for in law, in line with the principle of legality. Where the reasons for detention are discriminatory, including on the basis of sex, the detention is arbitrary.³²⁵ Detention is also arbitrary unless detainees are provided with due process.³²⁶ All persons detained must be informed at the time of their arrest of the reason for arrest and any charges against them; be brought promptly before a judge to challenge the lawfulness of their detention, and given a fair trial.³²⁷

Most of the women Amnesty International interviewed did not appear to have been investigated/detained in relation to any recognizable criminal offence. The majority reported that their interrogations (if they took place) were focused purely on the actions or whereabouts of their husbands and relatives. Few reported being asked questions about themselves, or any crimes they may have committed. The only reason given for their detention was because they were "Boko Haram wives".

The women were detained for months or years, and yet were never charged or brought before a court of law. Indeed, none of the hundreds of women and children who were released from Giwa barracks in mass releases since 2014 appear to have been charged. This prolonged detention without charge or trial was a violation of their right to liberty and their right to due process and therefore of the rights to liberty and to not be subjected to arbitrary detention.

Detaining women merely on the suspicion that they were married to, or had other familial relationships with, Boko Haram members is not in itself a legitimate basis for detention under international or domestic law and is discriminatory. Targeting for detention women who arrived in the recaptured towns or camps for displaced people without their husbands is also arbitrary and discriminatory.

While the right to liberty is derogable under international human rights law,³²⁸ the Nigerian authorities have not formally derogated from their right in this regard.³²⁹

As such, the arbitrary detention of the women interviewed, which involved discrimination, collective punishment and violations of the presumption of innocence, cannot be justified through a lawful derogation. In addition, the African Charter on Human and Peoples' Rights, which Nigeria has ratified and domesticated, does not permit derogation from any human rights-related obligations under any circumstances.

International humanitarian law that regulates non-international armed conflict does not authorize detention in any additional circumstances.³³⁰ It also explicitly prohibits collective punishment, and provides that "no-one shall be convicted of a criminal offence except on the basis of individual penal responsibility".³³¹

Finally, the detention of the women also violates domestic law. For example, while the Terrorism (Prevention) Act (as amended) allows extended detention of individuals suspected of involvement in terrorism, about which Amnesty International has repeatedly raised human rights concerns,³³² even this law does not allow the administrative detention of individuals without reasonable suspicion and without oversight by the courts. Amnesty International is not aware of any women who were detained in Giwa barracks who were held with a court order, or were ever brought to court, charged or tried.³³³ Prolonged detention of women in north-east Nigeria cannot be held to be authorized under the Act as the procedures set out in the Act have not been followed.

³²⁴ See e.g. NAIJA, Nigerian army release 593 cleared Boko Haram terrorists, 10 April 2017, at: www.naija.ng/1098732-nigerian-army-release-593-cleared-boko-haram-terrorists-borno-state.html#1098732. See also www.premiumtimesng.com/news/more-news/228507-nigerian-military-releases-593-cleared-boko-haram-suspects-borno-govt.html.

³²⁵ See e.g. December 2012 Report of the Working Group on Arbitrary Detention, para 38(e), documents-dds-ny.un.org/doc/UNDOC/GEN/G12/189/35/PDF/G1218935.pdf?OpenElement www.ohchr.org/Documents/Issues/Detention/CompilationWGADDeliberation.pdf.

³²⁶ See e.g. UN Working Group on Arbitrary Detention, Communication, 9 February 2011, available at: www.unwgdatabse.org/un/Document.aspx?id=2793, section II.

³²⁷ ICCPR, Article 9(2-4).

³²⁸ Meaning that Nigeria may derogate from this right in time of public emergency which threatens the life of the nation, where the existence of which is officially proclaimed, ICCPR Article 4(1).

³²⁹ Furthermore, derogations are only permitted to the extent strictly required by the exigencies of the situation, and provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination including on the basis of sex. No circumstances can ever justify the taking of hostages, the imposition of collective punishments, arbitrary deprivations of liberty (including abductions and unacknowledged detentions) or deviations from fundamental principles of fair trial, including the presumption of innocence or the right to challenge the lawfulness of detention before a court.

³³⁰ AP II 5(1), ICRC Customary IHL Study, Rule 99.

³³¹ AP II, Article 4, 6(2)(b), 2b.

³³² See e.g. Amnesty International, "Stars on their Shoulders, Blood on their Hands: War Crimes Committed by the Nigerian Military" June 2015, (AFR 44/1657/2015) www.amnesty.org/en/documents/afr44/1657/2015/en/.

³³³ However, at least 20 women that Amnesty International is aware of were transferred to other detention facilities in 2016 and 2017.

FREEDOM OF MOVEMENT

International human rights law provides for the right to freedom of movement.³³⁴ This right is also derogable.³³⁵ Restrictions may also be permitted when necessary, including to protect national security and public order. But any restrictions must be provided for in law, and must be proportionate, non-discriminatory and consistent with other human rights.³³⁶

As outlined in this report, most IDPs interviewed by Amnesty International were confined in the satellite camps with severe restrictions on movement, including in Bama Hospital camp.

These extreme restrictions imposed did not appear to meet the exigencies of the situation, or the requirements of necessity and proportionality. While there may be legitimate security needs to impose some restrictions on IDP movements, the complete or near-complete confinement of IDPs to camps for months, limiting their ability to obtain food in a context where insufficient food was provided to them, is beyond what may be lawful. Moreover, the restrictions do not appear to have been set out anywhere in law.

Where restrictions on freedom of movement are imposed more tightly on women, are applied collectively, without any case by case assessment, these measures are discriminatory.

Any restrictions that contributed to the deaths of IDPs in the camps also implicates the right to life, which is a non-derogable right. Unnecessary restrictions that have a negative impact on IDPs' ability to access adequate food or water, work or health care are a violation of their economic, social and cultural rights, which are also non-derogable.³³⁷

CRIME AGAINST HUMANITY OF IMPRISONMENT

Where imprisonment or deprivation of liberty is conducted as part of a wide-scale or systematic attack against a civilian population, and is of sufficient gravity, it may constitute the crime against humanity of imprisonment or other severe deprivation of physical liberty.³³⁸

Amnesty International's research, as outlined above, indicates that hundreds of civilian women were detained in military facilities, and at least tens of thousands were confined to camps for months and some for years, in violation of international law. They were detained or confined in deplorable, sometimes famine-like conditions, often after they had escaped from Boko Haram and were seeking protection from state authorities. There was no indication that they were anything other than civilians.

These detentions also fit within the pattern of violations previously documented and reported by Amnesty International,³³⁹ and cumulatively corroborate the existence of an attack directed by the Nigerian military on the civilian population in north-east Nigeria. To the extent that women, children and men were subjected to a severe deprivation of their liberty in military facilities or satellite camps for displaced people as part of a widespread as well as systematic attack on the civilian population, this deprivation should be investigated as a potential crime against humanity.

The patterns of detention that Amnesty International has documented, including for example the detention of women married to (or suspected of being married to) Boko Haram members, or those who arrived in Bama town without being accompanied by their husbands, suggests that the detention of women in these circumstances also followed an organizational policy, as does the consistency with which IDPs were denied free movement across the camps.

³³⁴ ICCPR, Article 12 (1).

³³⁵ ICCPR, Article 4(1).

³³⁶ ICCPR, Article 12(3).

³³⁷ ICESCR.

³³⁸ Rome Statute, Article 7 (1)(e). The elements of the crime are that the perpetrator imprisoned one or more persons or otherwise severely deprived one or more persons of physical liberty; the gravity of the conduct was such that it was in violation of fundamental rules of international law; the perpetrator was aware of the factual circumstances that established the gravity of the conduct; the conduct was committed as part of a widespread or systematic attack directed against a civilian population, and that the perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population. "

³³⁹ Amnesty International, June 2015, "Stars on their Shoulders".

8.3 RIGHT TO LIFE AND PROHIBITION OF ARBITRARY KILLING

Where the authorities' failure to realize social and economic rights results in deaths, this also violates the right to life.³⁴⁰ The right to life is protected under international human rights law and the Nigerian Constitution.³⁴¹

The right to life is violated in situations including when the authorities knew or should have known about the existence of a situation posing an immediate and certain risk to the life of an individual or of a group of individuals, and when they failed to adopt the necessary measures within the scope of their authority to prevent or avoid such risk.³⁴²

Amnesty International's research shows that the authorities knew or should have known that displaced people were dying while confined in the satellite camps for displaced people, particularly between late 2015 and mid-2016, including in Bama town, other satellite camps and military detention facilities, in circumstances that strongly suggest the death was the result of lack of food, water and/or adequate health care.

According to Amnesty International's findings from Bama Hospital and other satellite camps, particularly in the period between late 2015 and mid-2016, the authorities failed to adequately address the risks by either providing sufficient levels of food, water and health care, or by removing movement restrictions to facilitate those affected to obtain these basic goods themselves.

As noted in the report, the amount of food assistance mobilized or facilitated by the authorities appears to have been insufficient to meet the needs of hundreds of thousands of displaced people living in the satellite camps during late 2015 to mid-2016. During this time, there did not appear to have been any efforts made in the camps where Amnesty International carried out investigations to ensure that the limited resources mobilized were directed to those most in need, such as infants, the elderly, and pregnant and lactating women.

Moreover, the authorities do not appear to have taken adequate action during this time, in at least some of the satellite camps including Bama Hospital camp, to ensure that the food assistance that was mobilized reached the intended beneficiaries. If the security situation rendered it too difficult for national and state emergency management agents to be able to ensure the wellbeing of displaced people in the satellite camps, they should have facilitated their relocation to safer areas. Instead, movement restrictions were imposed that confined displaced people to famine-like situations, and that prevented them from searching the surrounding areas for food, or from relocating to other areas where more food may have been available. As documented by Amnesty International, movement restrictions continue to be imposed on displaced people, particularly women, undermining their ability to access adequate food.

Amnesty International's research indicates that IDPs have died as result of injuries sustained through unlawful use of force including severe and unprovoked beatings by members of the Civilian JTF in distribution lines, particularly in late 2015 and during 2016. The use of force is only lawful where it is necessary and proportionate.³⁴³ The beatings of women in distribution queues in the satellite camps was not likely to be necessary.

WAR CRIME AND CRIME AGAINST HUMANITY OF MURDER

Murder of civilians or persons *hors de combat* is a war crime.³⁴⁴ The war crime of murder can be committed either by act or by omission. Where the conduct took place as part of a widespread or systematic attack on

³⁴⁰ E.g. HRC, General Comment 6, Article 6 (Right to life), para. 5. IACtHR, Case of the "Juvenile Reeducation Institute" v. Paraguay, 2 September 2004, paras 149, 159, 168, 172; ECtHR, *Cyprus v. Turkey*, Application No. 25781/94, para. 219. See Inter-American Court of Human Rights, Case of the *Yakye Axa Indigenous Community v. Paraguay*, ser. C, No. 125, (17 June 2005) paras. 161-168.

³⁴¹ Constitution of Nigeria, Article 33. (1).

³⁴² See e.g. Osman, ECtHR, or e.g. Inter-American Court of Human Rights, *Case of the Yakye Axa Indigenous Community v. Paraguay*, ser. C, No. 125, (17 June 2005) paras. 161-168, especially "One of the obligations that the State must inescapably undertake as guarantor, to protect and ensure the right to life, is that of generating minimum living conditions that are compatible with the dignity of the human person and of not creating conditions that hinder or impede it". The court found the assistance provided by the State was insufficient to correct the situation of vulnerability it created.

³⁴³ SEE E.G. UN BASIC PRINCIPLES ON THE USE OF FORCE AND FIREARMS BY LAW ENFORCEMENT OFFICIALS.

³⁴⁴ Article 8 (2) (c) (i)-1, Rome Statute. The elements of the crime are that: 1. The perpetrator killed one or more persons. 2. Such person or persons were either hors de combat, or were civilians, medical personnel, or religious personnel taking no active part in the hostilities. 3. The perpetrator was aware of the factual circumstances that established this status. 4. The conduct took place in the context of and was associated with an armed conflict not of an international character. 5. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

the civilian population, it may also constitute the crime against humanity of murder.³⁴⁵ The perpetrator must have meant for death to have been caused as a consequence of their actions, or aware that it will occur in the ordinary course of events.³⁴⁶

Amnesty International's research has found that thousands of people were killed/left to die in the satellite camps and tens of women and infant children were killed/left to die in military detention facilities for lack of food, water and healthcare. They were mostly civilians (and if not, they were *hors de combat*).

Those responsible for killing/causing death in these circumstances likely knew, that large numbers of civilians were dying in these locations, and that the detention/confinement of such persons would lead to death in the ordinary course of events. When people started dying, little was done to prevent further deaths, and people continued to be detained and confined in these conditions. In the satellite camps, soldiers and Civilian JTF members saw the deaths, yet continued nevertheless to deny and divert food.

These acts of killings/causing death also fit within the pattern of violations previously documented and reported by Amnesty International,³⁴⁷ and cumulatively corroborate the existence of an attack directed by the Nigerian military on the civilian population in north-east Nigeria.

Those responsible for confining people in detention facilities and satellite camps and running these camps where there was inadequate food, water and health facilities, which resulted in deaths from hunger and sickness, should be investigated for the war crime and possibly also the crime against humanity of murder.

Where it led to death, soldiers or Civilian JTF members responsible for beating people in the military camps should also be investigated for the war crime of murder and possibly the crime against humanity of murder.³⁴⁸

8.4 RAPE

Rape is a violation of a number of human rights, including the rights to equality and non-discrimination, to physical integrity, and to the prohibition on torture and other ill-treatment. It also violates international humanitarian law and can amount to a crime against humanity and a war crime.

Rape is defined under international law as sexual penetration/invasion, however slight, where it occurs without the consent of the victim.³⁴⁹ Consent for this purpose must be given voluntarily, as a result of the victim's free will, assessed in the context of the surrounding circumstances.³⁵⁰

A number of circumstances, if present, make any consent invalid. These include force or the threat of force or coercive circumstances.³⁵¹ Coercive circumstances that negate consent include circumstances created by the perpetrator, including fear of violence,³⁵² duress,³⁵³ detention contexts³⁵⁴ and the abuse of power.³⁵⁵ Consent is also negated when the perpetrator takes advantage of coercive circumstances that already exist, even if they are not of their own making, such as those already inherent to an armed conflict.³⁵⁶

The Penal Code (Nigerian Laws Cap 89), applicable in the north of Nigeria, also prohibits and punishes rape. While the scope of definition of rape under the Penal Code falls short of international standards, it includes contexts where consent has been obtained by putting the victim in fear of death or hurt.³⁵⁷

In at least five cases documented by Amnesty International, soldiers or members of the Civilian JTF sexually penetrated women in a context in which no consent was given. These acts constitute rape.

³⁴⁵ Article 7 (1) (a) Rome Statute. The elements are that: 1. The perpetrator killed (or caused death) of one or more persons. 2. The conduct was committed as part of a widespread or systematic attack directed against a civilian population. 3. The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack against a civilian population.

³⁴⁶ Rome Statute, Article 30(2)(b)

³⁴⁷ Amnesty International, June 2015, "Stars on their Shoulders".

³⁴⁸ The Civilian JTF members would have been aware that the women and their children were weak and possibly malnourished, that there was no medical treatment available in the camp, and may also have been aware that death would occur in the ordinary course of events. Women continued to be beaten at distribution points even after several had already died as a result.

³⁴⁹ See ICC elements of crimes, Elements 1, Article 7 (1) (g)-1 and Article 8(2)(e)(vi)-1(2).

³⁵⁰ See *M.C. v Bulgaria*, Application 39272/98, Judgement of 4 December 2003, ECtHR, para. 163.

³⁵¹ See ICC elements of crimes, ICC elements of crimes, Element 2, Article 7 (1) (g)-1 and Article 8(2)(e)(vi)-1(2).

³⁵² See e.g. *M.C. v Bulgaria* judgment, 4 December 2003.

³⁵³ *Prosecutor v Akayesu*, ICTR-96-4-T, 2 September 1998

³⁵⁴ *Prosecutor v Kunarac, Kovac and Vukovic* IT-96-23 & IT-96-23/1-A, 12 June 2002.

³⁵⁵ *Kvočka Trial Chamber Judgment, Prosecutor v Delalic*, Case No IT-96-21, 16 November 1998, paragraph 495.

³⁵⁶ *Akayesu Trial Judgment* at paragraph 688, where a military presence among a group of IDPs was sufficient to make the situation inherently coercive.

³⁵⁷ Penal Code of Northern Nigeria, Section 282(1).

In numerous other cases documented by Amnesty International, soldiers or members of the Civilian JTF sexually penetrated women in circumstances in which any consent, even if given, would not be valid as the perpetrator created and/or took advantage of coercive circumstances that prevailed.

The following factors that existed or were created by the perpetrators render the circumstances coercive:

- Soldiers and Civilian JTF members could unlawfully beat women in the camp with impunity, and did so regularly, and women knew that if they refused sex they may be beaten;
- Provision of food, water and health care in the camps was so inadequate that people were dying, and women were forced to submit to demands for sex to access food and water for themselves and their family members to survive (including to access food that was originally intended for them), or to access food, water or other forms of assistance without the risk of violence;
- In some cases, women were confined to their camp in a situation akin to conditions of detention and soldiers and Civilian JTF members were either responsible for this or taking advantage of women's confinement;
- Soldiers and Civilian JTF members acted in an official capacity and wielded extreme and unchecked power and resources over the women; and;
- There was an ongoing armed conflict and the events all occurred in the camps for displaced people that emerged as result of the armed conflict.

Most of these elements still exist in the satellite camps, indicating that the ongoing sexual exploitation occurring in the satellite camps may also constitute rape.

WAR CRIME AND CRIME AGAINST HUMANITY OF RAPE AND ENFORCED PROSTITUTION

Rape is a war crime in a non-international armed conflict.³⁵⁸ Where rape is committed as part of a widespread or systematic attack directed against a civilian population, it constitutes a crime against humanity.³⁵⁹

These cases fit within the pattern of violations previously documented and reported by Amnesty International,³⁶⁰ and cumulatively corroborate the existence of an attack directed by the Nigerian military on the civilian population in north-east Nigeria.

From the information available to Amnesty International, incidents of rape, at least in Bama Hospital camp, were also so widespread that a high proportion of the young women in the camp were victims. Not only did half of the women aged 30 or under that Amnesty International spoke to said they had been raped, or describe being forced to have sex in circumstances that amounted to rape, but they and others also consistently highlighted that sexual violence was extremely common practice in the camp; each knew of other cases of women subjected to sexual violence. Moreover, there appears to be an arrangement between the soldiers and the Civilian JTF members to identify women to be brought to the soldiers for the purposes of sex—all of which may also indicate or constitute an organizational arrangement as such.

Soldiers and members of the Civilian JTF who used force or coercion to have sex with women and girls in IDP camps, should be investigated for the war crime and possibly the crime against humanity of rape.

Military commanders responsible for Bama hospital camp should also be investigated for command responsibility on the basis soldiers and Civilian JTF members committed acts of rape openly, and no adequate steps have been taken to address it over the course of over two and a half years.

If members of the Civilian JTF gained any benefit, pecuniary or otherwise, for taking IDP women and girls to the soldiers for sexual exploitation such as currying favours with the soldiers for bringing them women for sex, those involved should be investigated for the war crime³⁶¹ and possibly also the crime against humanity

³⁵⁸ Rome Statute, Article 8 (2) (e) (vi)-1 - War crime of rape. The elements of the crime also require that the conduct took place in the context of and was associated with the armed conflict, and where this was known to the perpetrator.

³⁵⁹ Rome Statute, Article 7 (1) (g)-1 The elements of the crime also require that the conduct was committed as part of a widespread or systematic attack directed against a civilian population, and that the perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population.

³⁶⁰ Amnesty International, "Stars on their Shoulders".

³⁶¹ Article 8 (2) (e) (vi)-3, Rome Statute. The elements of the crime are: The perpetrator caused one or more persons to engage in one or more acts of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. 2. The perpetrator or another person obtained or expected to obtain pecuniary or other advantage in exchange for or in connection with the acts of a sexual nature. 3. The conduct took place in the context of and was associated with an armed conflict not of an international character. 4. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

of enforced prostitution.³⁶² Likewise, so should any soldiers or members of the Civilian JTF that may be found to have taken IDP women and girls to the market place to engage in transactional sex.

8.5 TORTURE AND OTHER ILL-TREATMENT

International human rights law and international humanitarian law prohibit torture and cruel, inhuman and degrading treatment (other ill-treatment).³⁶³ There are no circumstances in which torture or other ill-treatment is lawful.³⁶⁴ It is a right that states cannot derogate from in any situation, even in times of conflict. Section 34(1) of Nigeria's constitution also prohibits torture and inhuman or degrading treatment.³⁶⁵

The beatings that some women and girls described in Bama prison, Monguno barracks and Giwa barracks constitutes torture or other ill-treatment. The purpose of detentions and beatings appeared to have been to extract information or confessions and/or to punish women for their perceived affiliation with Boko Haram. The acts of torture were inflicted by soldiers or by members of the Civilian JTF acting in an 'official' capacity with the acquiescence of the military. The violence, rape and abuse by soldiers and Civilian JTF members against women and adolescent girls, the impact of which was intensified by the fact that many of them were young and survivors of abduction, forced marriage, sexual violence and other violations by Boko Haram, likely amounts to torture (beyond other ill-treatment).³⁶⁶

Acts of rape and the failure to provide adequate food, water and healthcare to detainees, and by extension, to those confined in camps, by the soldiers and Civilian JTF also violate prohibitions on torture and other ill-treatment.³⁶⁷

The failure by authorities to provide people with information on the status or whereabouts of their family members or loved ones in detention for long periods of time, causing them anguish and uncertainty, is also a form of ill-treatment.³⁶⁸

WAR CRIME OF TORTURE OR CRUEL TREATMENT, AND THE CRIME AGAINST HUMANITY OF TORTURE

Torture is a war crime,³⁶⁹ and, when carried out as part of this widespread and systematic attack on the civilian population, a crime against humanity.³⁷⁰ Amnesty International's research suggests that the torture and other forms of ill-treatment set out above amounted to the infliction of severe physical and mental pain on those affected, and that these conditions would have been obvious to those running Giwa barracks and these satellite camps. These acts fit within the pattern of violations previously documented and reported by Amnesty International,³⁷¹ and cumulatively corroborate the existence of an attack directed by the Nigerian military on the civilian population in north-east Nigeria. As such, these crimes need to also be investigated as possible international crimes.

³⁶² Article 7 (1) (g)-3, Rome Statute. 1. The elements of the crime are: perpetrator caused one or more persons to engage in one or more acts of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. 2. The perpetrator or another person obtained or expected to obtain pecuniary or other advantage in exchange for or in connection with the acts of a sexual nature. 3. The conduct was committed as part of a widespread or systematic attack directed against a civilian population. 4. The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population.

³⁶³ ICCPR, Article 7. The Convention Against Torture (CAT), to which Nigeria is a state party, requires states to prevent acts of torture or other ill-treatment by, or at the instigation of state agents, or with their consent or acquiescence.

³⁶⁴ Convention Against Torture. ICCPR, Article 4. ACHPR, Article 4. APII Article 4. Torture is defined in article one of the CAT as "Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity".

³⁶⁵ Constitution of the Federal Republic of Nigeria, Article 34(1).

³⁶⁶ See e.g. European Court of Human Rights, *Ireland v. United Kingdom*, para 162; ECHR, *Selmouni v. France* para 100, that set out that the age, sex and health status of the victim should be taken into account in determinations as to whether the severity threshold required for a finding of torture over other forms of ill-treatment.

³⁶⁷ See e.g. European Court of Human Rights, "*The Greek case*", *Danemark v. Greece*, Communication 3321/67.

³⁶⁸ See e.g. *Ashlakhanova v. Russia*, 18 December 2012, *Orhan v. Turkey*, 18 June 2002, and *Imakayeva v. Russia*, no. 7615/02, ECHR 2006-XIII, *Godonez Cruz Case*, Compensatory Damages (Art. 63(1) American Convention on Human Rights), Judgment of July 21, 1989, Inter-Am.Ct.H.R. (Ser. C) No. 8 (1990), paras. 48-9, See Communication 540/1993, *Celis Laureano v. Peru* - views 25 March 1996, para. 8.5 Communication 542/1993, *Katombe L. Tshishimbi v. Zaire*, views 26 March 1996, para. 5.5 Communication 440/1990, *Youssef El-Megreisi v. the Libyan Arab Jamahiriya*, para. 5.4 Communication 449/1991 *Mojica v. Dominican Republic*, para. 5.7.

³⁶⁹ Rome Statute, Article 8(2)(c)(i)-3. The elements of the crime are 1. The perpetrator inflicted severe physical or mental pain or suffering upon one or more persons. 2. Such person or persons were either *hors de combat*, or were civilians, medical personnel, or religious personnel taking no active part in the hostilities. 3. The perpetrator was aware of the factual circumstances that established this status. 4. The conduct took place in the context of and was associated with an armed conflict not of an international character. 5. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

³⁷⁰ Article 7 (1) (f). The elements of the crime are: The perpetrator inflicted severe physical or mental pain or suffering upon one or more persons. 2. Such person or persons were in the custody or under the control of the perpetrator. 3. Such pain or suffering did not arise only from, and was not inherent in or incidental to, lawful sanctions. 4. The conduct was committed as part of a widespread or systematic attack directed against a civilian population. 5. The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population.

³⁷¹ Amnesty International, "Stars on their Shoulders".

8.6 FOOD, WATER AND ACCESS TO HEALTH CARE

When displacement occurs in the context of conflicts, IHL requires that all possible measures to be taken to ensure that displaced civilians receive adequate shelter, enjoy satisfactory hygiene, health, safety and nutrition, and that families are not separated.³⁷² The Kampala Convention also explicitly sets out state obligations to provide adequate assistance and protection to IDPs or to seek assistance from international organizations where their resources are inadequate.³⁷³

The International Covenant on Economic, Social and Cultural Rights recognizes the right to an adequate standard of living, including adequate food and “the fundamental right of everyone to be free from hunger”.³⁷⁴ It also sets out the right to the highest attainable standard of physical and mental health, to which access to health care is an essential component.³⁷⁵ The right to an adequate standard of living also includes the right to water and sanitation.³⁷⁶ Similar standards can also be found in other treaties to which Nigeria is a state party.³⁷⁷ Section 16(2)(d) and 17(3)d of Nigeria’s Constitution also provides a non-enforceable right to food, shelter and health.³⁷⁸

According to the Committee on Economic, Social and Cultural Rights, Nigeria is obliged, at a minimum, to ensure “access to the minimum essential food which is sufficient, nutritionally adequate and safe, to ensure their freedom from hunger.”³⁷⁹ They must also ensure, even in times of disaster, the satisfaction of, at the very least, the minimum essential level of water that is sufficient and safe for personal and domestic uses to prevent disease, and ensure access to primary health care.³⁸⁰

Nigeria is also required to ensure that: a) the quantity of water available for each person should correspond to the WHO guidelines; b) a sufficient number of water outlets is provided to avoid prohibitive waiting times; c) personal security is not threatened when having to physically access water; and d) measures are in place to prevent, treat and control diseases linked to water, in particular ensuring access to adequate sanitation.³⁸¹ Priority in the provision of aid, distribution and management of water and water facilities should be given to the most vulnerable or marginalized groups of the population.³⁸²

Where the authorities have detained or confined people to detention facilities or in locations such as the satellite camps for displaced people, their responsibility to ensure those affected can access their rights to food, water and health care, is increased.³⁸³

By failing to meet their minimum core obligations in regard to food, water and health care, including of those they have detained or confined to camps, the Nigerian authorities violated the rights to food, water and health care of those affected.

8.7 NON-DISCRIMINATION AND PERSECUTION

NON- DISCRIMINATION AND THE RIGHT TO EQUALITY

The right to equality and non-discrimination is recognized under the Universal Declaration of Human Rights (UDHR) and is a cross-cutting issue in almost every major international human rights treaty.³⁸⁴ In addition, CEDAW was developed to explicitly prohibit discrimination on the ground of sex. The principle of non-discrimination and equal treatment is also contained in the African Charter on Human and Peoples’ Rights (Arts. 2 and 3). The Nigerian Constitution also prohibits discrimination on the basis of sex.³⁸⁵

³⁷² ICRC Customary IHL Study Rule 133.

³⁷³ African Union Convention for the Protection and Assistance of IDPs, Obligations of States Parties relating to Protection and Assistance, ratified by Nigeria in 2012. See also ICESCR General Comment 12, General Comment 14 para 40, General Comment 15, para 22 and 60.

³⁷⁴ Article 11 of the ICESCR. Ratified by Nigeria in 1993.

³⁷⁵ Article 12, ICESCR.

³⁷⁶ CESCR General Comment Nos 6 and 15.

³⁷⁷ E.g. African Charter on Human and People’s Rights, Article 16.

³⁷⁸ Constitution of the Federal Republic of Nigeria, 1999.

³⁷⁹ CESCR General Comment No. 12: The Right to Adequate Food (Art. 11), para 14.

³⁸⁰ CESCR General Comment No 3, General Comment No. 12, paras. 6 and 17; General Comment no. 14, para 43, General Comment no. 15 para 37.

³⁸¹ CESCR General Comment 15.

³⁸² CESCR General Comment 15.

³⁸³ See Inter-American Court of Human Rights, *Case of the Yakye Axa Indigenous Community v. Paraguay*, ser. C, No. 125, (17 June 2005) paras. 161-168. See also for detention cases, also applicable in this case by analogy, *Lantsova v. Russian Federation* (26 March 2002) UN Doc CCPR/C/74/763/1997 para 9.2; *Malawi African Association and others v. Mauritania* (2000) African Commission on Human and Peoples’ Rights Comm Nos. 210/98 para 122.

³⁸⁴ ICCPR, Arts. 2 and 26; ICESCR, Art. 2(2); CRC, Art. 2; CMW, Art. 7; and CRPD, Art. 5.

³⁸⁵ Constitution of Nigeria, Section 42.

The right to equality and non-discrimination is both a freestanding right and a right that enables the realization of all other human rights. Under the ICESCR, for example, the right to non-discrimination in access to food, water, health care and other provisions is a right of immediate effect.³⁸⁶

States must identify and recognize intersectional forms of discrimination, where different forms of discrimination intersect to affect the form and severity of unfavourable treatment individuals' face, and seek to address it in their decision and policy-making.³⁸⁷ The CEDAW Committee specifically requires that States must: "[A]ddress the specific risks and particular needs of different groups of internally displaced and refugee women who are subjected to multiple and intersecting forms of discrimination, including women with disabilities, older women, girls, widows, women who head households, pregnant women."³⁸⁸

The imposition of tighter movement restrictions on women entering and exiting some of the satellite camps is an example of discrimination. The concern that some women in a camp may have marital or familial relationships with Boko Haram members outside the camp and thus constitute a security concern if they are allowed to freely enter and exit cannot justify blanket restrictions on all women leaving the camp for all but exceptional reasons. Likewise, nor can concerns about women's security outside the camp. A policy which allows for the detention of women because of who they are married or otherwise related to, or because they arrive in the recaptured towns without their husbands, is also a form of discrimination.

Gender-based violence, including sexual exploitation, is also a form of discrimination, and, among other obligations, States are responsible for preventing these acts or omissions by their own organs and agents including through training and the adoption, implementation and monitoring of legal provisions, administrative regulations and codes of conduct - and to investigate, prosecute and apply appropriate legal or disciplinary sanctions.³⁸⁹ States are also required to adopt and implement measures to eradicate prejudices, stereotypes and practices that are the root cause of gender-based violence against women.³⁹⁰ By failing to take adequate action to address gender-based violence, including rape and sexual exploitation in the camps, the Nigerian authorities are also failing to meet their obligations under the right to non-discrimination.

CRIME AGAINST HUMANITY OF PERSECUTION

Under International criminal law, the crime against humanity of persecution requires the severe deprivation of one or more person's fundamental rights, contrary to international law, when the perpetrator targeted such persons because of the protected ground (including gender), and when the perpetrator was aware of the gravity of their conduct.³⁹¹

Any members of the military and Civilian JTF responsible for any of the following three sets of acts should be investigated for the crime against humanity of (gender-based) persecution:

- Detaining women in military facilities because they were believed to be "Boko Haram wives" or because they arrived in displacement unaccompanied by their husbands,
- Imposing stricter movement restrictions on women than men in the satellite camps (especially where this has contributed to women's de facto detention in circumstances where food and other basic good available has been grossly inadequate) or
- Perpetrated sexual violence in the satellite camps.

As set out above, these acts were committed in connection with other possible crimes against humanity, and targeted civilian women on the basis of their gender. In each of these cases, any soldiers or Civilian JTF members involved would likely have known the gravity of their conduct.

The practice of targeting men for detention based purely on their age and gender as set out in this report and in earlier Amnesty International reports may also constitute gender-based persecution.

³⁸⁶ General comment No. 20 (2009) of the Committee on Economic, Social and Cultural Rights.

³⁸⁷ See e.g. CEDAW General Recommendation 28; ESCR Committee General Comment 20, para 17.

³⁸⁸ See General Recommendation 30, CEDAW/C/GC/30, paras 7 and 57.

³⁸⁹ See e.g. CEDAW General Recommendations 19 and 35.

³⁹⁰ CEDAW General Recommendation 35.

³⁹¹ Rome Statute, Article 7 (1) (h). The elements of the crime are that 1. The perpetrator severely deprived, contrary to international law, one or more persons of fundamental rights. 2. The perpetrator targeted such person or persons by reason of the identity of a group or collectivity or targeted the group or collectivity as such. 3. Such targeting was based on political, racial, national, ethnic, cultural, religious, gender as defined in article 7, paragraph 3, of the Statute, or other grounds that are universally recognized as impermissible under international law. 4. The conduct was committed in connection with any act referred to in article 7, paragraph 1, of the Statute or any crime within the jurisdiction of the Court. 5. The conduct was committed as part of a widespread or systematic attack directed against a civilian population. 6. The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population.

8.8 REPARATION

Criminal justice processes can serve to acknowledge the harm suffered by survivors of human rights violations as well as to identify the perpetrators, establish responsibility and provide punishment. Reparation is focused on restoring the wellbeing of survivors and ensuring them a place of dignity in society through concrete forms of assistance as well as symbolic measures.

Women and girls who have experienced forced displacement, arbitrary detention, unlawful confinement, starvation, gender-based violence, and other serious violations of human rights law and international humanitarian law have a right to reparation.³⁹² Victims should be provided with full and effective reparation, which include the following forms: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.³⁹³

In line with UN Security Council Resolutions 1325 and 1820, special efforts must be taken, including through the engagement with women's human rights activists, to develop a reparation plan for victims of the conflict and displacement crisis that recognizes the violations that women in displacement and detention have faced, and that ensures that the form of reparation and its distribution is appropriate for women.

Properly tailored reparation can transform survivors' lives. In the case of sexual and gender-based crimes, transformative reparation measures "should aspire, to the extent possible, to subvert, instead of reinforce, pre-existing structural inequality that may be at the root causes of the violence", including violence that women in particular experience before, during and after the conflict.³⁹⁴



Women and children, mostly from Bama LGA, meeting in a Maiduguri IDP camp to plan their advocacy on their husbands' release, March 2018 © Private

³⁹² See Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (hereafter Basic Principles on the Right to a Remedy), A/RES/60/147, 21 March 2006; Also, "Nairobi Declaration Women's and Girls Right to a Remedy and Reparation, 2007, available at: www.fidh.org/IMG/pdf/NAIROBI_DECLARATIONeng.pdf, Resolution on the Right to a Remedy and Reparation for Women and Girls Victims of Sexual Violence, November 2007, available at: www.achpr.org/sessions/42nd/resolutions/111/.

³⁹³ Basic Principles on the Right to a Remedy, Article 18. Victims are defined in the Guidelines also include the immediate family or dependents of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.

³⁹⁴ Report of the Special Rapporteur on violence against women, its causes and consequences, Reparations to women who have been subjected to violence (2010) at para. 31, available at www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/14/22.

9. RECOMMENDATIONS

TO THE NIGERIAN FEDERAL AND BORNO STATE GOVERNMENT

RESPECT, PROTECT AND FULFIL THE RIGHTS OF WOMEN AND GIRLS CURRENTLY IN DISPLACEMENT:

- Put in place mechanisms to ensure, as a matter of urgency, the food assistance to IDPs in the north-east, including to those currently located in the satellite camps, reaches all intended beneficiaries.
- Ensure that the amount of food assistance provided, the type of assistance provided and the distribution mechanisms used are appropriate and accessible. Ensure that the packages include condiments and firewood so that recipients are not compelled to sell food assistance to purchase these items. Also ensure that where certain groups of IDPs, such as female-headed-households, or pregnant and lactating women, have additional needs, they receive additional targeted assistance.
- Ensure movement restrictions imposed by the military on IDPs in camps are lifted or loosened. There should be no blanket bans on IDPs leaving camps imposed for extended periods of times, and free movement into and out of camps for IDPs who wish to travel in nearby areas or permanently relocate elsewhere should be the norm, not the exception. Any movement restrictions that remain should be necessary, proportionate, non-discriminatory and provided for in law. Where movement restrictions are motivated by concerns as to the security of IDPs, the provision of additional security to enable IDPs to safely leave the camp should be provided where possible.
- Continue to deploy police, including female police officers, to all camps for displaced people in Borno state. Ensure all police officers deployed to the camps have received specialised and ongoing training in addressing sexual violence and supporting survivors. Where police cannot be deployed to locations for security reasons, IDPs living in these locations should be given the option to be facilitated to live in alternative sites where there are civilian police present.
- Develop and implement an effective strategy to address the root causes of sexual violence and exploitation faced by women and girls in displacement. Assign a senior official tasked with the responsibility of leading the development and implementation of such a strategy, in consultation and coordination with affected communities of women, civil society activists in Borno, and national and international humanitarian actors. This strategy should consider and set out proposals to address, at a minimum, the following concerns and their connection to sexual violence and exploitation: 1) the levels of the humanitarian assistance provided and the particular barriers certain groups of women and girls face accessing assistance or meeting their needs; 2) movement restrictions for women and girls seeking to freely enter and camps; 3) family separation including where caused by the systematic and arbitrary detention of young men from families who had lived in areas under Boko Haram control.
- Request the assistance of multilateral organizations or other states, including UN missions (e.g., Office of the High Commissioner for Human Rights), the UN Team of Experts or UK Team of Experts to support efforts to address patterns of sexual violence of women and girls in displacement. Assistance may be particularly useful in the areas of monitoring and documenting patterns of sexual violence, and supporting the response capacity of the justice and security sector.
- Establish a register of missing persons. Take pro-active steps to include the names of those who died in the satellite camps since 2015.

PROMOTE AND PROTECT THE RIGHTS OF WOMEN AND GIRLS IN ARBITRARY DETENTION AND/OR AFFECTED BY ARBITRARY DETENTION OF FAMILY MEMBERS:

- Immediately close all unofficial and secret places of detention, including ungazetted military detention centres, or other facilities where there is a pattern of inhumane conditions and/or failures to ensure procedural protections against torture, other ill-treatment, and arbitrary detention. Either transfer detainees to lawful places of detention or release them in such a manner that allows reliable verification of their release and ensures their safety.
- Release all detainees, unless they are charged with a criminal offence provided in law and accorded the full range of fair trial rights during prosecutions, in line with international standards. Detainees must be brought promptly and regularly before a judge and have access to a procedure through which they may challenge the lawfulness of their detention.
- Ensure that the arrests and detentions of women and girls fully comply with the Nigerian Constitution and international human rights treaties ratified by Nigeria, as well as international human rights standards. As a first step to doing this, ensure that orders are issued defining the narrow range of circumstances under which arrest and detention is justified - to all security forces currently authorised to detain. Make clear that women and girls may not be detained because they are married or otherwise related to Boko Haram suspects, or simply because they arrived in recaptured towns without their husbands.
- Immediately end the involvement of the Civilian JTF and other vigilante bodies in detentions and interrogations.
- Ensure that if men or women are arrested with their children, they are given every opportunity to arrange appropriate alternative care for their children if they wish to and where possible for them to do so, and that they are able to receive regular visits from family members.
- Ensure that an up-to-date, centralized register of all people arrested and detained in the context of the conflict is maintained and is made accessible to the relatives and lawyers of those detained. The register must include the personal details of the detainees, the names and places of detention and the names of the individuals responsible for the detention, authority for the detention and the date of arrest and detention and all transfers. Include, for those who died in detention, the date, location and reason for death.
- Ensure that anyone detained are able to exercise their rights to health care, adequate food and water, and all other basic necessities, also taking account of the distinctive needs of women and girls.
- Ensure that all detention facilities are subjected to regular independent inspections by national and international human rights bodies and NGOs.

ENSURE ACCOUNTABILITY AND REPARATIONS, AND NON-REPETITION OF VIOLATIONS, INCLUDING THOSE THAT HAVE UNIQUELY OR DISPROPORTIONATELY AFFECTED WOMEN AND GIRLS:

- Make the report from the Presidential Investigation Panel to Review Compliance of the Armed Forces with Human Rights Obligations and Rules of Engagement public and set out the steps that will be taken to implement the recommendations made.
- Ensure that members of the military and Civilian JTF potentially responsible for serious violations of human rights law, war crimes and crimes against humanity are investigated, and where there is sufficient evidence of criminal responsibility, brought to justice in fair trials not subject to the death penalty. Ensure that witnesses are able to testify as part of any investigation or trial into these crimes without fear of reprisal.
- Establish a reparations program, in consultation with civil society and affected communities, with special consideration given to the violations faced by women including in relation to forced displacement, confinement in the camps, starvation, rape and other forms of sexual violence and exploitation, discrimination, and arbitrary detention of themselves and/or the impact of enforced disappearances of their loved ones. Seek and implement expert advice to ensure reparations are gender transformative and that reparations are designed and distributed in such a manner as to be accessible to women affected.
- Extend an invitation for mandate holders of the Special Procedures of the UN Human Rights Council and Special Mechanisms of the African Commission on Human and Peoples' Rights to visit Nigeria, including specifically the Special Rapporteur on Violence Against Women, the Special Rapporteur on Extra-Judicial, Summary or Arbitrary Executions, and the Special Rapporteur on

Counter-Terrorism and Human Rights from the UN Human Rights Council. Facilitate full access to any locations they would like to visit, including satellite camps, and ensure full and unfettered access to private interviews with individuals, including to ensure protection against intimidation and reprisals.

DOMESTICATE AND IMPLEMENT IN FULL INTERNATIONAL HUMAN RIGHTS TREATIES:

- Introduce legislation to bring the Terrorism Prevention Act into line with international law including by 1) repealing the death penalty; 2) providing that an individual may only be arrested on reasonable suspicion of having committed a criminal offence; 3) providing that all individuals must be promptly brought before a court and charged with a recognisable criminal offence; and 4) providing that law enforcement officers (including the military when exercising such a function) may only use force when strictly necessary and to the minimum extent required under the circumstances.
- Ensure that domestic law criminalizes enforced disappearances and that domestic standards on arrest and detention comply with international human rights law and standards.
- Domesticated and fully implement the State obligations under the Rome Statute of the International Criminal Court and the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).
- Strengthen existing laws and enforcement mechanisms to ensure women are protected from gender-based violence and discrimination, in line with international standards. In particular support the adoption of the Gender and Equal Opportunities Bill and ensure that the Violence Against Persons Prohibition Act, passed by the National Assembly in 2015, is applicable in all the states of the federation.

TO THE NIGERIAN NATIONAL ASSEMBLY

ENSURE ACCOUNTABILITY AND REPARATIONS, AND NON-REPETITION OF VIOLATIONS EXPERIENCED BY PEOPLE FLEEING OR FORCED FROM THEIR HOMES IN BOKO HARAM AREAS:

- As part of the National Assembly's mandate to oversee the actions of the executive branch of government, initiate a public inquiry, to examine the treatment of civilians living in areas under Boko Haram control after the military operations that recaptured territory. This inquiry should look at the failures by all stakeholders, within the military and different levels of government, and consider the treatment of men and women in their towns or villages, in displacement and in detention. The public inquiry should make recommendations to put an end to any ongoing violations, to ensure non-repetition of these violations, and to provide for a remedy and reparations for survivors. As women suffered particular forms of violations, special steps should be taken to ensure that the public inquiry is formed, carries out its work, and makes recommendations in a manner that is gender sensitive, including to the violations different groups of women have faced, and involves the participation of affected women.

INTRODUCE OR AMEND EXISTING LEGISLATION TO DOMESTICATE INTERNATIONAL LAW AND TO BRING NATIONAL LAW INTO LINE WITH INTERNATIONAL STANDARDS. THIS SHOULD INCLUDE:

- Bring the Terrorism Prevention Act into line with international law. Ensure that domestic law criminalizes enforced disappearances and that domestic standards on arrest and detention comply with international human rights law.
- Speed up the adoption of the draft bill before the National Assembly that would domesticate the Rome Statute of the International Criminal Court. Bill for an Act to Provide for the Enforcement and Punishment of Crimes Against Humanity, War Crimes, Genocide and for Related Offences and to Give Effect to Certain Provisions of the Rome Statute of the International Criminal Court in Nigeria
- Repeal pre-existing discriminatory laws, policies and practices against women and girls; and ensure the speedy domestication of CEDAW and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa by passing the Gender and Equal Opportunities (GEO) bill into Law.

TO THE NIGERIAN ARMED FORCES:

RESPECT, PROTECT AND FULFIL THE RIGHTS OF WOMEN AND GIRLS CURRENTLY IN DISPLACEMENT:

- Issue orders, as a matter of urgency, to all security forces that are involved in military operations in areas Boko Haram is or has been present, setting out limits to the lawful use of force and relevant international legal standards relating to the protection of civilians and civilian property, and emphasizing that forced displacement, and indiscriminate attacks on civilians or their property (such as the burning of homes in villages) is unlawful.
- Issue orders to all security forces that are present in camps or places of displacement setting out the limits to lawful freedom of movement restrictions, the prohibition on torture and ill treatment during screenings and interrogations, and the prohibition on violence, including sexual violence and sexual exploitation.
- Issue orders to all security forces that are currently authorised to conduct arrests or detentions defining the narrow circumstances under which these are permitted under domestic law and international human rights law. Make clear that women and girls may not be detained because they are married or otherwise related to Boko Haram suspects, or simply because they arrived in recaptured towns without their husbands.
- Set up effective reporting mechanisms so IDPs in the satellite camps can report issues of human rights concern, especially in relation to sexual violence.

PROMOTE AND PROTECT THE RIGHTS OF WOMEN AND GIRLS IN ARBITRARY DETENTION AND/OR AFFECTED BY ARBITRARY DETENTION OF FAMILY MEMBERS:

- Ensure that the arrests and detentions of women and girls fully comply with the Nigerian Constitution and international human rights treaties ratified by Nigeria, as well as international human rights standards. As a first step to doing this, ensure that the military issue orders - defining the narrow range of circumstances under which arrest and detention is justified - to all security forces currently authorised to detain. Make clear that women and girls may not be detained because they are married or otherwise related to Boko Haram suspects, or simply because they arrived in recaptured towns without their husbands.
- Immediately end the involvement of the Civilian JTF and vigilante bodies in detentions and interrogations.

ENSURE ACCOUNTABILITY AND REPARATIONS, AND NON-REPETITION OF VIOLATIONS EXPERIENCED BY PEOPLE FLEEING OR FORCED FROM THEIR HOMES IN BOKO HARAM AREAS:

- Making public all internal inquiries that have been conducted by the military on violations related to IDPs, including sexual violence. Cooperate fully with any investigative and accountability mechanisms established by the government or the national assembly, or at the regional or international level. Pending investigations, relive those suspected from active duty.

TO THE NATIONAL HUMAN RIGHTS COMMISSION

- Document patterns of sexual violence and bring these to the attention of the relevant authorities; ensure that survivors are able to access services, redress and reparation. In doing so, liaise closely with international humanitarian actors involved in responding to sexual violence.
- Conduct routine visits to places of detention in the north-east, including Giwa barracks, and detention facilities in military barracks in recaptured towns, including Bama prison, Dikwa and Monguno barracks.
- Investigate the allegations contained in this report, make the findings public, and work with the authorities to find ways to ensure an end to violations, and justice and reparations for victims.

TO THE UNITED NATIONS SECRETARIAT, HUMANITARIAN AGENCIES, FUNDS AND PROGRAMMES, INTERNATIONAL NGOS AND DONORS BASED IN NIGERIA

- Increase, as a matter of urgency, the food assistance to IDPs in the north east, including to those currently located in the satellite camps, and efforts to ensure that the food provided reaches all intended beneficiaries.
- Ensure the amount of assistance provided, the type of assistance provided and the distribution mechanisms used are appropriate and accessible. Extend the make-up of food packages to include condiments and firewood, or provide complimentary forms of assistance, so that recipients are not compelled to sell part of their food assistance to obtain these items. Ensure that where certain groups of IDPs, such as female-headed-households, or pregnant and lactating women, have additional needs, they receive additional targeted assistance.
- Undertake or encourage/fund more pro-active monitoring and reporting of human rights and international humanitarian law concerns in the context of the conflict and displacement crisis, and ensure greater and sustained engagement with the Nigerian government on human rights protection concerns.
- Undertake or encourage/fund the mapping of the movement restrictions in place across different IDP camps across Borno, and engage with the authorities to ensure all movement restrictions imposed on IDPs are in line with international standards. Publish and update a map of movement restrictions imposed on IDPs in different camps.
- Engage with the Nigerian government over the establishment of a reparations program, including by supporting with the provision of gender expertise and involvement of women affected by the crisis.
- Support funding of groups of women survivors and their inclusion in humanitarian and transitional justice fora, and support them carry out their work with safety.

TO THE AFRICAN COMMISSION ON HUMAN AND PEOPLE'S RIGHTS

- Issue a public statement expressing concern regarding the reports of serious allegations of forced displacement, starvation, rape and arbitrary detention, including those that have targeted or disproportionately affected women and girls, committed by the Nigerian military in the north-east of the country.
- Reiterate calls to the authorities to urgently initiate thorough, independent and effective investigations into crimes committed in the context of the ongoing conflict in north-east Nigeria not only by the armed group Boko Haram but also by Nigerian armed forces including violations that have targeted or disproportionately affected women and girls.
- Pursuant to its protective mandate, urgently request a fact-finding visit to Nigeria, If and when the request for the fact-finding visit is granted, the mission should be composed of the relevant special mechanisms of the African Commission.

TO THE UN HUMAN RIGHTS COUNCIL

- At the UN Human Rights Council, States should call on Nigeria to address violations of international law committed in the course of the conflict against Boko Haram - including those committed by the Nigerian security forces that have specifically targeted or affected women - via a resolution or through joint statement. In this regard, the Government should be asked to make public the findings of any ongoing investigations, including the Presidential Investigation Panel to Review Compliance of the Armed Forces with Human Rights Obligations and Rules of Engagement. The Government should also be asked to identify and commit to specific steps that will be taken to address the concerns and implement any recommendations made in line with these investigations, within a specific timeframe.

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“THEY BETRAYED US”

WOMEN WHO SURVIVED BOKO HARAM RAPED, STARVED AND DETAINED IN NIGERIA

Since early 2015, the Nigerian military has recaptured vast swathes of territory that had come under the control of Boko Haram in the north-east of the country.

However, instead of “freeing” hundreds of thousands of people who had been trapped in these areas, the military has carried out systematic patterns of violence and abuse against this population, including war crimes and possible crimes against humanity. Women have been affected in disproportionate and gender-specific ways, and continue to face ongoing discrimination and violence.

This report examines what happened to the group of people, especially women, who fled or were forced from rural towns and villages in Borno state that had been controlled by Boko Haram, as the military intensified its operations. First-hand testimonies describe the appalling actions of the Nigerian authorities, which may be linked to suspicion that some might be associated with the armed group.

The military established remote “satellite camps” for internally displaced persons, where they confined women, children and the elderly. Many young men were detained. The food provided in the camps has been inadequate, and women have been subject to alarming levels of sexual violence. Women and girls have also been arbitrarily detained, including victims of Boko Haram abduction.