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Nigeria: Boko Haram

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Hanibal Goitom
Foreign Law Specialist

SUMMARY Boko Haram is a terrorist organization responsible for a considerable amount of violence in northern Nigeria. Established in 2002 with the purpose of creating a state based on the strict application of Shari'a law, Boko Haram turned violent after the extrajudicial execution of its leader by the Nigerian security forces in 2009. Since then, the group has reportedly engaged in over six hundred attacks on various targets, including government institutions, government officials, churches, mosques, schools, bars, and other businesses. In addition to the deaths of an estimated five thousand people, it is said to have caused the displacement of over six hundred fifty thousand.

Boko Haram violence has mostly affected northern states, including Adamawa, Bauchi, Borno, Gombe, Kaduna, Kano, Kogi, Plateau, Taraba, and Yobe. However, the group's attacks in Abuja and Lagos indicate that the violence may soon spread south. While Boko Haram was initially active mostly in urban areas, various factors (including the declaration of a state of emergency and the creation of joint task forces in some of the most affected states) have caused its operations to spread to rural areas.

Although Boko Haram has expressed enmity towards Christians and attacked their churches on numerous occasions, it does not appear to be exclusively targeting Christians. This is illustrated by the fact that the group's violence has by and large remained limited to the north, where the residents are predominantly Muslims, and the fact that the majority of the group's victims so far have been Muslims.

In addition, Boko Haram has specifically targeted and assassinated individual Muslims who are part of the establishment in the north, as well as those who cooperate with the government in any manner. Such people include witnesses and its own members interested in negotiating peace with the Nigerian government, as well as prominent clerics who are critical of its ideology and tactics.

The uncertainty surrounding the possible spread of violence makes it hard to predict whether individuals displaced by Boko Haram violence can be relocated to other parts of the country.

I. Introduction

This report provides information regarding the risks that Boko Haram, a terrorist organization based in northern Nigeria, poses to certain elements of the Nigerian population. Specifically, it addresses the following issues:

- Whether specific sections of Nigeria's Muslim population are being targeted by Boko Haram;

- Whether the organization is more dangerous to urban- or rural-dwelling Christians in Nigeria; and
- Whether residents of northern Nigeria facing the risk of Boko Haram attacks can relocate within Nigeria and, if so, to which regions.

II. Background

Boko Haram, whose official name is Jamā'atu Ahli's-Sunna li'd-Da'wati wa'l-Jihād (an Arabic name that means "Society of Adherents to the Prophet's Teachings Committed to the Propagation of the Faith and Jihad") was established in Maiduguri, the capital of Borno, a northeast state.¹ Although some accounts trace its inception back to the 1990s, most sources associate its creation with the time that the group began to be noticed by the authorities, in the early 2000s.² The group was led by a charismatic cleric named Mohammed Yusuf, who was later killed while in police custody in 2009, which, according to a number of sources, marked the point at which the group turned violent (see below).

Reportedly disillusioned by the corruption and unjust governance that permeated the region, in 2002, the group sought to go underground by moving to a village in Yobe State called Kanama, also in northeast Nigeria, declaring that "it was embarking on a hijra (a withdrawal along the lines of the Prophet Mohammad's withdrawal from Mecca to Medina)" to establish a way of life "under 'true' Islamic law, with the aim of making a more perfect society away from the corrupt establishment" and eventually forming a northern state based on the strict application of Shari'a law.³

Their withdrawal followed the law reform process in the north, which led to the introduction of a Shari'a-based criminal justice system that failed to meet the group's expectations. The law reform process began subsequent to the end of military rule in 1998, when Zamafra State, followed by eleven other north Nigeria states with predominantly Muslim populations, introduced criminal justice systems based on Shari'a law.⁴ However, the governments in these states did not allow the full application of Shari'a law, including the harsh penalties for certain crimes mandated under a strict reading of Shari'a law, including death by stoning.⁵ This,

¹ Farouk Chothia, *Who Are Nigeria's Boko Haram Islamists?*, BBC NEWS AFRICA (May 20, 2014), <http://www.bbc.com/news/world-africa-13809501>.

² INTERNATIONAL CRISIS GROUP (ICG), *CURBING VIOLENCE IN NIGERIA (II): THE BOKO HARAM INSURGENCY*, AFRICA REPORT No. 216 (Apr. 3, 2014), <http://www.crisisgroup.org/~media/Files/africa/west-africa/nigeria/216-curbing-violence-in-nigeria-ii-the-boko-haram-insurgency.pdf>; JIDEOFOR ADIBE, *NIGERIA WITHOUT NIGERIANS? BOKO HARAM AND THE CRISIS IN NIGERIA'S NATION-BUILDING* 36 (2012).

³ ANDREW WALKER, UNITED STATES INSTITUTE OF PEACE, *WHAT IS BOKO HARAM?* 3 (Special Report 308, June 2012), <http://www.usip.org/sites/default/files/SR308.pdf>; *Boko Haram*, in *THE AMERICAN FOREIGN POLICY'S WORLD ALMANAC OF ISLAMISM* 3 (last updated Aug. 21, 2013), available at <http://almanac.afpc.org/sites/almanac.afpc.org/files/Boko%20Haram.pdf>.

⁴ JOHN CAMPBELL, *NIGERIA: DANCING ON THE BRINK* 134 (rev. ed. 2013); MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, 113TH CONG., *BOKO HARAM: GROWING THREAT TO THE U.S. HOMELAND* 8 (Sept. 13, 2013), <http://homeland.house.gov/sites/homeland.house.gov/files/documents/09-13-13-Boko-Haram-Report.pdf>.

⁵ CAMPBELL, *supra* note 4, at 134.

coupled with the fact that the introduction of Shari‘a criminal law was seen as having done little to change the corruption and mismanagement in the states, led to broad disillusionment.⁶ Some, including Yusuf and his followers, who wanted a geographically and substantively broad application of the Shari‘a-based system, saw these developments as an affront.⁷

Therefore, Yusuf and his followers set out to create a parallel state within the state based on “true” Islamic law. A United States Institute of Peace report described Boko Haram’s driving principle as follows:

Although the group’s modus operandi has changed over time, its “big idea” from 2002 has not changed. Like Mohammed Yusuf, the current leaders of the sect want to set up a state-like organization, operating initially on a small scale, parallel to the federal government. They believe this organization would inevitably grow and grow until it would replace the actual state. Where its members operated unchallenged between 2002 and 2003, the group aimed in that direction. They built on this in the years in Maiduguri, with the group growing to the point where it had many “state-like” functions, such as providing welfare handouts, job training, jobs in mini-industries, resources for the rest of the community, and a “moral police” along the same lines as the Hibah religious police in Kano.⁸

Various sources indicate that Boko Haram turned violent following a 2009 incident that resulted in the death of the organization’s leader. Although since its founding in 2002 the group had engaged in small scale conflict with government authorities and its agents (including burning government buildings and killing police officers in Kanama, Geidam, Babangida, Damaturu, Bama and Gwoza), its actions were a far cry from the levels of violence that the group is infamous for today.⁹ In 2009, a seemingly small issue regarding enforcement of traffic rules led to violent clashes between the Nigerian security forces and Boko Haram in four northern states (Bauchi, Borno, Kano, and Yobe), resulting in the deaths of many Boko Haram members and the arrest and extrajudicial execution of Yusuf while in police custody.¹⁰ Although the group initially went back underground for a year, a dramatically violent version of it re-emerged in 2010 under current leader, Abubakar Shekau, Yusuf’s former deputy.¹¹

Boko Haram attacks are currently more prevalent in the northeast of the country. Boko Haram is said to be responsible for over six hundred attacks that have claimed four to five thousand lives.¹²

⁶ *Id.*

⁷ *Boko Haram*, THE AMERICAN FOREIGN POLICY’S WORLD ALMANAC OF ISLAMISM, *supra* note 3, at 3.

⁸ *Id.* at 9.

⁹ *Nigeria: 10,000 Displaced by Muslim Uprising in Northeast*, IRIN (Jan. 6, 2004), <http://www.irinnews.org/report/47921/nigeria-10-000-displaced-by-muslim-uprising-in-northeast>; ICG, *supra* note 2, at 10.

¹⁰ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 2.

¹¹ *Id.* at 7; ICG, *supra* note 2, at 14; *Boko Haram*, THE AMERICAN FOREIGN POLICY’S WORLD ALMANAC OF ISLAMISM, *supra* note 3, at 4.

¹² Diego Cordano, *The Evolution of Boko Haram: A Growing Threat?*, CONSULTANCY AFRICA INTELLIGENCE (CAI) (June 27, 2014), http://www.consultancyafrica.com/index.php?option=com_content&view=article&id=1695:the-evolution-of-boko-haram-a-growing-threat&catid=60:conflict-terrorism-discussion-papers&Itemid=265; *Northeast*

So far, it has largely stayed out of the “predominantly Christian oil-producing zones of southern Nigeria, including Lagos and Port Harcourt. . . .”¹³ The areas in Nigeria most affected by Boko Haram’s terrorist activities are primarily in the northern states: Adamawa, Bauchi, Borno, Gombe, Kaduna, Kano, Kogi, Plateau, Taraba, and Yobe.¹⁴ Six of these states in the northeast (Adamawa, Bauchi, Borno, Gombe, Taraba, and Yobe) have been the hardest hit, with close to six hundred fifty thousand residents being internally displaced.¹⁵ Borno State, home to over two hundred fifty thousand of the internally displaced persons, of which one hundred thousand are in the capital, Maiduguri, the birth place of Boko Haram, has fared the worst.¹⁶

However, other parts of Nigeria are not completely immune. Attacks in Abuja, the federal capital of Nigeria, and Lagos, the financial capital, may signal the group’s southward movement.¹⁷ The very governing principle of the group, the elimination of the secular state and creation of strict Shari‘a-based government in the country, also gives rise to the possibility that unless the group is eliminated or greatly weakened, it plans to spread violence throughout Nigeria. The group is reportedly becoming more sophisticated and violent,¹⁸ potentially increasing the risk that it will venture out of its familiar areas of operation.

Boko Haram is described as a diffuse group with a disjointed structure. Beyond its core committed members who participate directly in violent activities, the group is said to enjoy wide-ranging support among a large number of sympathizers in the northeast, where the group is the most active, including some politicians in the region.¹⁹ In addition, there appears to be an increasing fragmentation in the structure of the group.²⁰ The group has morphed into a collection of thirty autonomous cells governed by a thirty-member “Shura Council,” with each Council member in charge of a cell.²¹ The cells are said to be responsible for different tasks and geographic locations.²² While decisions are made by the Council, whose members keep in touch only via mobile phones, the leader of the organization is said to have the power to make

Assessment Reveals Dire Situation in Northeast, HUMANITARIAN BULL.: NIGERIA (OCHA, New York, N.Y.), Issue 4, June 2014, at 1.

¹³ *Boko Haram*, THE AMERICAN FOREIGN POLICY’S WORLD ALMANAC OF ISLAMISM, *supra* note 3, at 4.

¹⁴ U.S. DEP’T OF STATE, COUNTRY REPORTS ON TERRORISM 2013: NIGERIA 36 (Apr. 30, 2014), <http://www.state.gov/documents/organization/225886.pdf>; *Updated Timeline of Boko Haram Attacks and Related Violence*, IRIN (Dec. 12, 2013), <http://www.irinnews.org/report/99319/updated-timeline-of-boko-haram-attacks-and-related-violence>.

¹⁵ OCHA, *supra* note 12, at 1.

¹⁶ *Id.*

¹⁷ *Boko Haram Claims Lagos, Abuja Attacks*, VOICE OF AMERICA (July 14, 2014), <http://www.voanews.com/content/boko-haram-claims-lagos-abuja-attacks/1956928.html>; E.W., *Boko Haram Extends Its Reach*, ECONOMIST (July 15, 2014), <http://www.economist.com/blogs/baobab/2014/07/insurgency-nigeria-reaches-lagos>.

¹⁸ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 18.

¹⁹ CAMPBELL, *supra* note 4, at 135; MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 10.

²⁰ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 10.

²¹ *Id.*; WALKER, *supra* note 3, at 8.

²² WALKER, *supra* note 3 at 8.

unilateral decisions.²³ This makes Boko Haram susceptible to divisions and highly unpredictable.²⁴

In addition, disagreements over a number of issues, including tactics and the civilian death toll, are said to have led to the creation of splinter groups.²⁵ A good example of this is a group created in early 2012 known as “Ansaru,” whose full name is Jamā’atu Anṣāru’l-Muslimīna fī Bilādi’s-Sūdān (Vanguard of Muslims in Black Africa).²⁶ Ansaru, highly critical of Boko Haram for inflicting casualties on Muslims, is reportedly less interested in attacking civilian Nigerians than on attacking Nigerian government institutions, their agents, and international targets.²⁷ However, the idea that Boko Haram is prone to splintering is disputed by some who argue that the group’s decentralized, autonomous cell structure nullifies fissiparous tendencies.²⁸ The level of coordination of operations and sharing of resources between Boko Haram and Ansaru appears to support this claim.²⁹

Adding a layer of complication is the adoption of Boko Haram’s cause and tactics by government insiders and criminal elements, including gangs that use the group’s brand to commit such crimes as bank robbery.³⁰ There are also reports of politicians taking advantage of or benefiting from the chaos created by Boko Haram and who either support the group’s actions or use it to settle political scores.³¹ Members of Nigeria’s security apparatus “have also been accused of ‘fronting’ as Boko Haram for financial gain.”³² This creates doubts as to whether Boko Haram is behind all the violence for which it is blamed.³³

Boko Haram and Ansaru have been designated terrorist organizations, including by the United States government. In November 2012, the United Kingdom Home Office listed Ansaru as a Proscribed Terrorist Organization (PTO) following the reported kidnaping and murder of a British citizen by the group in the previous year.³⁴ In November 2013, the US Department of State designated both Boko Haram and Ansaru as Foreign Terrorist Organizations (FTOs) and

²³ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 10; WALKER, *supra* note 3, at 8.

²⁴ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 10.

²⁵ *Id.*; CAMPBELL, *supra* note 4, at 140.

²⁶ Farouk Chothia, *Profile: Who Are Nigeria’s Ansaru*, BBC AFRICA (Mar. 11, 2013), <http://www.bbc.com/news/world-africa-21510767>. Although Ansaru is said to have been created on January 1, 2012, this is said to be merely the date it announced its existence and that it was established much earlier. ICG, *supra* note 2, at 26.

²⁷ ICG, *supra* note 2, at 26–27; MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 16.

²⁸ CAMPBELL, *supra* note 4, at 140.

²⁹ ICG, *supra* note 2, at 26–29.

³⁰ Yvonne Ndege & Azad Essa, *The Rise of Nigeria’s Boko Haram: An In-Depth Look at the Shadowy Group As Violence Continues to Wrack the West African Country’s Northeast*, ALJAZEERA (last updated Sept. 30, 2013), <http://www.aljazeera.com/news/africa/2013/09/201397155225146644.html>.

³¹ *Id.*; CAMPBELL, *supra* note 4, at 135.

³² Ndege & Essa, *supra* note 30.

³³ WALKER, *supra* note 3, at 7.

³⁴ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 17.

Specially Designated Global Terrorists (SDGTs).³⁵ In addition, the United States has also designated as SDGTs three high-level members of Boko Haram, including Shekau, and has instituted a US\$7 million reward for information leading to Shekau's capture.³⁶ Furthermore, Boko Haram was added to the United Nations Security Council list of al-Qaida associates liable to financial sanctions and arms embargo in May 2014.³⁷

III. Boko Haram Targets

It appears Christians are neither the only nor the primary target of Boko Haram attacks. Reports indicate that Boko Haram violence has affected over fifteen million people, caused the displacement of about six hundred fifty thousand, and claimed over five thousand lives in northeast Nigeria,³⁸ targeting both Christians and Muslims alike.³⁹ A report by the National Consortium for the Study of Terrorism and Responses to Terrorism (START) provides a breakdown of targets of Boko Haram attacks carried out from 2009 through 2013: "private citizens and property (25% of attacks), police (22% of attacks), government targets (11%), religious figures and institutions [including both churches and mosques] (10% of attacks), and the military (9% of attacks)." It further enumerates attacks on business targets (8% of attacks) and education targets (7% of attacks), with the remaining 8% directed at various other targets.⁴⁰

The fact that the majority of victims of Boko Haram attacks have been Muslims and that the group's operations have by and large remained limited to the northeast, where the residents are predominantly Muslim, also illustrate the nonexclusiveness of its violence.⁴¹

Attacks on Christians and their churches serve to fuel existing religious tensions and create further displacement. The mutual disagreements and suspicions of the predominantly Muslim north and the predominantly Christian south go back to the colonial era; the introduction of Shari'a-based criminal law in the north has reportedly served only to intensify the conflict.⁴²

³⁵ Press Release, US Dep't of State, Terrorist Designations of Boko Haram and Ansaru (Nov. 13, 2013), <http://www.state.gov/r/pa/prs/ps/2013/11/217509.htm>.

³⁶ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 11; Press Release, US Dep't of State, Rewards for Justice – First Reward Offers for Terrorists in West Africa (June 3, 2013), <http://www.state.gov/r/pa/prs/ps/2013/06/210204.htm>.

³⁷ *Boko Haram, Nigerian Group That Kidnapped Schoolgirls, Put on UN Terror Sanctions List*, UN NEWS CENTRE (May 23, 2014), <http://www.un.org/apps/news/story.asp?NewsID=47874#.U8fKlhBAuVo>.

³⁸ OCHA, *supra* note 12, at 1.

³⁹ ICG, *supra* note 2, at 14; US DEP'T OF STATE, *supra* note 14, at 36.

⁴⁰ NAT'L CONSORTIUM FOR THE STUDY OF TERRORISM AND RESPONSES TO TERRORISM (START), BACKGROUND REPORT: BOKO HARAM RECENT ATTACKS 3 (May 2014), http://www.start.umd.edu/sites/default/files/files/STARTB_ackgroundReport_BokoHaramRecentAttacks_May2014_0.pdf.

⁴¹ WALKER, *supra* note 3, at 10; MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 13; Ndege & Essa, *supra* note 30.

⁴² Moses Ochonu, *The Roots of Nigeria's Religious and Ethnic Conflict*, GLOBAL POST (Mar. 10, 2014), <http://www.globalpost.com/dispatch/news/regions/africa/nigeria/140220/nigeria-religious-ethnic-conflict-roots>.

Attacks on Christians often lead to reprisals.⁴³ According to START, “Boko Haram’s major attacks on churches and religious figures have at times been followed by rioting and retaliatory attacks against Muslim targets, exacerbating religious polarization of the Nigerian population.”⁴⁴ Continued attacks on Christians and churches, regardless of whether they are the primary or exclusive targets, could lead to more religion-based conflicts, further destabilizing large parts of the country.⁴⁵

Some sources note that Boko Haram attacks on Christians are tactical, intended to instigate heavy-handed responses from southern Christian politicians, including the incumbent president, and Nigeria’s western allies.⁴⁶ However, Boko Haram is not the only group that stands to benefit from stoking religious tensions. As discussed above, there are reportedly a number of other groups interested in fueling violence to destabilize the current federal government, or which commit violence to settle scores, for which Boko Haram may be easily blamed.⁴⁷ A 2012 attempted attack against a Church in Bauchi, which police suspected was the work of a rival Christian organization, is a good example in this regard.⁴⁸

It is hard to predict whether Boko Haram will start exclusively targeting Christians. The organization has vowed to kill Christians.⁴⁹ In fact, this is in keeping with its goal of creating a strict Shari‘a-based state in the north.⁵⁰ Christians undermine its stated goals, and Boko Haram has expressed its intention to convert or kill Christians, or expel them to the southern parts of

⁴³ Ibrahim Garba, *Christians Retaliate After Three More Churches Bombed in Nigeria*, CHRISTIAN SCIENCE MONITOR (June 17, 2012), <http://www.csmonitor.com/World/Africa/2012/0617/Christians-retaliate-after-three-more-churches-bombed-in-Nigeria>; U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM (USCIRF), 2013 ANNUAL REPORT: NIGERIA (Apr. 2013), <http://www.uscifr.gov/sites/default/files/resources/Nigeria%202%20pager%202013%20final.pdf>; *Nigeria Church Bombings Kill 19, Spark Reprisal Attacks on Muslims*, REUTERS (June 17, 2012), <http://blogs.reuters.com/faithworld/2012/06/17/nigeria-church-bombings-kill-19-spark-reprisal-attacks-on-muslims/>.

⁴⁴ START, *supra* note 40, at 3.

⁴⁵ Matteo Fagotto, *Is Nigeria on the Brink of a Religious Civil War?*, THESTAR.COM (Jan. 6, 2013), http://www.thestar.com/news/world/2013/01/06/is_nigeria_on_the_brink_of_a_religious_civil_war.html; *Religion and Ethics Report: Religious Violence Spirals in Nigeria* (ABC (Australia) radio broadcast June 27, 2012) (transcript available at <http://www.abc.net.au/radionational/programs/religionandethicsreport/religious-violence-spirals-in-nigeria/4096200>).

⁴⁶ *U.S. Policy Toward Nigeria: West Africa’s Troubled Titan: Hearing Before the Subcomm. on Africa, Global Health, and Human Rights of the H. Comm. on Foreign Affairs*, 112th Cong. 3 (Jul. 10, 2012) (statement of Darren Kew, Ph.D.), <http://archives.republicans.foreignaffairs.house.gov/112/HHRG-112-FA16-WState-KewD-20120710.pdf>.

⁴⁷ CAMPBELL, *supra* note 4, at 136.

⁴⁸ WALKER, *supra* note 3, at 7.

⁴⁹ See, e.g., *Boko Haram Leader, Shekau, Speaks; Vows to Attack Nigerian Refineries, Buhari, Babangide, Others*, Premium Times (Feb. 20, 2014), <http://www.premiumtimesng.com/news/155472-boko-haram-leader-shekau-speaks-vows-attack-nigerian-refineries-buhari-babangida-others.html>.

⁵⁰ ICG, *supra* note 2 at 9.

Nigeria.⁵¹ Thus, it stands to reason that Christians in the north, particularly in the states where Boko Haram is active, will continue to be under threat.

However, Boko Haram also specifically targets individual Muslims who undermine its stated goals, including government officials and moderate clerics. For instance, in 2007, Yusuf, the then-leader of Boko Haram, was said to have ordered the execution of Sheikh Ja'afar Mahmoud Adam, a prominent cleric in Kano who often spoke against the Boko Haram's extreme ideology.⁵² Similarly, in 2011, Boko Haram allegedly executed Ibrahim Birkuti, a prominent cleric from a rival sect who was critical of Boko Haram's violence.⁵³ More recently, on May 31, 2014, Boko Haram reportedly killed an Islamic monarch, Idrissa Timta, the Emir of Gwoza, in Borno State; two other royals who were travelling with Timta survived the attack.⁵⁴ A member of Boko Haram who sought an end to the violence through negotiations with the Nigerian government was also executed.⁵⁵ In addition, Boko Haram is said to have executed local chiefs who cooperated with the government, as well as politicians and various moderate Muslim clerics.⁵⁶

It is not clear whether Boko Haram attacks are more prevalent in rural or urban areas. This is partly due to the fact that a number of factors determine where Boko Haram carries out attacks, including the security situation in a particular geographic area. Boko Haram initially began its activities in urban areas, particularly in Adamawa, Borno, and Yobe States. However, the declaration of a state of emergency in these states in May 2013, which is still in place, and the creation of joint task forces to combat the group, have reportedly pushed it and the violence into rural areas.⁵⁷ Since the start of the current year, Boko Haram attacks and abductions in rural

⁵¹ ADIBE, *supra* note 2, at 34–35; Robyn Dixon, *Boko Haram Shows No Mercy in Nigeria, Wrecking Churches, Homes, Lives*, LA TIMES (July 8, 2014), <http://www.latimes.com/world/great-reads/la-fg-c1-nigeria-boko-haram-20140708-story.html#page=1>; *Boko Haram*, in THE AMERICAN FOREIGN POLICY'S WORLD ALMANAC OF ISLAM, *supra* note 3, at 6.

⁵² WALKER, *supra* note 3, at 4.

⁵³ 'Boko Haram' Gunmen Kill Nigerian Muslim Cleric Birkuti, BBC NEWS AFRICA (June 7, 2011), <http://www.bbc.co.uk/news/world-africa-13679234>.

⁵⁴ *Boko Haram Gunmen Kill Senior Muslim Cleric in Northeast Nigeria*, ZEENEWS, http://zeenews.india.com/news/world/boko-haram-gunmen-kill-senior-muslim-cleric-in-northeast-nigeria_936178.html (last updated May 31, 2014).

⁵⁵ MAJ. STAFF. OF H. COMM. ON HOMELAND SECURITY, *supra* note 4, at 14.

⁵⁶ ICG, *supra* note 2, at 14.

⁵⁷ Mohammed Aly Sergie & Tony Johnson, *Backgrounders: Boko Haram*, COUNCIL ON FOREIGN RELATIONS, <http://www.cfr.org/nigeria/boko-haram/p25739> (last updated May 5, 2014); NORWEGIAN REFUGEE COUNCIL (NRC) & INTERNAL DISPLACEMENT MONITORING CENTRE (IDMC), NIGERIA: FLEEING BOKO HARAM'S RELENTLESS TERROR 2 (June 5, 2014), <http://www.internal-displacement.org/assets/publications/2014/201406-af-nigeria-boko-haram-brief-en.pdf>; Greg Botelho, *Nigerian President Declares Emergency in 3 States During 'Rebellion'*, CNNWORLD (May 14, 2013), <http://www.cnn.com/2013/05/14/world/africa/nigeria-violence/>; Tailor Solomon, *Extending the State of Emergency*, LEADERSHIP (May 30, 2014), <http://leadership.ng/opinions/372657/extending-state-emergency>; U.S. DEP'T OF STATE, *supra* note 14, at 36.

areas have dramatically increased.⁵⁸ However, overall, both rural and urban areas in the north have seen their share of deadly Boko Haram attacks.⁵⁹

IV. Displacement and Relocation

Boko Haram is not the only cause of displacement in Nigeria. Recurrent intercommunal conflicts, natural disasters, and forced evictions often cause displacement of people in various parts of the country.⁶⁰ For instance, intercommunal conflicts over the introduction of Shari‘a criminal law in Kaduna State in 2000 and clashes in Jos, the capital of Plateau State, in 2001, are said to have displaced thousands of residents.⁶¹ Similarly, “violent riots and sectarian killings” that ensued in the northern states of Adamawa, Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Niger, Sokoto, Yobe, and Zamfara following the 2011 presidential election are reported to have claimed eight hundred lives and displaced over sixty-five thousand people.⁶² Reprisal attacks in Benin State in early 2012 caused the displacement of around ten thousand, mostly Muslim, residents.⁶³ Forced evictions of slum-dwellers, particularly in Abuja, Lagos, and Port Harcourt, over the last fourteen years have also resulted in the creation of over two million internally displaced people (IDPs).⁶⁴ Therefore, it is important to note that the displacement resulting from Boko Haram’s violence is not a unique phenomenon.

As noted above, Boko Haram violence is said to have affected over fifteen million and displaced close to six hundred fifty thousand people in six northeast states alone. In addition, the violence has also driven thousands of people to contiguous countries—Cameroon, Chad, and Niger.⁶⁵ Citing Nigeria’s National Emergency Management Agency (NEMA), the Norwegian Refugee Council (NRC) describes the ripple effect of Boko Haram’s violence in a recent briefing in which it has identified three emerging patterns of displacement:

⁵⁸ *Nigeria: Boko Haram Attacks Cause Humanitarian Crisis*, HUMAN RIGHTS WATCH (Mar. 14, 2014), <http://www.hrw.org/news/2014/03/14/nigeria-boko-haram-attacks-cause-humanitarian-crisis>.

⁵⁹ Maram Mazon, *Bloodshed Corrodes Support for Boko Haram*, ALJAZEERA (May 25, 2014), <http://www.aljazeera.com/indepth/features/2014/05/bloodshed-corrodes-support-boko-haram-201452084357414955.html>.

⁶⁰ *Fragmented Response to Internal Displacement amid Boko Haram Attacks and Flood Season*, NRC (July 23, 2012), <http://www.internal-displacement.org/sub-saharan-africa/nigeria/2012/fragmented-response-to-internal-displacement-amid-boko-haram-attacks-and-flood-season/>; MUHAMMED TAWFIQ LADAN, NATIONAL FRAMEWORK FOR THE PROTECTION OF INTERNALLY DISPLACED PERSONS (IDPs) IN NIGERIA 5–6 (Apr. 20, 2013), available at www.abu.edu.ng/publications/2013-05-18-180015_3901.docx.

⁶¹ *Fragmented Response to Internal Displacement*, *supra* note 60.

⁶² *Nigeria: Post-Election Violence Killed 800*, HUMAN RIGHTS WATCH (May 17, 2011), <http://www.hrw.org/en/news/2011/05/16/nigeria-post-election-violence-killed-800>.

⁶³ *Nigeria: Boko Haram Displaced Fear Returning Home*, IRIN (Jan. 19, 2012), <http://www.irinnews.org/report/94665/nigeria-boko-haram-displaced-fear-returning-home>.

⁶⁴ *Fragmented Response to Internal Displacement*, *supra* note 60.

⁶⁵ *NE Nigeria Insecurity Sees Refugee Outflows Spreading to Cameroon*, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) (June 18, 2013), <http://unhcr.org/51c05dd76.html>.

The first is of internally displaced people (IDPs) fleeing to the south of the country in the footsteps of economic migrants. The second is of people fleeing from rural to urban areas within their states, and the third is of the secondary displacement of both IDPs and host communities who move once again when their resources have been depleted.⁶⁶

The NRC further noted that the “level of destruction undermining physical security and livelihoods has instilled deep fears in the affected populations, significantly reducing the possibility of returns.”⁶⁷ According to the NRC, this will lead to prolonged displacement unless the IDPs “can integrate successfully in their places of displacement or find safe haven within Nigeria or abroad.”⁶⁸

The UN Office for the Coordination of Humanitarian Affairs (OCHA) assessment of communities hosting IDPs in Borno, Yobe, Adamawa, and Taraba States found them to be completely overwhelmed and facing food shortages. The sheer number of IDPs is one reason for this. For instance, there are said to be 257,694 IDPs in Borno, 108,515 in Taraba, 102,580 in Adamawa, and 76,354 in Yobe.⁶⁹ Also contributing to the problem is the fact that the host communities were poor to begin with, and the arrival and stay of IDPs is further straining their already scarce resources.⁷⁰

Nigeria is in the process of putting in place a legal framework for dealing with IDPs. The country signed the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) in October 2009 and ratified it in April 2012.⁷¹ Although, Nigeria quickly moved to rewrite an existing draft policy on IDPs for the purpose of incorporating the Kampala Convention provisions, it appears that it has yet has to adopt the draft.⁷²

Nonetheless, the provisions of the Kampala Convention, which was adopted in 2009 and took effect in December 2012,⁷³ are binding on Nigeria.⁷⁴ The requirements under the Convention

⁶⁶ NIGERIA: FLEEING BOKO HARAM’S RELENTLESS TERROR, *supra* note 57, at 2.

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ OCHA, *supra* note 12, at 1.

⁷⁰ *Id.*

⁷¹ AFRICAN UNION, LIST OF COUNTRIES WHICH HAVE SIGNED, RATIFIED/ACCEDED TO THE AFRICAN UNION CONVENTION FOR THE PROTECTION AND ASSISTANCE OF INTERNALLY DISPLACED PERSONS IN AFRICA (KAMPALA CONVENTION), AFRICAN UNION (Jan. 28, 2014), http://www.au.int/en/sites/default/files/Convention%20on%20IDPs%20-%20displaced..._0.pdf.

⁷² *Nigeria: Internal Displacement in Brief*, NRC (Dec. 31, 2013), <http://www.internal-displacement.org/sub-saharan-africa/nigeria/summary/>.

⁷³ AFRICAN UNION, *supra* note 71.

⁷⁴ LADAN, *supra* note 60, at 13.

include an obligation on the part of a state party to provide protection of and humanitarian assistance to internally displaced persons within its territory.⁷⁵ State parties are also required to

[p]rovide internally displaced persons to the fullest extent practicable and with the least possible delay, with adequate humanitarian assistance, which shall include food, water, shelter, medical care and other health services, sanitation, education, and any other necessary social services, and where appropriate, extend such assistance to local and host communities.⁷⁶

Significantly, the Convention requires state parties to find permanent solutions to displacement “by promoting and creating satisfactory conditions for voluntary return, local integration or relocation on a sustainable basis and in circumstance of safety and dignity.”⁷⁷ So far, however, it seems that Nigeria has done little to assist the IDPs.⁷⁸

Answering the question of whether persons displaced as the result of Boko Haram violence can successfully be relocated to other parts of Nigeria is difficult. It is true that Boko Haram violence has mostly remained sequestered in the six northeast states. This means that IDPs could potentially relocate to the remaining thirty states or Abuja, the federal capital. However, a number of factors could lead to the spread of violence to other parts of the country, rendering this option less feasible. Boko Haram has a fragmented structure that makes it highly unpredictable, and the group appears to be growing more violent and sophisticated with time. In addition, if the attacks in Abuja and Lagos are any indication, the group may be poised to spread the violence southward. Furthermore, reprisals by Christians could lead to more intercommunal violence, making the predominantly Christian south unavailable for relocating Muslim IDPs. Also adding a potential complication is the fact that parts of the country that have yet to see Boko Haram attacks are not immune to other causes of displacement. For these reasons, it is hard to predict which parts of the country would continue to remain safe for the relocation of IDPs.

⁷⁵ African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) art. 5, Oct. 22, 2009, 49 I.L.M. 86, available on the United Nations High Commissioner for Refugees (UNHCR) portal, REFWORLD, at <http://www.unhcr.org/4ae9bede9.html>.

⁷⁶ *Id.* art. 9(2)(b).

⁷⁷ *Id.* art. 11(1).

⁷⁸ *Nigeria: Internal Displacement in Brief*, *supra* note 72.