



“HELP US BUILD OUR LIVES”

GIRL SURVIVORS OF BOKO HARAM AND MILITARY ABUSES IN NORTH-EAST NIGERIA

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ABBREVIATIONS

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACHPR	African Charter on Human and Peoples' Rights
ACHPR	African Commission on Human and Peoples' Rights
ACRWC	African Charter on the Rights and Welfare of the Child (African Children's Charter)
AP-CAAC	Africa Platform on Children Affected by Armed Conflict
AUC	African Union Commission
AUPSC	African Union Peace and Security Council
BICC	Bulumkutu Interim Care Centre
CJTF	Civilian Joint Task Force
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment
CAT	Committee against Torture
CCCCPA	Cairo International Centre for Conflict Resolution, Peacekeeping and Peacebuilding
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CEDAW	Committee on the Elimination of Discrimination Against Women
CRSV	Conflict-related sexual violence
CRC	Convention on the Rights of the Child
CRC	Committee on the Rights of the Child
CRC-OP-AC	CRC's Optional Protocol on the involvement of children in armed conflict
DDR	Disarmament, Demobilisation and Reintegration
GAAFAG	Girls Associated with Armed Forces and Armed Groups
GBV	Gender-Based Violence
IDP	Internally Displaced People
ICC	International Criminal Court
ILO	International Labour Organization
IS	Islamic State
ISWAP	Islamic State West African Province (commonly referred to as "Boko Haram")
IOM	International Organisation for Migration
JAS	Jama'atu Ahlis Sunna Lidda'awati wal-Jihad (commonly referred to as "Boko Haram")
LGA	Local Government Area
MHPSS	Mental health and psychosocial support services
MNJTF	Multinational Joint Task Force
MRM	Monitoring and Reporting Mechanism
MARA	Monitoring, Analysis and Reporting Arrangements
OtP	Office of the Prosecutor
SRSG-CAAC	Special Representative of the Secretary-General for Children and Armed Conflict
SRSG-SVC	Special Representative of the Secretary-General on Sexual Violence in Conflict
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNSC	United Nations Security Council
UNTOC	UN Convention against Transnational Organized Crime
VAPP	Violence Against Persons Prohibition

MAP



EXECUTIVE SUMMARY



GN, now a young woman, survived years of Boko Haram captivity and around 13 months in unlawful military detention. Maiduguri, Borno State, July 2023 © Amnesty International

When **GN** was a young girl, around 2015, Boko Haram attacked her village in Bama, in north-east Nigeria. Fighters went house to house, threatened to kill her mother and abducted **GN** along with her older sisters and her friends. When arriving at their base, she said Boko Haram “told people they have brought brides”. She was forcibly married to a Boko Haram fighter and subjected to sexual violence and other crimes as a young adolescent. During her captivity, she was forced to witness torture meted out against others for breaking rules, including girls who tried to escape. “If you talk, they’ll flog you too”, she said.

When she was about 16 years old, the Nigerian military attacked Boko Haram in the village where they were holding her. Soldiers found **GN** hidden under a bush, took her with them, registered her in Bama Prison, and then took her to an internally displaced persons (IDP) camp in Bama.

GN lived there for one or two years. During this time, she remarried. She said, “After I came out from the bush, my [Boko Haram] ‘husband’ called me to come back. I refused.” A neighbour reported the call, and Nigerian soldiers detained her in Bama Prison for around one month in the second half of 2021 and beat her with a cane for three days. She was pregnant at the time. The soldiers blindfolded her and transferred her to Giwa Barracks in Maiduguri. **GN** was unlawfully detained there for around one year, during which she gave birth.

Eventually, when **GN** was a young woman, she was taken to the Bulumkutu Interim Care Centre (BICC) – a state-run centre for children and women associated with Boko Haram – for two more months without being allowed to leave the facility. Despite the centre’s mandate, she said she was not provided with psychosocial support or vocational training.

By the time she made it back to Bama, her Boko Haram “husband” had taken **GN** and her new husband to a sharia court. She had no lawyer and said that at the court, “They asked me to go back to my first ‘husband’. I said no. [The] court said I had to pay 100,000 naira [about US\$220], but my [new] husband said we don’t have such kind of money.”

GN now lives with her new husband and child in an IDP camp. She is paying the sum in installments. She wants to return to her original village to farm, but said it remains too unsafe as the fighting continues.

GN’s experience is far too common. For over a decade, the armed conflict in north-east Nigeria between Boko Haram factions and Nigerian forces has affected millions of lives. Families have been torn apart, villages and schools burnt and pillaged, thousands of civilians killed, and more than two million civilians have been internally displaced. Boko Haram has engaged in widespread abductions and sexual violence, and the Nigerian military has unlawfully imprisoned and forcibly disappeared people for years. The conflict has resulted in a humanitarian crisis, and all sides to the conflict have committed crimes under international law and other human rights violations and abuses. Impunity reigns.

Whilst everyone in north-east Nigeria has been affected by the conflict, girls who became associated with Boko Haram (henceforth girls), overwhelmingly through abductions and forced marriages at young ages, have experiences unique to their age and gender. The crimes committed against these girls, some of whom are young women by the time they leave Boko Haram (henceforth young women), have consequences that are also specific to their age and gender, including health complications, access to education, ability or desire to be married again, and stigma and rejection by family and communities. The crimes affect their hopes and priorities for their future. This also means the needs and priorities of those who were girls when associated with Boko Haram are often different than those of boys or women.

This report is based on 126 interviews, 76 with girls and young women who are survivors of Boko Haram, conducted between December 2019 and May 2024. The research examines abuses and violations of international humanitarian law and international human rights law the girls endured by Boko Haram, as well as by the Nigerian authorities, including the military. It sets out to better understand the unique experiences of these girls and young women, and their aspirations, to inform support and reintegration efforts across north-east Nigeria.

On 4 April, Amnesty International wrote separately to the Nigerian federal government, the Nigerian military, and the Borno and Adamawa State governments, as well as to UNICEF’s office in Abuja and to the UN Resident and Humanitarian Coordinator in Nigeria, to share the key findings of this research and to seek their response. In its response on 22 April 2024, the Nigerian military denied all allegations, said it upholds human rights in its operations, and referred to Amnesty International’s “sources”, which were primarily survivors, as “intrinsically unreliable”. UNICEF responded confidentially on 3 May 2024. As a result, their response is not referenced, but Amnesty International’s analysis and conclusions have taken the response into consideration. All other letters remained unanswered at the time of writing.

SURVIVING YEARS OF CRIMES AND ABUSES BY BOKO HARAM

In violation of international humanitarian law, Boko Haram has used girls as “wives”, forcibly marrying them, some multiple times, and subjecting them to years of domestic servitude and support roles (such as midwives), sexual and domestic violence, and forced pregnancy. Among those interviewed by Amnesty International, the marriages lasted for anywhere between several days to 10 years. Interviewees gave birth to children born of sexual violence by Boko Haram members, often when the survivors were still children themselves. One young woman said she twice witnessed Boko Haram kill women who had taken

contraceptive pills. In previous periods of the conflict, Boko Haram also regularly used girls as suicide bombers.

Boko Haram indoctrinated girls and young women into the group's ideology and forced them to live under strict rules with severely limited freedom of movement. Real or perceived breaches of these rules have been met with physical punishment such as beatings and floggings and, at times, prolonged periods of imprisonment. Boko Haram has also forced girls and young women to watch punishments, including beheadings, floggings and limb amputations. Some girls were forcibly converted. Many of the crimes documented constitute war crimes and crimes against humanity. For the girls and young women, these crimes under international law were compounded by hunger, fear experienced during attacks by the Nigerian military, loss of relatives and poor access to basic services.

SD, now a young woman, told Amnesty International:

“Boko Haram came to our place... They entered house to house. They packed us in one house. Like 100 [of us]. Amongst us were small, small children... I was like six [years old] by then... We stayed for like two years there. After the two years, they got us married, all of us.”

Girls who were abducted or otherwise conscripted and forcibly married into Boko Haram are victims of trafficking because they were recruited, transported, transferred, harboured or received into the group for the purpose of exploitation, including slavery and forced marriage. All girls and young women fleeing Boko Haram should be seen presumptively by the Nigerian authorities as victims of trafficking, given the scale and patterns of the armed group's crimes against girls and young women.

Most interviewees risked their lives and those of their children to escape Boko Haram, often enduring a long and difficult journey to find their way to government-held territory. Others were taken by the Nigerian military or members of the Civilian Joint Task Force (CJTF), a state-sponsored militia, during operations against Boko Haram. Amnesty International also documented girls and young women leaving Boko Haram territory with male Boko Haram members, particularly as a surge of people have left the faction of Boko Haram long led by Abubakar Shekau, following his death in May 2021. For most, these encounters with the Nigerian state forces have been the gateway to further violations that have compounded the years of suffering they survived during Boko Haram captivity.

MORE HARDSHIP: UNLAWFUL DETENTION AND UNIQUE NEEDS LEFT UNMET

Many girls and young women who have escaped Boko Haram returned to government-controlled areas with physical and mental health needs specific to years of being subjected to forced marriage, sexual violence, childbirth in early ages, being forced to witness atrocities and other crimes committed against them. Many also have injuries sustained during attacks by the Nigerian military or from Boko Haram's physical punishment. Years in captivity and giving birth to children during this time also means that interviewees and almost all their children are without identification documents. All interviewees missed out on years of school and were told repeatedly by Boko Haram that government education was forbidden. For two, the forced marriages negatively affected their ability to remarry. Sharia courts ordered the two young women to pay their Boko Haram “husbands” who took them to court when they arrived in government-held territory and found their “wives”, who had escaped, had remarried.

Despite state and military efforts to reunite girls and young women with their families, the Nigerian government has not taken adequate steps to uphold their international human rights obligations to reintegrate girls and young women associated with Boko Haram. Except for girls and young women who accessed some services while, like GN, in BICC, most Boko Haram survivors interviewed by Amnesty International have lacked access to justice; education; livelihood opportunities, including vocational training; and adequate health services, including mental health services and sexual and reproductive health care. This lack of access to basic government services is made worse by the Borno State government's restraints placed on humanitarian actors since 2021 to provide assistance to people in need.

Instead of meeting their unique legal, health, education and livelihood needs, many girls and young women have been unlawfully detained in military custody in various detention facilities across Borno and Adamawa States. Soldiers unlawfully detained at least 31 of the girls and younger women interviewed by Amnesty International for anywhere between five days and almost four years between 2015 and mid-2023. Although the Nigerian military has detained significantly fewer women and children in recent years, and has made progress toward ending the practice of holding children in military custody, for those who were held in years prior, when the practice was common, the psychosocial and often physical legacy, and injustice, continues.

NV, who was around 20 when she escaped after eight years of Boko Haram captivity and was unlawfully detained by the Nigerian military for about two months in 2021, said:

“When they [the soldiers] brought food for us to eat... they gave us a portion in our hand and soup in one bowl for all of us to share... They would measure the quantity of water that they would distribute to all of us to drink. As a toilet... they gave us a plastic bag... After we used it, we would throw it away.”

The Nigerian military has subjected people to torture and other ill-treatment and other violations in its mass detention of people with perceived affiliation to Boko Haram, likely including the crimes against humanity of imprisonment and torture. Among the girls and young women interviewed, as with other groups about whose experience Amnesty International has reported previously, none of them had access to a lawyer while in military custody, were produced before a competent court, had the opportunity to challenge their detention or were charged with an offence, rendering their detention arbitrary and unlawful. In military detention, soldiers held many interviewees in crowded and unsanitary conditions, with inadequate access to food and water, and to toilets and other sanitation facilities.

In addition to violations that have affected everyone, girls and young women have had unique experiences in military detention. Many have been detained with the babies and other children they gave birth to during their Boko Haram captivity, or have given birth during military detention. Some witnessed children die while in military custody with them. Those who had been detained also described insults by soldiers or CJTF members, who called them “Boko Haram wives” and accused them of killings.

BB was about 16 years old when she was detained in Giwa Barracks around 2020 while pregnant. After three months, she went into labour. “The soldiers came and took me to the health facility [in Maimalari Barracks] and I delivered there,” she told Amnesty International. She said she was discharged after two days and brought back to Giwa Barracks. “They gave me Pampers and clothes for the baby, but it was little,” she said. She stayed in Giwa Barracks with her newborn daughter for 40 days before soldiers released her.

Children associated with armed groups should be treated as victims first and foremost, and detention should only be used as a very last resort and within the context of fair trial proceedings. Under international human rights law, authorities should consider alternatives to formal judicial proceedings and priority should be given to rehabilitation in a non-custodial setting. Children, even those suspected of fighting, should also never be held in military custody and should be transferred to protection actors and to civilian authorities for appropriate services as soon as possible – something the Nigerian government has committed to doing by signing a handover protocol with UNICEF in 2022. Moreover, trafficking victims, which many girls and young women escaping Boko Haram are, have a range of additional rights to support, justice and remedies including, crucially in this context, the right to be protected from punishment for actions they were compelled to do as a direct result of being trafficked. The authorities must ensure that girls and young women receive the full support to which they are entitled.

OVERLOOKED AND ABANDONED: THE “BORNO MODEL”, POOR SCREENING, AND INADEQUATE SUPPORT

In April 2022, the Borno State government, supported by the United Nations Development Programme (UNDP), launched the so-called “Borno Model”, a state government-led programme to manage the surging influx of Boko Haram fighters who left the group, as well as civilians fleeing Boko Haram-held territory, with the stated goal of reintegrating them into communities. Borno State Governor Babagana Zulum promised that Boko Haram fighters would not be handed over to the military and would be provided with services and allowed to stay with their families, including their “wives”. After an opaque screening process, “surrendered” Boko Haram fighters are predominantly, as of 2021, housed in two transit centres or in the Bulumkutu Interim Care Centre (BICC), which was intended for women and children associated with Boko Haram.

Girls and young women are overwhelmingly invisible to the government authorities during this screening process. Many were left to fend for themselves in IDP camps across Borno and Adamawa States, amid 8.3 million others in need of assistance. Testimonies suggest that what happened to the girls and young women has mainly been determined by the whereabouts of their Boko Haram “husbands” and whether their relatives could be found. Some were also returned to their “husbands”, who had subjected them to years of sexual violence, in one of two transit facilities in Maiduguri.

When Amnesty International asked girls and young women who had exited Boko Haram or its territory what questions soldiers or other government authorities asked them during the screening process or in detention, none of the interviewees said they were asked whether they had married or joined Boko Haram freely. Only one interviewee, a girl, said soldiers asked her at which age she entered Boko Haram. The screening process does not appear to attempt to identify victims of forced marriage and trafficking and other Boko

Haram abuses, further obstructing support these victims are entitled to under international human rights law.

AV, around 15 years old when she escaped Boko Haram in late 2021 or early 2022 after years of captivity, was unlawfully detained by soldiers for almost two months. She said during and after her detention, nobody told her anything about counselling, vocational training, or other support services. She now survives on what casual labour she can find as well as support from neighbours.

In the two transit facilities and BICC, girls, young women and their children are accommodated with surrendered male Boko Haram fighters, reportedly including senior commanders. Holding girls and women in the same facility with men heightens the risk of sexual violence, especially in Hajj Transit Camp, where toilets are unlit. This breaches the 2007 Principles and Guidelines on Children Associated with Armed Forces and Armed Groups (“the Paris Principles”), which are based on international law and standards applicable to the Nigerian government and set out best practices for transit and interim care centres specific for girls. The Paris Principles include the need for safe and private accommodation for girls in transit and interim care centres.

Interviewees described the conditions in Hajj Transit Camp as dire, recounting how they struggled to access adequate food, water, shelter, sanitation and healthcare – including maternal and mental healthcare. Conditions in Shukuri Transit Centre were better. In neither transit facility did the Nigerian authorities or their partners offer the girls and young women any support to help reintegrate into their communities or provide access to any education, psychosocial services or, except for in one case, vocational training.

Girls who had been held in BICC described adequate conditions there, including access to food and medical services. However, they said their access to vocational training and psychosocial support was inconsistent. BICC is *de facto* a place of detention for young women and for children accompanying mothers above the age of 18 because it is a closed facility, because young women and their children are taken there regardless of their preference, because they cannot exit the facility and because there is no possibility of contesting the detention. None of the young women Amnesty International spoke with who stayed at BICC were charged, had access to a lawyer, or were brought before a competent court. Their detention violates fair trial rights and is therefore unlawful.

For girls under the legal guardianship of the state, BICC offers temporary care until family tracing and reunification, or alternative care arrangements, are complete.

AT, a young teenager when she escaped from territory controlled by the Islamic State West Africa Province (ISWAP) in late 2020, told Amnesty International:

“I don’t know the reason [why I was in Bulumkutu]. All I know, I went to Giwa Barracks and then Bulumkutu... I wanted to leave because I wanted to go back to where my people are.”

The Borno State authorities have legitimate reasons for operating BICC for girls and young women. The girls and young women have faced traumatic experiences during years of Boko Haram captivity and prolonged periods of unlawful military detention and are in need of the care, including family tracing, that is typically more accessible to them in BICC than elsewhere. However, the authorities must ensure that young women exiting Boko Haram can access services at BICC voluntarily and are permitted to go in and out of the facility or that when women are placed there involuntarily, their detention is lawful.

THE WAY FORWARD: LISTEN TO AND ACT ON GIRLS’ AND YOUNG WOMEN’S DEMANDS FOR SUPPORT

For many girls and young women coming out of Boko Haram, returning to their communities and their relatives in IDP camps or towns has not been easy. Girls and young women described being ostracized, called names, shunned and rejected. This stigma negatively impacted their access to food, water and other services, and whilst stigma has decreased over the last couple years, more sensitization needs to be done to increase understanding that these girls and young women are primarily survivors of crimes under international law.

ZC, around 19 years old, who lives in an IDP camp with her (formerly) Boko Haram “husband”, said:

“We are always being isolated... They [the host community] used to say all sorts of things: we are the ones who kill their people. They don’t want to give us food and [say] that it is better for them to pour [the food out].”

The girls and young women Amnesty International spoke with were clear in their demands to the Nigerian government and its international partners. After years of surviving abuses and violations of international

humanitarian law and international human rights law, the girls and young women expressed a desire to take care of themselves and become financially independent. To achieve this, they identified education, vocational training and livelihood support to be their biggest priorities.

The Nigerian authorities must make available tailored and integrated reintegration services for girls and young women associated with Boko Haram whilst ensuring other affected groups are not left behind. They must also ensure accountability of those responsible for crimes under international law, by investigating, prosecuting and judging them in fair trials before competent criminal courts, in line with their international legal obligations.

Amnesty International calls on the Nigerian authorities, UN agencies, and donor governments supporting the “Borno Model” to bring their efforts into compliance with Nigeria’s human rights obligations. The Nigerian authorities must also ensure that girls and young women are given a meaningful choice and safe alternatives to returning them to their Boko Haram “husbands”. Authorities must ensure young women held in BICC are able to access services voluntarily and are permitted to go in and out of the facility or, alternatively, that the women’s detention is lawful and their fair trial rights are respected, including access to a lawyer and an opportunity to challenge their detention before a competent court. Girls under the legal guardianship of the state should only be held in BICC if family reunification or community-based care is unavailable and, even then, their stay in BICC should only be for the shortest period necessary.

For their part, Nigeria’s international partners should provide adequate and sustained funding to enable actors to mainstream gender-sensitive and child-friendly reintegration support, beyond BICC, for girls and young women associated with Boko Haram that is in line with international law and standards and adequately responds to the human rights, needs and aspirations of girls and young women associated with Boko Haram and helps them rebuild their lives.

Girls and young women associated with, or perceived to be associated with, Boko Haram have been disproportionately affected by the conflict. After surviving years of crimes under international law and other abuses and violations committed against them by Boko Haram and Nigerian forces, the Nigerian government has let them down. These survivors are overlooked and abandoned. This needs to change and that change needs to happen on their terms and with their active and meaningful participation. Their message must no longer be ignored: “Help us rebuild our lives.”

METHODOLOGY

This report focuses on the experience of girls associated, or perceived to be associated, with Boko Haram since May 2013. It examines abuses and violations of international humanitarian law and international human rights law that the girls endured by Boko Haram as well as by the Nigerian authorities, including the military. The focus is on girls associated with Boko Haram because, in the context of the armed conflict in north-east Nigeria, that is the party to the conflict that has overwhelmingly used girls – and that association, or perceived association, then has enormous and compounding impacts, including in the girls’ treatment by the Nigerian authorities. There are no indications, by contrast, that the Nigerian military has recruited or used girls in its forces. Whilst the Civilian Joint Task Force (CJTF), a state-sponsored militia, has recruited and used girls, it has mainly used boys.¹

The report is based primarily on research undertaken between May 2023 and May 2024, including two research trips to Abuja, Federal Capital Territory and Maiduguri, Borno State. One Amnesty International researcher undertook three weeks of interviews in July 2023, and two Amnesty International researchers undertook one week of interviews in September and October 2023. The report also draws from testimonies collected by an Amnesty International researcher in Adamawa State in December 2019 and January 2020, from two interviews by an Amnesty International researcher in Maiduguri in January 2020, from a remote interview by an Amnesty International researcher in November 2020, and from three remote interviews by an Amnesty International researcher in April 2024. The geographic scope of the research covers Borno and Adamawa States in north-east Nigeria, with a focus on Borno State.²

Amnesty International interviewed 126 people, including 76 girls and young women (formerly) associated with Boko Haram³ (henceforth girls or young women) who were children at the time they were used in capacities including “wives”, domestic servants and suicide bombers. For the purpose of the research, Amnesty International used the 2007 Principles and Guidelines on Children Associated with Armed Forces and Armed Groups (“the Paris Principles”) to determine which girls and young women Amnesty International interviewed could be considered a Girl Associated with Armed Forces and Armed Groups (GAAFAG). These principles, based on international law and standards, consider a child associated with an armed force or armed group to be “any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys, and girls used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.”⁴

Throughout the report, Amnesty International refers to GAAFAG as “girls”. Where findings pertain to girls not associated with Boko Haram, this is made explicit. Amnesty International also interviewed six survivors who were perceived to be associated with Boko Haram when girls and subsequently treated as such but who, based on their testimonies, were not actually affiliated. Amnesty International interviewed four women associated with, or perceived to be association with, Boko Haram who witnessed abuses against girls associated with Boko Haram and two men whose daughters returned to Boko Haram-held territory after Amnesty International interviewed them.

¹ The United Nations documented 1840 boys and 363 girls associated with the CJTF between 2013 and 2017. UN Secretary-General (UNSG), Report: *Children and armed conflict in Nigeria*, 6 July 2020, UN Doc. S/2020/652, paras 27 and 28.

² In Borno State, interviewees hailed from Marte, Bama, Konduga, Damboa, Gwoza, Mafa, Gamboru Ngala, Dikwa, Monguno and Kukawa Local Government Areas (LGAs). In Adamawa State, interviewees hailed from Madagali and Michika LGAs.

³ Over the last decade, the non-state armed group called *Jama’atu Ahlis Sunna Lidda’awati wal-Jihad* (JAS) split into several factions, all at times commonly referred to as “Boko Haram”. Unless names of specific factions responsible for violations are known, this report will also use the term “Boko Haram”, including to refer to JAS, JAS splinter factions and ISWAP.

⁴ Paris Principles and Guidelines on Children Associated with Armed Forces and Armed groups (Paris Principles), Article 2.1.

Determining precise ages is difficult in north-east Nigeria. Most people have lost their birth certificates and identification documents as the result of the conflict. The young age at which most of the interviewees were abducted by or otherwise first came into contact with Boko Haram, the atrocities they suffered, and the lack of education affects their knowledge of their age. Amnesty International used key events known to the interviewees to narrow down their age range and time spent with Boko Haram and/or in military detention.

Survivors⁵ were between 12 and 48 years old at the time of the interview. Thirty-three interviewees were girls younger than 18 years old, most of them mid-adolescents between 15 and 17 years old. Parental consent or consent by a close relative or guardian was obtained to interview these girls. These interviews were conducted in line with Amnesty International's guidelines on interviewing children. Amnesty International spoke with nine early adolescent girls between 10 and 14 years old. After having established rapport and obtained informed consent, girls were invited to tell their story in their own words. Questions were kept brief and avoided dwelling on traumatic events. The researchers frequently asked if the girls wanted to take breaks or continue, keeping the best interest of the child in mind whilst enabling the girls' right to express their views and, through this report, have them taken into consideration. Survivors older than 18 at the time of the interview spoke about human rights abuses they experienced as girls, and which continued into their adulthood. Except for four girls who were born into the group during its first years before the armed conflict, the survivors' time with Boko Haram ranged from around 2014 to early 2024.

Survivors were informed about the nature of Amnesty International's research and given a choice about whether they wanted to participate. Two declined during the phase in which potential participants were being identified and were not interviewed. Researchers ensured that interviewed survivors understood the purpose of the interview, how the information would be used, and possible consequences of the interview, and gave survivors the opportunity to refuse to answer specific questions or to end the interview at any stage. No one declined to be interviewed after the informed consent process; three survivors ended the interview because they were tired, sick or did not want to continue for other reasons. All interviewees consented to being interviewed and referenced in the report and understood they could withdraw their consent at any time, including after the interview, and were given a safe way to make this known to Amnesty International.

All interviews with survivors were conducted individually in safe locations. All interviews with survivors were conducted in Kanuri or Hausa, with interpretation into English. Most of the interviews were undertaken with one of three female interpreters. A minority were with a male interpreter, with the interviewees' consent.

Survivors were identified through community and survivor networks by trusted interlocutors. None were offered financial incentives or other rewards for speaking with Amnesty International researchers. Where interviewees had to travel to meet the researchers, Amnesty International reimbursed their transport, food and accommodation expenses.

Amnesty International interviewed 38 other people, including Nigerian civil society members and human rights defenders working with girls associated with Boko Haram; lawyers; and international NGO and UN staff working in or on north-east Nigeria, including with children. Amnesty International also interviewed diplomats engaged in supporting programmatic interventions in Borno State. All of these interviews were in English and took place with members of an individual organization or delegation, some in-person and others remotely.

This report builds on more than a decade of Amnesty International's work on the conflict in north-east Nigeria which documents crimes under international law and other abuses and violations by Boko Haram and Nigerian defence and security forces as well as the Nigerian government's failure to adequately address

⁵ Whilst international human rights law uses the term "victim", Amnesty International will use the term "survivors" in this report when referring to individuals who were subjected to human rights abuses and violations, including conflict-related sexual violence, to acknowledge their agency and not define them by the harm that they have experienced.

impunity for crimes under international law.⁶ Amnesty International's documentation has included specific focus on violations and abuses experienced by older people,⁷ women,⁸ and children.⁹

For this report, Amnesty International also reviewed academic publications, policy documents and 107 reports by UN bodies, UN agencies and NGOs published between 1986 and 2024, as well as relevant UN resolutions and media articles published between 2001 and 2024.

On 4 April 2024, Amnesty International sent letters summarizing the report's preliminary findings and requesting a response to the President of the Federal Republic of Nigeria, to the Chief of Army Staff, and to the Governors of Borno and Adamawa States, with copies to relevant authorities in their offices; as well as to the UN Resident and Humanitarian Coordinator and to UNICEF in Nigeria. On 22 April 2024, Amnesty International received a response from the Nigerian military. The Nigerian military's answers are reflected in the report and included in full in an annex. UNICEF responded confidentially on 3 May 2024. As a result, their response is not referenced, but Amnesty International's analysis and conclusions in this report have taken the response into consideration. All other letters remain unanswered at the time of writing.

Amnesty International thanks everyone who took part in the research. For some, this was at personal risk and in difficult circumstances. Names and other identifying details, including locations of the interviews and incidents, have been omitted to protect identities of interviewees for security and confidentiality reasons. Throughout the report, names have been changed to initials to protect the identity of the survivors.

⁶ Amnesty International, *Our Job is to Shoot, Slaughter and Kill: Boko Haram's Reign of Terror in North-East Nigeria* (Index: AFR 44/1360/2015), 14 April 2015, <https://www.amnesty.org/en/documents/afr44/1360/2015/en/>; Amnesty International, *Stars on Their Shoulders. Blood on Their Hands. War Crimes Committed by the Nigerian Military* (Index: AFR 44/1657/2015), 3 June 2015, <https://www.amnesty.org/en/documents/afr44/1657/2015/en/>; Amnesty International, *If You See It, You Will Cry: Life and Death in Giwa Barracks* (Index: AFR 44/3998/2016), 11 May 2016, <https://www.amnesty.org/en/documents/afr44/3998/2016/en/>; Amnesty International, *Welcome to Hell Fire: Torture and Other Ill-Treatment in Nigeria* (Index: AFR 44/011/2014), 18 September 2014, <https://www.amnesty.org/en/documents/AFR44/011/2014/en/>; Amnesty International, *Nigeria: Trapped in the cycle of violence* (Index: AFR 44/043/2012), 1 November 2012, <https://www.amnesty.org/en/documents/AFR44/043/2012/en/>; Amnesty International, *Willingly Unable: ICC Preliminary Examination and Nigeria's Failure to Address Impunity for International Crimes* (Index: AFR 44/9481/2018), 10 December 2018, <https://www.amnesty.org/en/documents/afr44/9481/2018/en/>

⁷ Amnesty International, *My Heart is in Pain: Older People's Experience of conflict, Displacement, and Detention in Northeast Nigeria* (Index: AFR 44/3376/2020), 8 December 2020, <https://www.amnesty.org/en/documents/afr44/3376/2020/en/>

⁸ Amnesty International, *They Betrayed Us: Women Who Survived Boko Haram Raped, Starved and Detained in Nigeria* (Index: AFR 44/8415/2018), 24 May 2018, <https://www.amnesty.org/en/documents/afr44/8415/2018/en/>

⁹ Amnesty International, *We Dried Our Tears: Addressing the Toll on Children of Northeast Nigeria's Conflict* (Index: AFR 44/2322/2020), 27 May 2020, <https://www.amnesty.org/en/documents/afr44/2322/2020/en/>

1. BACKGROUND

The conflict in north-east Nigeria dates to 2009, when state security forces clashed with members of *Jama'atu Ahlis Sunna Lidda'awati wal-Jihad* (JAS), commonly referred to as Boko Haram, a group that opposes secular authority and aims to create an Islamic caliphate.¹⁰ On 30 July 2009, Nigerian police extrajudicially executed Mohammed Yusuf, an Islamist scholar from Borno State who founded Boko Haram in 2002. After a police crackdown, Boko Haram reorganized, and Abubakar Shekau, one of Yusuf's former deputies, emerged as the new leader of the most dominant faction. The group subsequently started a violent campaign against the Nigerian government, including attacks against the police and other security forces and increasingly targeted civilians.¹¹

Since 2011, the Nigerian government has conducted military operations against Boko Haram.¹² Amnesty International and the International Criminal Court's (ICC) Office of the Prosecutor (OtP) consider the fighting between Boko Haram, including splinter factions, and the Nigerian security forces in north-east Nigeria to constitute a non-international armed conflict since at least May 2013.¹³

Assisted by a state-sponsored militia, known as the Civilian Joint Task Force (CJTF),¹⁴ Nigerian forces pushed Boko Haram out of towns and villages and into remote areas, including Borno State's Sambisa Forest.¹⁵ From this new base, Boko Haram raided towns and villages and captured large parts of north-east Nigeria, including most of Borno State (excluding Maiduguri and the southern-most part of the state), northern Adamawa state, and into eastern Yobe state.¹⁶ In February 2015, an African Union-authorized Multinational Joint Task Force (MNJTF), a coalition of the Nigerian military and armed forces of Cameroon, Chad, and Niger, launched a major counter-offensive, recapturing several towns.¹⁷

In 2015, Boko Haram declared allegiance to the Islamic State (IS) and changed its name to Islamic State West African Province (ISWAP). In 2016, an internal dispute, in part over Shekau's violence against civilians, split the group and IS recognized Habib Yusuf (Mohammed Yusuf's son, also known as Abu Musab al-

¹⁰ Council on Foreign Relations, *Nigeria's battle with Boko Haram*, 8 August 2018, <https://www.cfr.org/background/nigerias-battle-boko-haram>. Boko Haram started as a popular religious, urban movement intent on reforming society based on its interpretation of Islam but grew into a non-state armed group. International Criminal Court Office of the Prosecutor, *Report on Preliminary Examination Activities—2013*, 25 November 2013, <https://www.icc-cpi.int/sites/default/files/itemsDocuments/OTP%20Preliminary%20Examinations/OTP%20-%20Report%20%20Preliminary%20Examination%20Activities%202013.PDF>, paras 203 and 206. Root causes at the start of the conflict include corruption, poor governance, marginalization, poverty and dissatisfaction with northern Nigeria's political power. Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 19-20. For more on the origins of Boko Haram and the group's operational structure and abuses, see Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited).

¹¹ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 10-11; Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), p. 18; Amnesty International, *They betrayed us* (previously cited), p. 17; Amnesty International, *We Dried Our Tears* (previously cited), p. 14.

¹² For more, see Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 20-23; International Crisis Group, *After Shekau: Confronting Jihadists in Nigeria's North East*, 29 March 2022, <https://www.crisisgroup.org/africa/west-africa/nigeria/after-shekau-confronting-jihadists-nigerias-north-east>

¹³ Amnesty International, *We Dried Our Tears* (previously cited), p. 14; Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 28-30; International Criminal Court Office of the Prosecutor, *Report on Preliminary Examination Activities—2013* (previously cited), paras 18 and 214-218. On its website, the ICC writes that it considers the armed conflict to have started in 2011. <https://www.icc-cpi.int/nigeria> (accessed on 21 May 2024). The reason for the difference in the year the conflict is considered to have started in the OtP's 2013 annual report and the ICC's website is unclear to Amnesty International.

¹⁴ For more on the CJTF, see Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 24-26.

¹⁵ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 11-12; Amnesty International, *They Betrayed Us* (previously cited), p. 17; Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), p. 19.

¹⁶ Amnesty International, *They Betrayed Us* (previously cited), p. 17; Amnesty International, *We Dried Our Tears* (previously cited), p. 14.

¹⁷ Amnesty International, *We Dried Our Tears* (previously cited), p. 14; Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), p. 19; Council on Foreign Relations, *Nigeria's battle with Boko Haram* (previously cited).

Barnawi), supported by his stepfather and cleric Mamman Nur, as ISWAP's leader in August 2016.¹⁸ Shekau's faction returned to its original name, JAS, and continued attacking civilians. After the split, JAS fragmented further into factions, all commonly referred to as Boko Haram.¹⁹ ISWAP is also commonly referred to as Boko Haram, including by civilians in north-east Nigeria who, when they are able to distinguish between factions responsible for certain attacks or crimes, typically do so based on naming Mamman Nur or Shekau as the faction's (former) leader.

In May 2021, Shekau reportedly detonated a suicide vest during a clash with ISWAP in Sambisa Forest, prompting many Boko Haram fighters and other members to surrender to Nigerian forces as well as large numbers of captives and other civilians who had lived under Boko Haram control to escape or otherwise leave Boko Haram-held areas for military-controlled garrison towns and informal settlements.²⁰ The Borno State government and military officials refer to this as "mass exits", calling it the largest wave of defections seen since the emergence of Boko Haram in 2002.²¹

According to media reports, the government dropped flyers in Boko Haram-held territory with clemency messages to encourage fighters to surrender.²² Two UN staff told Amnesty International that the Borno State government promised Boko Haram fighters that they would not be handed over to the military and would be provided with services and allowed to stay with their families, including their "wives".²³ A senior humanitarian worker interviewed by Amnesty International confirmed this and added that Borno State Governor Babagana Umara Zulum also promised Boko Haram fighters that they would not be prosecuted.²⁴

¹⁸ ISWAP is reported to take a milder stance towards civilians and to provide basic governance including law enforcement, prison, courts and taxation. International Crisis Group, *Facing the Challenge of the Islamic State in West African Province*, 16 May 2019, <https://www.crisisgroup.org/africa/west-africa/nigeria/273-facing-challenge-islamic-state-west-africa-province>, pp. 16-19.

¹⁹ Council on Foreign Relations, *Nigeria's battle with Boko Haram* (previously cited); Congressional Research Service, *Boko Haram and the Islamic State West Africa Province*, 24 February 2022, <https://crsreports.congress.gov/product/pdf/IF/IF10173/10>, p. 1. For more on Boko Haram factions, intra-fighting and fighting with ISWAP and the Nigerian military, see International Crisis Group, *Fighting among Boko Haram Splinters Rages On*, 30 May 2023, <https://www.crisisgroup.org/africa/west-africa/nigeria/fighting-among-boko-haram-splinters-rages>; International Crisis Group, *After Shekau: Confronting Jihadists in Nigeria's North East* (previously cited).

²⁰ New York Times, "Thousands of Boko Haram Members Surrendered. They Moved in Next Door.", 23 September 2021, <https://www.nytimes.com/2021/09/23/world/africa/boko-haram-surrender.html>; International Crisis Group, *Fighting among Boko Haram Splinters Rages On* (previously cited). For more on other reasons driving the large exodus of Boko Haram fighters and civilians leaving Boko Haram-held territory, see Institute for Security Studies (ISS), *Boko Haram desertions could be the tipping point*, 18 August 2021, <https://issafrica.org/iss-today/boko-haram-desertions-could-be-the-tipping-point> and The New Humanitarian, "Quit while you're ahead: Why Boko Haram fighters are surrendering", 12 August 2021, <https://www.thenewhumanitarian.org/analysis/2021/8/12/why-boko-haram-fighters-are-surrendering>

²¹ Borno State Government, *Operationalizing the Borno Model for Integrated Management of the Mass Exits* (previously cited); New York Times, "Thousands of Boko Haram Members Surrendered. They Moved in Next Door.", 23 September 2021, <https://www.nytimes.com/2021/09/23/world/africa/boko-haram-surrender.html>; France 24, "Inside Nigeria's centres for jihadists and their captives", 11 April 2023, <https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives>

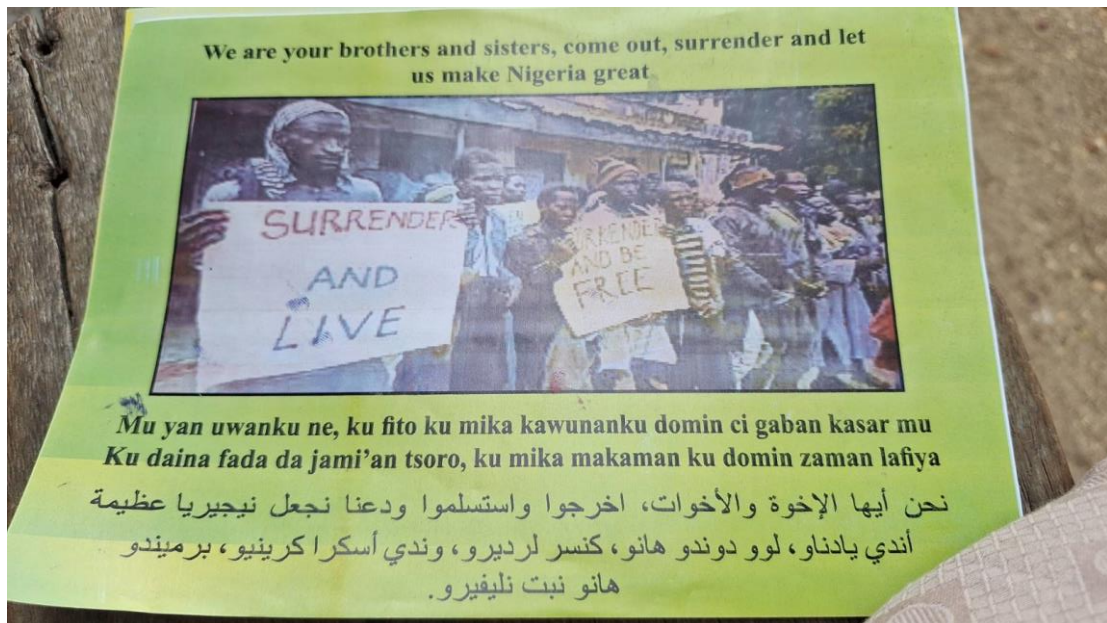
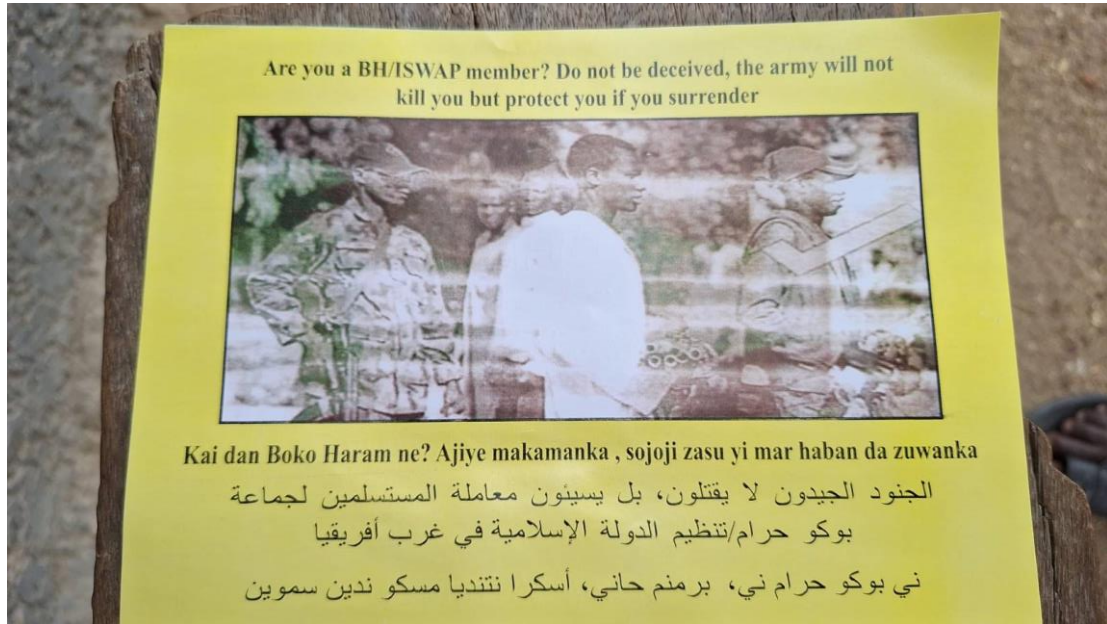
According to the Multinational Joint Task Force, Boko Haram fighters, including children, surrendered as recent as April 2024. Multinational Joint Task Force, "Two more Boko Haram Terrorists Surrender to MJTF in Sector 3", 14 April 2024, <https://mnjtfmm.org/two-more-boko-haram-terrorists-surrender-to-mnjtf-in-sector-3/>; Multinational Joint Task Force, "Six more Boko Haram Terrorists Surrender Amid MNJTF's Lake Chad Basin Operations", 29 April 2024, <https://mnjtfmm.org/six-more-boko-haram-terrorists-surrender-amid-mnjtfs-lake-chad-basin-operations/#:~:text=As%20the%20Multinational%20Joint%20Task,17%20to%2027%20April%202024.>

A Nigerian news outlet reported on the rescue of children from Boko Haram by the military. Punch, "188 terrorists killed, 330 arrested in one week – DHQ", 12 April 2024, <https://punchng.com/188-terrorists-killed-330-arrested-in-one-week-dhq/>; Amnesty International has not verified these reports.

²² New York Times, "Thousands of Boko Haram Members Surrendered. They Moved in Next Door.", 23 September 2021, <https://www.nytimes.com/2021/09/23/world/africa/boko-haram-surrender.html>; France 24, "Inside Nigeria's centres for jihadists and their captives", 11 April 2023, <https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives> <https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives>

²³ Interview by voice call with UN staff, 2 February 2024; Interview by voice call with UN staff, 25 March 2024.

²⁴ Interview by video call with senior humanitarian worker, 18 April 2024.



Two flyers encouraging Boko Haram fighters to surrender, photographed in Borno State in April 2024, publication date unknown. © Amnesty International.

Whilst the intensity of the fighting has reduced in recent years, the conflicts between Nigerian forces and Boko Haram factions (JAS or ISWAP affiliated) are ongoing, with the latest reported attacks taking place as recent as May 2024 in Borno State and March 2024 in Yobe State.²⁵

²⁵ The News Chronicle, "Boko Haram Terrorists Attack Military Base in Yobe", 24 March 2024, <https://thenews-chronicle.com/boko-haram-terrorists-attack-military-base-in-yobe/>; Daily Trust, "NAF airstrikes kill many terrorists in Borno, Niger", 6 May 2024, <https://dailytrust.com/naf-airstrikes-kill-many-terrorists-in-orno-niger/>; HumAngle, "Security Agents Complain of Inadequate Weapons Amid Boko Haram Attacks", 7 May 2024, <https://humanglemedia.com/security-agents-complain-of-inadequate-weapons-amid-boko-haram-attacks/>; HumAngle, "Landmine Attacks Spike in Borno With 16 Killed In A Week, Including Pregnant Woman", 5 May 2024, <https://humanglemedia.com/landmine-attacks-spike-in-orno-with-16-killed-in-a-week-including-pregnant-woman/>; In December 2023, media reported on Boko Haram attacks in Borno State. HumAngle, "Boko Haram Suspected In Another Attack On Power Grid in North East Nigeria", 23 December 2023, <https://humanglemedia.com/boko-haram-suspected-in-another-attack-on-power-grid-in-north-east-nigeria/>; HumAngle, "Boko Haram Attacks Chibok Village, Leaves 2 Dead, Homes Burnt", 20 December 2023, <https://humanglemedia.com/boko-haram-attacks-chibok-village-leaves-2-dead-homes-burnt/>; HumAngle, "Insurgents Attack Borno IDP Resettlement Site, Kill Security Agent", 15 December 2023, <https://humanglemedia.com/insurgents-attack-orno-idp-resettlement-site-kill-security-agent/>

1.1 CRIMES COMMITTED WITH IMPUNITY

For the last decade, Boko Haram has devastated the lives of people across north-east Nigeria, treating anyone in government-controlled areas as the “enemy”, and often making no effort to distinguish civilians from Nigerian forces. The group has killed thousands of civilians during attacks on government-controlled towns and villages and carried out widespread abductions, especially of girls, boys and younger women.²⁶ Attacks on schools, teachers and students, including their abduction, have been committed so as to prevent people, especially children, from receiving what Boko Haram considers a “Western” education.²⁷ “Boko Haram” is generally translated from Hausa as “Western education is forbidden”.²⁸

Throughout the conflict, Boko Haram has committed war crimes and other serious violations of international humanitarian law, including murder; attacks on civilians and civilian objects; indiscriminate attacks; disproportionate attacks; torture; cruel treatment; conscription (including through abductions) and use of child soldiers under the age of 15; attacks on buildings dedicated to education; pillage; sexual slavery; rape; and attacks on humanitarian workers.²⁹ In 2015, Amnesty International found that Boko Haram had an organizational policy to attack a civilian population and that this attack was systematic and widespread. Consequently, in a series of reports since 2015, Amnesty International has concluded that Boko Haram members should also be investigated for the crimes against humanity of murder; enslavement; imprisonment; torture; rape; sexual slavery; sexual violence; persecution; and forced marriage as “other inhumane acts”.³⁰

In response, in its operations against the armed group, the Nigerian military has often treated anyone in, or coming out of, Boko Haram-controlled areas as, at minimum, a suspected Boko Haram member. Amnesty International has documented war crimes by government forces, including intentional attacks against the civilian population; indiscriminate attacks that have killed or injured civilians; extrajudicial executions, which also constitute the war crime of murder; torture; cruel treatment; rape; and sexual violence.³¹

In addition, Amnesty International believes that individuals in the Nigerian military may have committed the crimes against humanity of murder; extermination; imprisonment; torture; rape; enforced disappearance; and gender-based persecution,³² after having concluded in a 2015 report that the Nigerian military likely had a policy to attack a civilian population and had done so in a widespread and systematic nature.³³

At least 10,000 people have died in military custody since the conflict in north-east Nigeria began.³⁴ The Nigerian authorities have made improvements in recent years, including in much less frequent arbitrary detention of people, especially of women and children, suspected of being affiliated with Boko Haram; and in better conditions in detention, albeit ones that still fail to meet international human rights standards, that have resulted in far fewer deaths in custody compared to the conflict’s first years.³⁵

In 2018, Amnesty International research found that the Nigerian government failed to investigate and prosecute suspects of crimes under international law. For accountability for crimes allegedly committed by Boko Haram members, Amnesty International found that, as of 2018, only around ten Boko Haram suspects

²⁶ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 32-74.

²⁷ Amnesty International, *They Betrayed Us* (previously cited), p. 15; Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 11; Human Rights Watch (HRW), “They Set the Classrooms on Fire”: Attacks on Education in Northeast Nigeria”, 11 April 2016, “They Set the Classrooms on Fire”: Attacks on Education in Northeast Nigeria | HRW

²⁸ Abdulbasit Kassim and Michael Nwankpa (editors), *The Boko Haram Reader*, 2018, p.1.

²⁹ See, for example, Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 23-24; Amnesty International, *We Dried Our Tears* (previously cited), p. 21.

³⁰ See, for example, Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 25 – 26; Amnesty International, *We Dried Our Tears* (previously cited), p. 21.

³¹ Amnesty International, *They Betrayed Us* (previously cited); Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 34-38; Amnesty International, *Nigeria: If You See It, You Will Cry* (previously cited); Amnesty International, *We Dried Our Tears* (previously cited), p. 51. The Office of the Prosecutor has likewise indicated that there is a reasonable basis to believe that the Nigerian security forces have committed crimes under international law. International Criminal Court Office of the Prosecutor, *Report on Preliminary Examination Activities—2013* (previously cited), para 207; ICC Office of the Prosecutor, *Report on Preliminary Examination Activities—2019*, 5 December 2019, para. 189.

³² See Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 34-38; Amnesty International, *Nigeria: If You See It, You Will Cry* (previously cited); Amnesty International, *We Dried Our Tears* (previously cited), p. 51; Amnesty International, *They Betrayed Us* (previously cited).

³³ See Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 34-38.

³⁴ Amnesty International, *My Heart is in Pain* (previously cited), pp. 42-44; Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited).

³⁵ In 2015, Amnesty International reported that, since March 2011, over 7,000 young men and boys died in military detention. The organization also found that the Nigerian military arrested at least 20,000 young men and boys since 2009 as part of its response to Boko Haram attacks. Most of these arrests were arbitrary. Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 58, 75. In 2020, Amnesty International found that some detention conditions had improved for children, but that they remained well below international legal standards. Amnesty International, *We Dried Our Tears* (previously cited), p. 37; Interview by voice call with Nigerian human rights activist, February 2024; Interview by voice call with Nigerian human rights defender, February 2024.

had been convicted of serious crimes.³⁶ Between 2009 and 2018, the Nigerian government set up over 20 different forms of inquiry to investigate allegations of serious crimes and violations committed by Nigerian security forces, the CJTF and Boko Haram. These inquiries, however, were “never intended, designed or conducted with a view to result in criminal proceedings”.³⁷ Since then, there have been no significant improvements in justice processes in Nigeria that match the scale and nature of the crimes.³⁸

Adding insult to injury for survivors seeking justice, after announcing in December 2020 it had closed its decade-long preliminary examination and concluded that all requirements were met for the opening of a full investigation,³⁹ the ICC’s Office of the Prosecutor has yet to seek the judicial authority needed to initiate the full investigation.⁴⁰

1.2 NIGERIAN SOCIETAL MARGINALIZATION OF GIRLS

While all have suffered tremendously, the conflict has affected women and girls differently than men and boys. Girls recruited and used by Boko Haram have suffered crimes unique to their gender and age, including forced marriage, restrictions in movement, domestic violence, rape and other forms of sexual violence, forced pregnancy, and torture and other forms of ill-treatment. These crimes and other abuses must also be understood in the broader context of structural violence against women and girls in Nigeria. They are grounded in historical and pervasive gender inequality, discrimination against, and marginalization of women and girls.

Despite constitutional provisions providing for gender equality and discrimination,⁴¹ women and girls are treated subordinate to men and boys in practice and laws.⁴² For instance, marital rape is not criminalized.⁴³ Statutory laws grant land rights to women,⁴⁴ but customary norms and practices, among other factors, overwhelmingly prevent women from accessing them.⁴⁵ A 2018 study by Nigeria’s National Population Commission found that almost one in three women between 15 and 49 years old experienced physical

³⁶ For more, including on sham “mass Boko Haram trials” and ungenue government investigations, see Amnesty International, *Willingly unable* (previously cited). In March 2024, media reported that a Nigerian court ordered the release of hundreds of detainees suspected of being Boko Haram members, following a lack of evidence. The East African, “Nigeria to release 313 suspected Boko Haram insurgents for lack of evidence”, 29 March 2024; The Daily Trust, “What Next For Released Boko Haram Suspects?”, 28 March 2024, <https://dailytrust.com/nigeria-daily-what-next-for-released-boko-haram-suspects/>

³⁷ Amnesty International, *Willingly unable* Executive Summary (previously cited), p. 11.

³⁸ Interview by voice call with UN official, 13 November 2023; human rights activist, Abuja, email to Amnesty International, 23 October 2023, on file with Amnesty International.

³⁹ International Criminal Court, “Statement of the Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination of the situation in Nigeria”, 11 December 2020, <https://www.icc-cpi.int/news/statement-prosecutor-fatou-bensouda-conclusion-preliminary-examination-situation-nigeria>

⁴⁰ Amnesty International, “Nigeria – The time for justice is now”, (Index: AFR 44/7481/2023), 4 December 2023, <https://www.amnesty.org/en/documents/afr44/7481/2023/en/https://www.amnesty.org/en/documents/afr44/7481/2023/en/>; Amnesty International, “Nigeria: Four calls to the ICC Prosecutor”, (Index: AFR 44/6264/2022), 5 December 2022, <https://www.amnesty.org/en/documents/afr44/6264/2022/en/>

From 19 to 22 March 2024, the Office of the Prosecutor visited Abuja. Following the visit, the office published a statement that did not provide an update on the status of the situation before the ICC. ICC Office of the Prosecutor, “Statement of the ICC Office of the Prosecutor at the conclusion of Deputy Prosecutor Mame Mandiaye Niang’s official visit to Abuja, Nigeria”, 27 March 2024, <https://www.icc-cpi.int/news/statement-icc-office-prosecutor-conclusion-deputy-prosecutor-mame-mandiaye-niangs-official#:~:text=This%20visit%2C%20which%20aimed%20to,the%20relevant%20Nigerian%20authorities%20and>

For Amnesty International’s reaction, see Amnesty International, “ICC must not dash the hope of survivors of atrocities by the military”, 28 March 2024, <https://www.amnesty.org/en/latest/news/2024/03/nigeria-icc-must-not-dash-the-hope-of-survivors-of-atrocities-by-the-military/>

⁴¹ For example, Constitution, 1999, <http://www.nhrc.gov.ng/files/constitution.pdf>, Article 15(2) in Chapter II prohibiting discrimination based on sex; Article 17(3)(e) in Chapter II providing for equal pay for equal work regardless of sex; and Article 222(b) of section D, providing that the membership of political parties is open to every Nigerian citizen regardless of sex.

⁴² HRW, “Nigeria Risks falling further behind on women’s equality”, 8 March 2022, <https://www.hrw.org/news/2022/03/08/nigeria-risks-falling-further-behind-womens-equalityhttps://www.hrw.org/news/2022/03/08/nigeria-risks-falling-further-behind-womens-equality>. In 2022, Nigeria ranked 123 out of 156 countries according to the World Bank’s global gender gap data. World Bank, Overall Global Gender Gap Index, <https://prosperitydata360.worldbank.org/en/indicator/WEF+GGR+INDEX> (accessed on 19 May 2024).

⁴³ Nigeria, Criminal Code Act, 1916, <https://sabilaw.org/wp-content/uploads/2022/04/Criminal-Code-.pdf>, section 6 and 357; Nigeria, Penal Code, section 281(1).

⁴⁴ Nigeria, Land Use Act, 1978, <https://sabilaw.org/land-use-act/>

⁴⁵ Shekara Peace John and Umar Ibrahim Wunti, “An overview of family land under the Nigerian customary law and practice”, June 2021, International Journal of Environmental Design and Construction Management, Volume 21, number 4, https://www.cambridgenigeriapub.com/wp-content/uploads/2021/10/CJECM_Vol21_No4_June_2021-24.pdf; Vanya Slavchevska and others, “Beyond ownership: Women’s and men’s land rights in Sub-Saharan Africa”, <https://thedocs.worldbank.org/en/doc/170131495654694482-0010022017/original/A2ABCAASlavcheskaetal2016Beyondownershipworkingpaper.pdf>, pp. 8-9; Elizabeth Munn, “Ensuring Women’s Land Rights in Nigeria Can Mitigate Effects of Climate Change”, 10 April 2019, Council on Foreign Relations, <https://www.cfr.org/blog/ensuring-womens-land-rights-nigeria-can-mitigate-effects-climate-change>

violence.⁴⁶ For married women, this violence was commonly perpetrated by their husbands; for unmarried women, the violence was most often inflicted against them by their mothers or stepmothers.⁴⁷

Despite being prohibited under the 2003 Child Rights Act, which sets the minimum age of marriage at 18,⁴⁸ child and early marriage is rampant in Nigeria.⁴⁹ According to the United Nations Population Fund, more than four in ten girls are married before they are 18 years old.⁵⁰ A Save the Children study in 2021 found that, in Borno State, almost 90% of the participants (all women) were married before they were 15 years old.⁵¹ The Borno State government adopted the Child Rights Act in January 2022,⁵² and the Adamawa State government in July 2022.⁵³

Once married, girls and women in north-east Nigeria are often expected to bear children swiftly. Having children is a way to demonstrate a girl's or woman's value and is significant in cultural and religious understandings of womanhood.⁵⁴ Complications during pregnancy and childbirth are higher at younger ages. Girls who marry at young ages are also at greater risk of obstetric fistula, a hole in the birth canal that can result in leaking of urine or faeces.⁵⁵

1.3 THE BORNO MODEL

In October 2021, the Borno State government, supported by UNDP, finalized a concept note on the so-called "Borno Model", a state government-led programme to manage the surging influx of Boko Haram fighters who left the group, as well as civilians fleeing Boko Haram-held territory, with the stated goal of reintegrating them back into communities.⁵⁶ The Borno Model was launched in April 2022. UNDP led efforts to compile a "One UN offer" to operationalize the Borno Model, which culminated in a signed agreement with the Nigerian government in 2023 and ongoing fundraising efforts.⁵⁷ In May 2022, UN Secretary-General António Guterres expressed support for the Borno State government's policy and approach taken to the conflict with Boko Haram and the reintegration of former combatants.⁵⁸

The Borno Model is not a formal disarmament, demobilisation and reintegration (DDR) programme.⁵⁹ It is implemented amidst an ongoing non-international armed conflict, in the absence of a peace process or

⁴⁶ National Population Commission, "Nigeria Demographic and Health Survey", 2018, <https://www.dhsprogram.com/pubs/pdf/SR264/SR264.pdf>, pp. 1 and 15.

⁴⁷ National Population Commission, "Nigeria Demographic and Health Survey" (previously cited), pp. 1 and 15.

⁴⁸ Nigeria, Child Rights Act, 2003, <https://www.refworld.org/legal/legislation/natlegbod/2003/en/105082>, Article 21 ("No person under the age of 18 years is capable of contracting a valid marriage, and accordingly a marriage so contracted is null and void and of no effect whatsoever.") Article 23 renders child marriage and betrothal an offense punishable by a fine of 500,000 naira, imprisonment of five years or both.

⁴⁹ HRW, "Child Marriage Violates Girls' Rights", 17 January 2022, <https://www.hrw.org/news/2022/01/17/nigeria-child-marriage-violates-girls-rights>

⁵⁰ UN Population Fund (UNFPA), "End all forms of Gender-Based Violence and Harmful Practices Against Women and Girls in Nigeria", 2023, <https://nigeria.unfpa.org/en/publications/gender-based-violence-and-harmful-practices-against-women-and-girls-nigeria>

⁵¹ Save the Children, *State of the Nigerian Girl: An incisive diagnosis of child marriage in Nigeria*, 2023, <https://nigeria.unfpa.org/en/publications/gender-based-violence-and-harmful-practices-against-women-and-girls-nigeria>, p. 54.

⁵² UNICEF commends Governor Zulum for signing Child Protection Law; 2022 SG report CAAC Nigeria, para. 11.

⁵³ SG annual report CAAC, 5 June 2023, S/2023/363, para. 289, N2314496.pdf (un.org)

⁵⁴ Hilary Matfess, *Women and the War on Boko Haram: Wives, Weapons, Witnesses*, 2017, pp. 129-133 (e-reader).

⁵⁵ Oluwasomidoyin Olukemi Bello and others, "Nigeria, a high burden state of obstetric fistula: a contextual analysis of key drivers", 18 May 2020, *The Pan African Medical Journal*, Volume 36, article 22, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7388624/>

⁵⁶ Borno State Government and UNDP, "Navigating the crossroads presented by mass exits of individuals associated with Boko Haram", October 2021, on file with Amnesty International; Borno State Government, "Operationalizing the Borno Model for Integrated Management of the Mass Exits", April 2022, on file with Amnesty International. In later documents, the "Borno Model" is referred to as the "Borno Model for Integrated Management of the Mass Exits" and "Borno Model for the Management of the Mass Surrender Situation". See Borno State Government, "Operationalizing the Borno Model for the Integrated Management of Mass Exits" (previously cited); UN Peacebuilding Fund (UNPBF), "Strengthening reconciliation and reintegration pathways for persons associated with non-state armed groups, and communities of reintegration, including women and children, in North of Nigeria", December 2022, https://mpf.un.org/sites/default/files/documents/05_prodoc_230323_gw.pdf

⁵⁷ Interview by voice call with UN staff, 25 March 2024. At the time of writing, at least three international donors provided funds to the UN for implementation of parts of the Borno Model. In April 2022, the Borno State government, supported by UNDP, estimated the budget for the operationalization of the Borno Model to total US\$101.5 million. Borno State Government, "Operationalizing the Borno Model for Integrated Management of the Mass Exits" (previously cited), p. 24. In December 2022, the UN Secretary-General's UN Peacebuilding Fund funded a 24-month project called "Strengthening reconciliation and reintegration pathways for persons associated with non-state armed groups, and communities of reintegration, including women and children, in Northeast of Nigeria", to be implemented by four UN agencies (UNDP, UNICEF, IOM, UNODC) with US\$2.4 million in direct support of the Borno Model. See, UNPBF, "Strengthening reconciliation and reintegration pathways for persons associated with non-state armed groups, and communities of reintegration, including women and children, in North of Nigeria" (previously cited).

⁵⁸ UN, "Secretary-General's Press Encounter with the Governor of Borno State, Babagana Umara Zulum", 3 May 2022, <https://www.un.org/sg/en/content/sg/press-encounter/2022-05-03/secretary-generals-press-encounter-the-governor-of-borno-state-babagana-umara-zulum>

⁵⁹ Interview in person with member of a diplomatic mission, 19 July 2023, Abuja, Federal Capital Territory; Interview by voice call with member of a diplomatic mission, 28 July 2023.

negotiations between the parties or prosecution of members of Boko Haram or the Nigerian military for crimes under international law.

The Borno State government has acknowledged that many of the people returning are individuals who lived in areas under Boko Haram's control and did not affiliate themselves with the group, including abducted persons and other victims. The state government has initiated a verification process to identify these "farmers" and their families (see section 5.1).⁶⁰ The rest of the individuals, in particular alleged Boko Haram "defectors" and at times also their wives (including those who were held captive by Boko Haram) and children,⁶¹ are accommodated in one of three locations in Borno State's capital Maiduguri: Hajj Transit Camp; Shukuri Transit Centre, which was established in 2019 to hold individuals awaiting their reintegration into communities after completing the Safe Corridor programme;⁶² and Bulumkutu Interim Care Centre (BICC), a facility intended to "rehabilitate" women and children associated with Boko Haram, primarily those who had been detained by the Nigeria military in Giwa Barracks. At least until the end of 2022, these centers were stretched beyond their capacity.⁶³ Supported by the International Organization for Migration (IOM) and UNICEF, the Borno State government is working to build more shelters in the centers to accommodate the influx of people,⁶⁴

According to media reports and interviews by Amnesty International, the Borno State government plans to build a fourth centre.⁶⁵ Supported by UNDP, the state government plans to house former fighters and their "families" in so-called "integrated villages" before they are reintegrated into communities.⁶⁶

The massive return of individuals to government-controlled areas puts enormous pressure on state and humanitarian actors who were already struggling to meet basic needs of millions of people in need.⁶⁷ Instead of scaling up the humanitarian response, in October 2021 Borno State Governor Zulum decided to close by that year's end internally displaced persons (IDP) camps in Maiduguri, where hundreds of thousands of IDPs had sought refuge after being displaced by the conflict,⁶⁸ and moved to impede humanitarian operations.⁶⁹ In December 2021, he banned non-governmental organizations (NGOs) from distributing food

⁶⁰ Cairo International Centre for Conflict Resolution, Peacekeeping and Peacebuilding (CCCPA), *Advancing Holistic and Comprehensive Efforts to Confront Africa's Growing Terrorism Challenge: A Nigerian Case Study on Developing Sustainable Pathways Out of Extremism for Individuals Formerly Associated with Boko Haram and the Islamic State in West African Province*, 20 June 2022, https://www.cccpa-eg.org/pdf_read_download.php?type=read&newFileName=Advancing+Holistic+and+Comprehensive+Efforts+to+Confront+Africa%E2%80%99s+Growing+Terrorism+Challenge&file=2075_08082615.pdf<https://www.cccpa-eg.org/publications-details/1042>; Borno State Government and UNDP, "Navigating the crossroads presented by mass exits of individuals associated with Boko Haram" (previously cited), pp. 3 and 5; Borno State Government, "Operationalizing the Borno Model for Integrated Management of the Mass Exits" (previously cited); Borno State Government, "Draft technical note on the implementation of the Borno Model for managing mass-exits" undated (updated in February 2024), on file with Amnesty International.

⁶¹ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa's Growing Terrorism Challenge* (previously cited), p. 17.

⁶² Operation Safe Corridor is a demobilization, disassociation, reintegration, and reconciliation (DDRR) programme coordinated by the Defence Headquarters, in part to entice Boko Haram members to surrender. The programme has consisted of vocational training, religious instruction, and other activities aimed at starting the reintegration process. For more, see Amnesty International, *We Dried Our Tears* (previously cited), pp. 55-71. The centre is alternatively spelled "Shokari". See, for example, ICG, *An Exit from Boko Haram? Assessing Nigeria's Operation Safe Corridor*, 19 March 2021, <https://www.crisisgroup.org/africa/west-africa/nigeria/b170-exit-boko-haram-assessing-nigerias-operation-safe-corridor>

⁶³ Interview by voice call with representative of an international organization, 19 March 2024; See, Borno State Government, "Operationalizing the Borno Model for Integrated Management of the Mass Exits" (previously cited), p. 8. According to a representative of an international organization interviewed by voice call on 19 March 2024, Hajj Transit Centre is a lot less congested.

⁶⁴ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa's Growing Terrorism Challenge* (previously cited), pp. 36;

Interview in person with senior humanitarian worker, 20 July 2023, Abuja, Federal Capital Territory.

⁶⁵ France 24, "Inside Nigeria's centres for jihadists and their captives", 11 April 2023, <https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives><https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives>; Interview in person with NGO staff, 4 July 2023, Maiduguri, Borno State.

⁶⁶ France 24, "Inside Nigeria's centres for jihadists and their captives", 11 April 2023, <https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives><https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives>; Interview in person with senior humanitarian worker, 20 July 2023; Borno State Government, "Operationalizing the Borno Model for Integrated Management of the Mass Exits" (previously cited), p. 18 – 19; Borno State Government, "Draft technical note on the implementation of the Borno Model for managing mass-exits" (previously cited).

⁶⁷ For 2023, the UN estimated that 3.9 million people in Borno State were in need of assistance and said that overall, the conflict has put 8.3 million people, of which 66% are children, in need of assistance in 2023. UN Office for the Coordination of Humanitarian Affairs (OCHA), *Humanitarian response plan Nigeria*, February 2023, <https://reliefweb.int/report/nigeria/nigeria-humanitarian-response-plan-2023-february-2023><https://www.unocha.org/publications/report/nigeria/nigeria-humanitarian-response-plan-2023-february-2023>, pp. 10, 11, and 14.

⁶⁸ UNSG, Report: *Children and armed conflict in Nigeria*, 7 September 2022, UN Doc. S/2022/596, para. 10. This caused some to resettle in informal IDP camps on the outskirts of Maiduguri. Others have resettled in garrison towns closest to their areas of origin which are still held by ISWAP or JAS factions; these garrison towns have little to no access to humanitarian assistance, livelihood, or public services, and people are often unable to farm, fish or rear cattle due to pervasive insecurity. International Crisis Group, *After Shekau: Confronting Jihadists in Nigeria's North East* (previously cited); International Crisis Group, *Rethinking Resettlement and Return in Nigeria's North East*, 16 January 2023, <https://www.crisisgroup.org/sites/default/files/2023-01/b184-borno-resettlement-and-return.pdf>

⁶⁹ International Crisis Group, *Rethinking Resettlement and Return in Nigeria's North East* (previously cited); HRW, "Those who returned are suffering": *Impact of Camp Shutdowns on People Displaced by Boko Haram Conflict in Nigeria*, 2 November 2022, <https://www.hrw.org/report/2022/11/02/those-who-returned-are-suffering/impact-camp-shutdowns-people-displaced-boko>

and non-food items in resettled communities.⁷⁰ In April 2024, the UN reported that the Borno State government had pledged to close all IDP camps in Borno State by the end of 2027.⁷¹ These decisions are part of the Governor's efforts to move from crisis response and relief to stabilization and development.⁷² The protection cluster in north-east Nigeria, a group of humanitarian organizations and UN agencies focused on protection issues, reported on suspected Boko Haram attacks on resettled communities as recent as March 2024.⁷³ The closure of the camps has been denounced by Human Rights Watch, which found they took place without consultations, adequately informing IDPs, or offering sustainable alternatives that would ensure IDPs' safety and livelihoods, therewith violating, according to Human Rights Watch, Nigeria's obligations to IDPs under international law.⁷⁴

In December 2021, Amnesty International expressed concerns about the safety of thousands of IDPs at risk of forced resettlement.⁷⁵ Under international law, return or resettlement of people must always be safe, dignified, informed and voluntary.⁷⁶

1.4 GIRLS AND ARMED CONFLICT

1.4.1 THE UNITED NATIONS SYSTEM

Over 30 years, the UN has created an architecture designed to protect children and women affected by armed conflict.⁷⁷ On 25 August 1999, the UN Security Council adopted its first resolution on children affected by armed conflict, condemning grave violations against children – now known as the six grave violations – and placing violations against children on its peace and security agenda. The six grave violations are: recruitment and use by armed forces or armed groups; killing and maiming; sexual violence; abduction; attacks on schools and hospitals; and denial of humanitarian access.

Through successive resolutions over more than 20 years, the Security Council has called on the Secretary-General to use evidence of these violations – except the denial of humanitarian access – as a basis to list parties to conflicts who have perpetrated grave violations in the annexes of the yearly Secretary-General report on children and armed conflict to the Council.⁷⁸ The 1999 resolution also highlighted the need for special protection measures for girls, and, in 2015, when adding abduction as a “trigger violation”, the Council acknowledged the linkage between mass abduction and heightened risks for girls to be subjected to recruitment and use, sexual slavery, and trafficking.⁷⁹

⁷⁰ Peoples Gazette, “Boko Haram: Gov. Zulum bans NGOs from giving food to Borno resettled communities”, 9 December 2021, <https://gazettengr.com/boko-haram-gov-zulum-bans-ngos-from-giving-food-to-borno-resettled-communities/>

⁷¹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), “Area-based assessment on returns, relocations and selected settlements in Borno State”, 4 April 2024, <https://reliefweb.int/report/nigeria/area-based-assessment-returns-relocations-and-selected-settlements-borno-state-nigeria-sulumri-idp-and-maiduguri-primary-school-mmc-and-jere-igga>. See also The New Humanitarian, “In northeast Nigeria, those who fled the conflict are being returned to conflict”, 23 April 2024, <https://www.thenewhumanitarian.org/news-feature/2024/04/23/northeast-nigeria-those-who-fled-conflict-are-being-returned>

⁷² Governor Zulum has portrayed humanitarian assistance as an unwelcome dependency, saying he closed the camps to “give our people dignity as well as purpose”, and has referred to the camps as “places of vices”. See BizWatch Nigeria, “Why I Closed IDP Camps in Maiduguri – Zulum”, 2 January 2022, “Why I Closed IDP Camps In Maiduguri” – Zulum – BizWatchNigeria.Ng.

⁷³ The protection cluster in north-east Nigeria, “Killing and Abduction of Civilians in Borno State, Nigeria”, 26 March 2024, <https://www.globalprotectioncluster.org/publications/1794/reports/report/flash-alert-abduction-and-killing-borno-state-north-east-nigeria>

⁷⁴ HRW, *Those Who Returned Are Suffering* (previously cited).

⁷⁵ Amnesty International, “Nigeria: Plans to close IDP camps in Maiduguri could endanger lives”, 15 December 2021, <https://www.amnesty.org/en/latest/news/2021/12/nigeria-plans-to-close-idp-camps-in-maiduguri-could-endanger-lives/>

⁷⁶ Under customary international law, in a non-international armed conflict, displaced persons have a “right to voluntary return in safety to their homes or places of habitual residence as soon as the reasons for their displacement cease to exist”. International Committee of the Red Cross (ICRC), Customary International Humanitarian Law, Rule 132. See, Guiding Principles on Internal Displacement. After failed attempts by the Borno State government in 2018 to send IDPs back to Baga and Kukawa which were subsequently overrun by ISWAP, the state government, supported by the UN and humanitarian actors, developed the Borno State Return Strategy. International Crisis Group, *Rethinking Resettlement and Return in Nigeria's North East* (previously cited), p. 5.

⁷⁷ In June 1994, Graça Machel, then appointed expert by UN Secretary-General Boutros Boutros-Ghali, published a report on the impact of armed conflict on children. The appointment flowed from UN General Assembly resolution 48/157 of 20 December 1993. Special Representative of the Secretary General on Children Affected by Armed Conflict (SRSR-CAAC), *25 Years for Children: Study on the Evolution of Children and Armed Conflict Mandate 1996-2021*, January 2022, <https://childrenandarmedconflict.un.org/2022/01/25-years-for-children-understanding-the-past-to-inspire-the-future/>, p. 9.

⁷⁸ In 2001, the United Nations Security Council (UNSC) adopted resolution 1379, through which it requested the Secretary-General to list parties to conflict that recruit or use children in his annual report on CAAC. UNSC, Resolution 1379 (2001), adopted on 20 November 2001, UN Doc. S/RES/1379; See also, UNSC, Resolution 1882 (2009), adopted on 4 August 2009, UN Doc. S/RES/1882; UNSC, Resolution 1998 (2011), adopted on 12 July 2011, UN Doc. S/RES/1998; UNSC, Resolution 2225 (2015), adopted on 18 June 2015, UN Doc. S/RES/2225.

⁷⁹ UNSC, Resolution 2225 (2015) (previously cited).

On 26 July 2005, the Security Council unanimously resolved to establish a monitoring and reporting mechanism (MRM) and set up the Security Council's Working Group on Children and Armed Conflict.⁸⁰ The MRM monitors and reports on the six grave violations in contexts where armed actors have been listed.⁸¹ The Secretary-General uses the MRM's data in reporting on grave violations in the annual report the Council and as evidence to list state forces and non-state groups as responsible for such violations. Once listed, the UN engages the parties to secure commitment and implement action plans to end and prevent violations against children.

The UN Secretary-General first reported on grave violations against children in the context of the conflict in north-east Nigeria in 2014 and continues to do so.⁸² In 2017, 2020 and 2022, the UN Secretary-General published reports dedicated to the situation in Nigeria.⁸³ In 2014, the UN Secretary-General first listed JAS for two of the grave violations,⁸⁴ and in 2023 the Secretary-General listed ISWAP as a separate entity from JAS for all five "trigger" violations.⁸⁵ The CJTF was listed for the recruitment and use of children in 2016.⁸⁶ At the time of writing, JAS and ISWAP were listed for all five "trigger violations".⁸⁷ On 15 September 2017, the CJTF signed an action plan with the UN to end and prevent the use of children.⁸⁸ JAS and ISWAP have not signed action plans. In October 2021, the Secretary-General delisted the CJTF for the recruitment and use of children.⁸⁹ Despite the widely documented grave crimes against children committed by the Nigerian military, the UN Secretary-General is yet to list the military in the annex to the report, leading to criticism from civil society groups about a failure to take a consistent evidence-based approach to listing parties⁹⁰ – part of wider concerns about the politicisation of the listing process for other conflicts as well.⁹¹

Over the last 16 years, the UN has made efforts to strengthen its ability to respond to conflict-related sexual violence (CRSV) globally. In 2008, the Security Council for the first time recognized that CRSV can constitute a threat to international peace and security and reaffirmed it could amount to crimes against humanity, war crimes, and genocide.⁹² The following year, the Council recognized the exacerbating role gender discrimination plays on the impact of CRSV on women and girls.⁹³ In subsequent resolutions between 2009 and 2010, the United Nations Security Council (UNSC) established the mandate of the Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG-SVC); created the UN Team of Experts on the Rule of Law and Sexual Violence in Conflict (henceforth Team of Experts); and put in place monitoring, analysis and reporting arrangements (MARA) on conflict-related sexual violence to ensure the systematic gathering of such information.⁹⁴ Since 2009, the UN Secretary-General has published an annual report to the Security Council which provides an overview of UN-verified information on the use of CRSV in conflict-affected settings and, in its annex, includes a list of parties credibly suspected of committing patterns of rape or other forms of sexual violence.

The Secretary-General first mentioned sexual violence in Nigeria in the report covering January to December 2014, identifying Nigeria as an "other situation of concern" and expressing concern about sexual violence

⁸⁰ UNSC, Resolution 1612 (2005), adopted on 26 July 2005, S/RES/1612.

⁸¹ For limitations on the MRM in Nigeria, see Amnesty International, *We Dried Our Tears* (previously cited), pp. 16-17.

⁸² UNSG, Report: *Children and armed conflict*, 15 May 2014, UN Doc. A/68/878-S/2014/339, para. 215.

⁸³ UNSG, Report: *Children and armed conflict in Nigeria*, 4 August 2022, UN Doc. S/2022/596; UNSG, Report: *Children and armed conflict*, 9 June 2020, UN Doc. A/74/845-S/2020/525; UNSG, Report: *Report of the Secretary-General on children and armed conflict in Nigeria*, 10 April 2017, UN Doc. S/2017/304.

⁸⁴ JAS was listed as a new party for killing and maiming of children and attacks against schools and hospitals. Office of the SRSG-CAAC, "Secretary-General's Annual Report on Children and Armed Conflict Documents Continued Child Suffering in 23 Conflict Situations", 1 July 2014, <https://childrenandarmedconflict.un.org/2014/07/secretary-generals-annual-report-on-children-and-armed-conflict-documents-continued-child-suffering-in-23-conflict-situations/>; UNSG, Report: *Children and armed conflict*, 15 May 2014, UN Doc. A/68/878-S/2014/339, para. 215 and annex II.

⁸⁵ UNSG, Report: *Children and armed conflict*, 5 June 2023, UN Doc. A/77/895-S/2023/363, para. 37 and annex II.

⁸⁶ UNSG, Report: *Children and armed conflict*, 20 April 2016, UN Doc. A/70/836-S/2016/360, para. 228 and annex II.

⁸⁷ UNSG, Report: *Children and armed conflict*, 5 June 2023, UN Doc. A/77/895-S/2023/363, annex II.

⁸⁸ UNICEF, "Civilian joint task force in northeast Nigeria signs action plan to end recruitment of children", 15 September 2017, <https://www.unicef.org/press-releases/civilian-joint-task-force-northeast-nigeria-signs-action-plan-end-recruitment>

⁸⁹ UNICEF, "UNICEF reacts to the UN delisting of CJTF from list of organizations using and recruiting children in armed conflict", 18 October 2021, <https://www.unicef.org/nigeria/press-releases/unicef-reacts-un-delisting-cjtf-list-organizations-using-and-recruiting-children>

⁹⁰ See, for example, HRW, Amnesty International, et al., "Joint letter to the UN Secretary-General on children and armed conflict," 24 May 2019, <https://www.hrw.org/news/2019/05/24/joint-letter-un-secretary-general-children-and-armed-conflict>; World Vision, "Why we need naming and shaming," 5 August 2019, <https://www.wvi.org/opinion/view/why-we-need-naming-and-shaming>

⁹¹ Watchlist on Children and Armed Conflict, "A Credible List": Recommendations for the Secretary-General's 2023 Annual Report on Children and Armed Conflict", April 2023, <https://watchlist.org/publications/a-credible-list-recommendations-for-the-secretary-generals-2023-annual-report-on-children-and-armed-conflict/>; HRW, "UN Chief Leaves Child Rights Violators Off 'List of Shame'", 12 July 2022, <https://www.hrw.org/news/2022/07/12/un-chief-leaves-child-rights-violators-list-shame>; Amnesty International, "Children in war must never be a political bargaining chip", 23 June 2020, <https://www.amnesty.org/en/latest/news/2020/06/un-children-in-war-must-never-be-a-political-bargaining-chip/>

⁹² UNSC, Resolution 1820 (2008), adopted on 19 June 2008, UN Doc. S/RES/1820.

⁹³ UNSC, Resolution 1882 (2009) (previously cited).

⁹⁴ UNSC, Resolution 1888 (2009), adopted on 30 September 2009, S/RES/1888; UNSC, Resolution 1960 (2010), adopted on 16 December 2010, UN Doc. S/RES/1960.

committed by Boko Haram.⁹⁵ In all subsequent reports, through 2024, Nigeria has been considered an “other situation of concern” rather than a country featured in the section of the report on sexual violence in conflict-affected settings.⁹⁶ From 2015–2020, the Secretary-General listed Boko Haram as a party of concern in the report’s annex.⁹⁷ In 2021, the Secretary-General referred to the non-state armed groups as “Boko Haram, including affiliated/splinter groups”.⁹⁸ In 2022, the list differentiated between JAS and ISWAP for the first time.⁹⁹ JAS and ISWAP remained listed in 2023.¹⁰⁰ Despite substantial and credible documentation of incidents of CRSV by the Nigerian military and CJTF,¹⁰¹ the Secretary-General has not listed either as an actor credibly suspected of committing patterns of rape or other sexual violence. The MARA does not operate in Nigeria.

1.4.2 THE AFRICAN UNION SYSTEM

The UN architecture is complemented at the African regional level by an emerging African Union institutional framework on the protection of children affected by armed conflict.¹⁰² In February 2014, the AU Peace and Security Council (PSC) held its inaugural consultation meeting with the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), during which it made the decision to hold an annual open session to discuss the issue of children affected by armed conflict in Africa.¹⁰³ The first PSC open session on this theme was held on 8 May 2014, three weeks after the abduction of 276 schoolgirls in Chibok in Borno State, Nigeria. The PSC called for the immediate release of the girls and asked the Nigerian authorities to ensure the girls were successfully re-united with their families.¹⁰⁴ The PSC also urged AU member states to prevent violations of children’s rights during armed conflicts and to take robust punitive measures against perpetrators.¹⁰⁵

Over the last 10 years, some of the specific issues considered during the annual open sessions have included protection of schools from attacks,¹⁰⁶ recruitment of child soldiers,¹⁰⁷ and the plight of children displaced by armed conflict.¹⁰⁸

Since 2010, the PSC has also held an annual open session on women, peace and security. On 23 July 2019, the PSC dedicated its 862nd meeting to sexual violence in armed conflicts, expressing concern about the persistence of CRSV in Africa and calling on all member states to “sign, ratify and fully domesticate all

⁹⁵ UNSG, Report: *Conflict-related sexual violence*, 23 March 2015, UN Doc. S/2015/203, paras. 9, 11, 79-81, 82 and 84.

⁹⁶ UNSG, Report: *Conflict-related sexual violence*, 20 April 2016, UN Doc. S/2016/361, paras. 86-88; UNSG, Report: *Conflict-related sexual violence*, 15 April 2017, UN Doc. S/2017/249, paras. 89-91; UNSG, Report: *Conflict-related sexual violence*, 16 April 2018, UN Doc. S/2018/250, paras. 93-95; UNSG, Report: *Conflict-related sexual violence*, 29 March 2019, UN Doc. S/2019/280, paras. 118-122; UNSG, Report: *Conflict-related sexual violence*, 3 June 2020, UN Doc. S/2020/487, paras. 70-72; UNSG, Report: *Conflict-related sexual violence*, 30 March 2021, UN Doc. S/2021/312, paras. 67-68; UNSG, Report: *Conflict-related sexual violence*, 29 March 2022, UN Doc. S/2022/272, paras. 72-73; UNSG, Report: *Conflict-related sexual violence*, 22 June 2023, UN Doc. S/2023/413, paras. 86-88; UNSG, Report: *Conflict-related sexual violence*, April 2024, UN Doc. S/2024/292, paras. 90-91.

⁹⁷ UNSG, Report: *Conflict-related sexual violence*, 23 March 2015, UN Doc. S/2015/203, p. 33; UNSG, Report: *Conflict-related sexual violence*, 20 April 2016, UN Doc. S/2016/361, p. 47; UNSG, Report: *Conflict-related sexual violence*, 15 April 2017, UN Doc. S/2017/249, p. 49; UNSG, Report: *Conflict-related sexual violence*, 16 April 2018, UN Doc. S/2018/250, p. 57; UNSG, Report: *Conflict-related sexual violence*, 29 March 2019, UN Doc. S/2019/280, p. 59; UNSG, Report: *Conflict-related sexual violence*, 3 June 2020, UN Doc. S/2020/487, p. 55.

⁹⁸ UNSG, Report: *Conflict-related sexual violence*, 30 March 2021, UN Doc. S/2021/312, p. 51.

⁹⁹ UNSG, Report: *Conflict-related sexual violence*, 29 March 2022, UN Doc. S/2022/272, p. 57.

¹⁰⁰ UNSG, Report: *Conflict-related sexual violence*, 22 June 2023, UN Doc. S/2023/413, p. 35.

¹⁰¹ Amnesty International, “Children and women face sexual violence in Borno prisons”, 29 April 2019, <https://www.amnesty.org/en/latest/press-release/2019/04/nigeria-children-and-women-face-sexual-violence-in-borno-prisons/>; Amnesty International, *They Betrayed Us* (previously cited); HRW, “Nigeria: Officials Abusing Displaced Women, Girls”, 31 October 2016, <https://www.hrw.org/news/2016/10/31/nigeria-officials-abusing-displaced-women-girls>; New York Times, “They Fled Boko Haram, Only to Be Raped by Nigeria’s Security Forces”, 8 December 2017, <https://www.nytimes.com/2017/12/08/world/africa/boko-haram-nigeria-security-forces-rape.html>; Humanitarian Practice Network, “Sexual violence and the Boko Haram crisis in north-east Nigeria”, 24 October 2017, <https://odihpn.org/publication/sexual-violence-and-the-boko-haram-crisis-in-north-east-nigeria/>

¹⁰² The process of setting up this framework began in earnest in 2012 when the AU Executive Council called on other AU organs and bodies, including the AU Peace and Security Council (PSC), to “take into account the rights of the child in their agenda and cooperate actively with the [African] Committee [of Experts on the Rights and Welfare of the Child (ACERWC)]”. AU Executive Council, “Decision on the Report of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC)”, 9-13 July 2012, EX.CL/Dec.712(XI) para. 7

¹⁰³ AUPSC, “Press statement of the 420th meeting of the PSC on the rights and welfare of the child (ACERWC)”, 18 February 2014, PSC/PR/BR.(CDXX).

¹⁰⁴ AUPSC, “Press statement”, 8 May 2014, PSC/PR/BR.(CDXXXIV).

¹⁰⁵ AUPSC, “Press statement”, 8 May 2014, PSC/PR/BR.(CDXXXIV).

¹⁰⁶ AUPSC, “Press statement of the Peace and Security Council (PSC) of the African Union (AU) at its 597th meeting on the theme “Children in Armed Conflicts in Africa with a particular focus on protecting schools from attacks during armed conflict”, 10 May 2016, PSC/PR/BR.(DXCVII).

¹⁰⁷ AUPSC, “Communique 661st PSC meeting on the theme “Protecting Children from Conflicts: Highlighting the Case of Child Soldiers in Africa”, 27 February 2017, PSC/MIN/COMM.2(DCLXI).

¹⁰⁸ AUPSC, “Press statement of the 841st PSC meeting on the theme “Children Affected by Armed Conflicts in Africa”, 16 April 2019, PSC/PR/BR.(DCCCXLI).

AU and international instruments relating to sexual violence”.¹⁰⁹ The PSC further stressed the importance that member states end the culture of impunity, foster survivor-centred responses and address root causes of CRSV, “including structural gender-based inequalities”.¹¹⁰

In January 2014, the UN SRSV-SVC and the African Union Commission (AUC) signed a framework of cooperation agreeing to priority areas and the contours of a joint strategy to prevent and respond to CRSV in Africa.¹¹¹ The AUC Chairperson also announced the appointment of a Special Envoy on Women, Peace, and Security mandated to ensure, amongst other responsibilities, that the voices of women and children affected by conflict are heard.¹¹² In December 2014, the Special Envoy conducted a visit to Nigeria to “echo the voices of the women of Nigeria” and support them in their campaign for the release of the abducted Chibok girls.¹¹³ In July 2017, the Special Envoy was part of a high-level UN-AU joint mission to Nigeria that, among other activities, engaged with girls affected by the conflict in north-east Nigeria and specifically met with some of the Chibok girls who had exited Boko Haram.¹¹⁴

In September 2021, the AU inaugurated the Africa Platform on Children Affected by Armed Conflict (AP-CAAC), a high-level advocacy, support and advisory mechanism that brings together individual AU ambassadors and key child protection stakeholders.¹¹⁵ Its primary aim is to promote the protection of children affected by armed conflict. On 9 March 2024, the AP-CAAC issued a public statement condemning the mass abduction of more than 280 pupils and teachers in Kaduna State, Nigeria.¹¹⁶

¹⁰⁹ AUPSC, “Press statement of the 862nd meeting of the PSC, held on 23 July 2019, dedicated to an open session on the theme: “Sexual Violence in Armed Conflicts in Africa””, 23 July 2019, PSC/PR/BR. (DCCCLXII).

¹¹⁰ AUPSC, “Press statement of the 862nd meeting of the PSC, held on 23 July 2019, dedicated to an open session on the theme: “Sexual Violence in Armed Conflicts in Africa””, 23 July 2019, PSC/PR/BR. (DCCCLXII).

¹¹¹ AUC and the Office of the Special Representative of the Secretary General on Sexual Violence in Conflict (SRSV-SVC), “Framework of Cooperation”, 31 January 2014, <https://www.peaceau.org/uploads/au-un-framework-of-cooperation-on-csvr.pdf>

¹¹² AU, “Women, Peace and Security”, <https://www.africanunion-un.org/wps> (accessed on 16 May 2024).

¹¹³ AU “Protect our girls, urges AU Envoy for Women, Peace and Security during her Nigeria solidarity mission”, 9 December 2014, <https://www.peaceau.org/uploads/press-release-special-envoy-in-nigeria-solidarity-mission.pdf>

¹¹⁴ AU, “African Union Special Envoy on Women, Peace and Security in Joint UN-AU High-Level Solidarity Mission to Nigeria and the Democratic Republic of Congo (DRC)”, 5 September 2017, <https://au.int/en/pressreleases/20170905/african-union-special-envoy-women-peace-and-security-joint-un-au-high-level>

¹¹⁵ AU, “The Africa Platform on Children Affected by Armed Conflicts undertook a Lessons-learning mission to Sierra Leone on the Rehabilitation and Reintegration of Children affected by Armed Conflicts”, 13 September 2023, <https://au.int/en/pressreleases/20230913/africa-platform-children-affected-armed-conflicts-undertook-lessons-learning>; See AU and Save the Children, “Africa Platform on Children Affected by Armed Conflicts”, Undated, <https://www.peaceau.org/uploads/concept-note-for-africa-platform-on-caac-launch.pdf>

¹¹⁶ AU, “The Africa Platform on Children Affected by Armed Conflicts (AP-CAAC) denounces the mass abduction of pupils and teachers in Kaduna State, Northern Nigeria”, 9 March 2024, <https://www.peaceau.org/uploads/apcaac-nigeria-9-03-2024.pdf>

PROTECTION OF GIRLS UNDER INTERNATIONAL LAW AND POLITICAL COMMITMENTS

Based on their gender and age, girls receive special protections under international law. Nigeria has ratified key international human rights treaties that provide special protection for women, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Protocol to the African Charter on Human and Peoples' Rights (ACHPR) on the Rights of Women in Africa (Maputo Protocol) and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also known as the Palermo Protocol). For protections specific to detention, see the textbox in 5.2.

CEDAW prohibits discrimination against women and obliges state parties to take appropriate measures to bring women on equal terms with men.¹¹⁷ CEDAW requires states to prevent and address gender-based violence (GBV) including by eradicating its root causes, prosecuting suspects of GBV-related crimes and providing survivors reparations.¹¹⁸ It also protects women and girls from forced marriage¹¹⁹ and obliges state parties to suppress all forms of trafficking in women.¹²⁰

The Maputo Protocol contains provisions that protect women in times of armed conflict, including obliging state parties to “take all necessary measures to ensure that no child, especially girls under 18 years of age, take a direct part in hostilities and that no child is recruited as a soldier”.¹²¹ In November 2017, the African Commission on Human and Peoples' Rights' (ACHPR) adopted guidelines to support Member States to combat sexual violence and its consequences.¹²²

The Palermo Protocol supplements the Convention against Transnational Organized Crime (UNTOC) and contains provisions that oblige state parties to combat trafficking in persons and pays particular attention to children and women.¹²³ Nigeria ratified the UNTOC and Palermo Protocol in June 2001.¹²⁴

Under international law, a “child” is anyone under the age of 18.¹²⁵ Nigeria has ratified key international human rights treaties that provide special protections for children, including the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC, African Children's Charter). In September 2020, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) issued a general comment on article 22 of the African Children's Charter, which focuses on protection of children during armed conflict, laying down a set of principles and rules and offering states guidance and standards on how to deal with children in armed conflict.¹²⁶

The 1999 International Labour Organization (ILO) Convention 182, ratified by Nigeria in 2002,¹²⁷ prohibits forced or compulsory recruitment of children under age 18 for use in armed conflict as among the worst forms of child labour. It furthermore obliges state parties to take immediate and effective measures to secure its prohibition and elimination as a matter of urgency.¹²⁸

International humanitarian law regulates situations of armed conflict and provides specific protections and rights to women and to children.¹²⁹ Article 3 common to the four Geneva Conventions and applicable in non-international armed conflicts like the one in north-east Nigeria prohibits violence to life and person as well as outrages upon personal dignity, including sexual violence, and obliges all parties to the conflict to treat non-combatants humanely in all circumstances and regardless of, among others, their sex.¹³⁰ Protocol II to the Geneva Conventions sets the minimum age for recruitment or use in armed conflict by all parties to the armed conflict at 15 years old.¹³¹ The CRC's Optional Protocol on the involvement of children in armed conflict (CRC-OP-AC), ratified by Nigeria on 25 September 2012, further extends protection to children in relation to their recruitment and use by armed forces and armed groups, including by prohibiting the recruitment (voluntary or forced) or use in hostilities of persons under 18 years old by non-state armed groups.¹³²

Violations of international humanitarian law can amount to war crimes. Rape, sexual slavery, forced pregnancy, and any form of sexual violence may be war crimes as defined under article 8(2)(e)(vi) of the Rome Statute, which Nigeria ratified in 2001. Conscripting or enlisting children under the age of 15 into the armed forces or groups or using them to participate actively in hostilities may be war crimes as defined under article 8(2)(e)(vii) of the Rome Statute. Other acts constituting violations of international humanitarian law in non-international armed conflicts, listed under article 8(2)(e) of the Rome Statute, may be war crimes affecting girls and women as well.

When committed as part of a widespread and/or systematic attack against a civilian population, and pursuant to a state or an organizational policy, rape, sexual slavery, forced pregnancy or any other form of sexual violence of comparable gravity, as well as forced marriages as an “other inhumane act”, may constitute crimes against humanity.¹³³

In May 2015, Nigeria endorsed the Safe Schools Declaration – a political commitment to protect students, teachers, schools, and universities from attacks on education – and in October 2021 hosted the fourth

international conference on the Safe Schools Declaration in Abuja.¹³⁴ In September 2022, Nigeria adopted a protocol for the handover – within seven days – of children associated with armed groups to the State Ministry of Women Affairs and Social Development, and to immediately provide access for the United Nations to all children in military custody.¹³⁵ In December 2022, the Government of Nigeria, supported by the UN Office on Drugs and Crime (UNODC), launched Nigeria’s “Call for Action”, a declaration in which it committed to treat children associated with groups such as Boko Haram primarily as victims of crimes; to prosecute and deprive children of their liberty only as a measure of last resort; to prevent further victimization; and to tend to their physical and psychological recovery and work to rehabilitate and reintegrate them into society.¹³⁶

Nigeria has not endorsed the 2007 Paris Commitments to Protect Children Unlawfully Recruited or Used by Armed Forces or Armed Groups (“the Paris Commitments”) or the Paris Principles, collectively a set of principles and political commitments that aim to combat and respond to the unlawful recruitment and use of boys and girls by armed forces or armed groups.¹³⁷ However, these principles are based on international human rights treaties, such as the CRC, to which Nigeria is a state party.

¹³⁴ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Article 2. See, for instance, CEDAW, Articles 3, 4.1, and 5. Nigeria ratified CEDAW in 1985.

¹³⁵ UN Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), General Recommendation 35: Gender-based violence against women, 26 July 2017, UN Doc. CEDAW/C/GC/35, paras. 22-23 and 26.

¹³⁶ CEDAW, Article 16(1)(b) and CEDAW, Article 16(2).

¹³⁷ CEDAW, Article 6; CEDAW General Recommendation 38: Trafficking in women and girls in the context of global migration, 20 November 2020, CEDAW/C/GC/38.

¹³⁸ Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol), Article 11(4). Nigeria ratified the Maputo Protocol on 16 December 2004.

¹³⁹ African Commission on Human and Peoples’ Rights (ACHPR) Guidelines on Combating Sexual Violence and its Consequences in Africa.

¹⁴⁰ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol).

¹⁴¹ United Nations Treaty Collection, “Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtidsg_no= XVIII-12-a&chapter=18&clang=en (accessed on March 2024)

¹⁴² UN Convention on the Rights of the Child (CRC), Article 38. The Nigerian government ratified the CRC in 1990.

¹⁴³ African Committee of Experts on the Rights and Welfare of the Child (ACERWC), General Comment on article 22 of the African Charter on the Rights and Welfare of the Child: Children in Situations of Conflict, September 2000, https://reporting.acerwc.africa/sites/default/files/2022-09/General-Comment-on-Article-22-of-the-ACRWC_English_Web_version_final-1.pdf Particularly relevant for girls associated with Boko Haram are the sections pertaining to CRSV. For instance, section 6.3 obliges state parties to “take legislative, administrative, social and educational measures to protect the child from all forms of maltreatment including sexual abuse, exploitation and violence”. It further states that sexual abuse of children can be considered torture or cruel, inhuman, and degrading treatment. And it provides guidance on other rights that are affected by CRSV, including the right to health and the right to education. (Section 6.3, para. 65).

¹⁴⁴ International Labour Organization (ILO), “Ratifications for Nigeria”, https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0:NO::P11200_COUNTRY_ID:103259 (accessed on 30 May 2024).

¹⁴⁵ ILO Convention 182 - Worst Forms of Child Labour, Article 1 and 3(a).

¹⁴⁶ International Committee of the Red Cross (ICRC), Customary International Humanitarian Law, Rules 134 (women) and 135 (children).

¹⁴⁷ 1949 Geneva Conventions I, II, III, IV, Article 3.1. See, also, ICRC, “General and specific protection of women under international humanitarian law”, 2 March 2004, <https://www.icrc.org/en/document/general-specific-protection-women>

¹⁴⁸ Additional Protocol II, Article 4(3)(c).

¹⁴⁹ Optional Protocol to the CRC on the involvement of children in armed conflict (CRC-OP-AC), Article 4(1) (armed groups) and Article 3 (armed forces). Nigeria ratified the CRC-OP-AC on 25 September 2012.

¹⁵⁰ Rome Statute, Articles 7(1)(g) and (k). For jurisprudence on forced marriage as an “other inhumane act”, see Special Court for Sierra Leone (SCSL), Prosecutor v. Brima, Kamara, and Kanu (Case No. SCSL-2004-16-A), Appeal Judgment, 22 February 2008 para. 196 (first time forced marriage was recognized by an international court as the crime against humanity of “other inhumane acts”); International Criminal Court (ICC), Prosecutor v. Dominic Ongwen (Case No. ICC-02/04- 01/15), ICC Pre-Trial Chamber II, Decision on the confirmation of charges against Dominic Ongwen, 23 March 2016, paras 87-95 (confirming forced marriage can be the crime against humanity of “other inhumane acts”); ICC, Prosecutor v. Dominic Ongwen, Trial Chamber IX, Judgment, 4 February 2021, paras 2748-2751 (developing the definition of forced marriage as “other inhumane act”).

¹⁵¹ UNSG, Report: *Children and armed conflict in Nigeria*, 6 July 2020, UN Doc. S/2020/652, para. 50

¹⁵² UNICEF, “Government of Nigeria, UNICEF sign handover protocol to protect children encountered during military operations”, 30 September 2022, <https://www.unicef.org/nigeria/press-releases/government-nigeria-unicef-sign-handover-protocol-protect-children-encountered-during>

¹⁵³ UN Office on Drugs and Crime (UNODC) and the Office of the National Security Advisor (ONSA), “The Nigeria Call for Action. Declaration on the Treatment of Children Associated with Terrorist and Violent Extremist Groups” (Call to Action), December 2022, <https://indd.adobe.com/view/b299552a-27cc-48fc-adda-044d5c72aadfhttps://indd.adobe.com/view/b299552a-27cc-48fc-adda-044d5c72aadf>

By launching the Call to Action, the Nigerian government endorsed the UNODC Roadmap on the Treatment of Children Associated with Terrorist and Violent Extremist Groups. UNODC, “Roadmap on the Treatment of Children Associated with Terrorist and Violent Extremist Groups”, <https://indd.adobe.com/view/61793921-8dc6-4fc2-9e46-b27c6390ff2>

¹⁵⁴ Paris Commitments on Children Associated with Armed Groups and Armed Forces (Paris Commitments) and the Paris Principles.

GN'S EXPERIENCE



“We were in Bama Local Government Area with our parents when Boko Haram came and took us to ‘Guraba’, [in Boko Haram-controlled area]... When [Boko Haram] attacked our village, they searched from house to house. At every house, they asked for the mother. They wanted to take the daughters away. [When they reached our house], my mother told [the Boko Haram fighter]: ‘My daughter is too small. She cannot follow you.’ They said: ‘If your daughter will not follow, we will kill you.’ Then my mother decided to hand me to them.

The [Boko Haram fighters] fixed our wedding dates in just five days. After they fixed the wedding day, they took me... They took my [young adult] sister too, on a [motor]bike... We were taken by foot and spent one night walking. I was with my two [young adult] cousins and my friend. I don’t know my age because we were so little when they took us [around 2014].

When we reached ‘Guraba’, they told the [Boko Haram] people there that they brought brides. They did a small celebration with my ‘husband’ his friends and his family... They told me where to stay and my ‘husband’ slept there. He started having sex with me.

[Boko Haram] did not allow us to farm, fetch water or move around freely. [When my ‘husband’ brought food], we had to grind it with our hands before we cooked it because there was no grinding machine in the bush. Sometimes, when we were at home and the ‘husband’ was not there and we did not have food in the house, we would have to take our dish, go from house to house and ask for food. If [Boko Haram fighters] would have caught us, we would have been flogged.

[If you broke their rules], they would call us and tell us to come and see the punishment. We would all gather in one place, and they would put the person in the middle. [Boko Haram] would beat people with a wire on their back, head, stomach, anywhere on their body. They would give 100 lashes at a time without stopping. If you talked or showed pity for the person [being punished], they would flog you too. I saw them flog women and girls for roaming around [the Boko Haram-controlled village] and for trying to escape.

One day, [sometime in 2019 or 2020], when we were at ‘Guraba’, soldiers attacked and started fighting with Boko Haram. Everyone was running and hiding. I hid under a bush. A soldier came past [the bush] and saw me. He called [for] me [to come out] and asked me to come with them... They also took other people from ‘Guraba’, including four young girls.

[The soldiers] took us to Bama Prison to register us before taking us to the [IDP] camp... [They asked us] if we were Boko Haram, why we stayed in the bush, and if we decided to come with them because of hunger. [The soldiers] asked us [for our age]... I didn’t know my age, so they decided to just put 16 for me. No, [they did not tell me anything about special support for me].

I slept one night [in the prison], on the concrete floor with around 20 other women and children. There were two small boys around five and seven [years old]. We saw them crying and we asked them where their parents were. They said they don’t know and they did not know anyone [in Bama].

I stayed for two years [in Bama IDP camp]. We had to get permission from the soldiers to go outside [the camp] to farm. Sometimes it would take more than one month to get [the food distribution]... No, [civilian authorities in Bama IDP camp did not offer me any reintegration services]. There were no teachers to give us [government] education. [During my time in Bama IDP camp,] I got married again... and I got pregnant.

[One day], a neighbour heard me calling my ‘husband’ in the bush and reported me. My ‘husband’ usually called me and asked me to come back to the bush, but I refused. The soldiers came and locked me up in a cell in Bama Prison for one month [sometime in late 2021 or early 2022].

[In Bama Prison, the soldiers], asked me why I was calling people in the bush. I told them I was asking the people [in the bush] to come back to town. Then they said, ‘No, you are informing the people in the bush that the soldiers are coming to them.’ So they just put me in the cell and locked me [up]. They were beating me with a cane... as they are asking me [these questions]. They kept on doing this for almost

three days. They would lock me in the cell and then they would bring me out under a tree and they would beat me. If they were done, they would lock me inside the cell again... I was four months pregnant... I hid my pregnancy.

They would feed us in the morning and evening... We would sleep on our clothes on the floor... There were five of us in the cell, [including] two girls who had come from the bush. [The soldiers] just put 18 [as my age].

Then, [the soldiers] brought me to Giwa Barracks [in Maiduguri]... When they took me from Bama to Maiduguri, they covered my eyes... I stayed in Giwa Barracks for around one year in a cell... We stayed in a big room that has a toilet. We were more than 50 in the room... All the people... [were associated with] Boko Haram... [Most of them] were women and there were two girls... around nine and 13 [years old], and two young children... We had a TV in the room... They gave us three meals per day.

[By the time I got to Giwa Barracks,] I was five months pregnant... They used to give me [medicine] and if I fell sick, they would treat me. When I started labour, [the soldiers] took me to the hospital... My friend took the baby to Bama, and I went back to the cell.

[In Giwa Barracks], they also asked me... why I called my 'husband' in the bush, but I was not beaten. During my release, [I saw a lawyer]. [She] said that next time I should not call people in the bush. If they would catch me calling people from the bush, they would bring me [to Giwa Barracks] and I would not get out. I said 'okay' and then she finalized the work. No, [I was not brought before a court].

Then they kept us at [Bulumkutu Interim Care Centre] for two months. [The staff there] asked us what we could do. Some of us said we can knit caps, some of us said they can do tailoring and some of us said we can do anything. They promised to bring the skills for us to learn, but they never taught us... We were just sitting there, and they would give us food daily. No, [I did not receive counselling]. We were not allowed to go out. They gave us 10,000 naira each (US\$20) [when we left].

When I came [back] to Bama [IDP camp], the soldiers came and met me and asked me who the person was that reported me to them. They said that they want to take him to Giwa Barracks. I told them no, there is no need [to do that].

When my [Boko Haram] 'husband' came back from the bush he asked me to come back to him, but I told him, 'No, I will not go back.' So he reported us to the court... under the village head... We went to the court for the first time. They asked me to go back to my first 'husband'. I said no. [The] court said I had to pay 100,000 naira [US\$220 at the time]. So, I went back [to Bama IDP camp] and informed my husband... My [new] husband said we don't have such kind of money. So, at the next sitting, I will inform them [about that]. No, [I don't have a lawyer]. No, [the court did not appoint a lawyer for me]. We will be going to the court very soon, my new husband and me.

I [now survive by] cooking and selling food. I want to go back to our village and farm.

2. ENTRY INTO BOKO HARAM

2.1 LIFE BEFORE ASSOCIATION WITH BOKO HARAM

Remembering their lives before Boko Haram, many interviewees described spending their time helping their parents farm,¹³⁸ doing house chores and cooking,¹³⁹ selling food items on the street to support their families,¹⁴⁰ learning a craft such as knitting traditional caps,¹⁴¹ or playing.¹⁴² Others, however, were unable to describe their life before Boko Haram, saying they were too young when they encountered Boko Haram, or were born into the group.¹⁴³

Girls were often affected by the conflict even before their (overwhelmingly forced) association with Boko Haram. Only 22 girls Amnesty International spoke with went to a government school, commonly referred to by interviewees as a “Western school”.¹⁴⁴ Fifteen girls went to what they referred to as *Islamiyya* or *Tsangaya* schools, where they received Islamic education.¹⁴⁵ Four of these went to both government and Islamic schools.¹⁴⁶ None of the girls completed secondary education. Like many other girls in Nigeria, interviewees’ access to education was barred due to a lack of schools in the area where they lived or their family’s financial situation, with restricted financial resources often being spent on boys or younger siblings rather than girls.¹⁴⁷ Other girls’ education was blocked or cut short by government school closures, due to Boko Haram taking over an area or because of general insecurity from attacks.¹⁴⁸ Some were abducted by Boko Haram before they had a chance to go to school. “I was [at a] young age when [I was] taken to [the] bush, so I don’t know anything about schooling,” IH told Amnesty International.¹⁴⁹

Interviewees were also subjected to forms of gender-based violence, in some cases in circumstances independent of the conflict with Boko Haram. Four girls were married between ages 10 and 14, before their husbands joined, or were perceived to have joined, Boko Haram.¹⁵⁰ One of these girls was made to marry in

¹³⁸ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

¹³⁹ Interviews conducted separately in person with two survivors, July and October 2023, Maiduguri, Borno State.

¹⁴⁰ Interview in person with survivor “NV”, 9 July 2023, Maiduguri, Borno State.

¹⁴¹ Interview in person with survivor “SB”, 15 July 2023, Maiduguri, Borno State.

¹⁴² Interview in person with survivor “BM”, 1 October 2023, Maiduguri, Borno State.

¹⁴³ Interviews conducted separately by voice call with two survivors, April 2024; Interviews conducted separately in person with four survivors, July to October 2023, Maiduguri, Borno State.

¹⁴⁴ Interviews conducted separately in person with thirteen survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, 22 January 2020, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Michika, Adamawa State; Interviews conducted separately in person with five survivors, January 2020, Madagali, Adamawa State.

¹⁴⁵ Interview by voice call with survivor “IJ”, 24 April 2024; Interviews conducted separately in person with fourteen survivors, July and September 2023, Maiduguri, Borno State.

¹⁴⁶ Interviews conducted separately in person with four survivors, July to October 2023, Maiduguri, Borno State.

¹⁴⁷ Interviews conducted separately in person with five survivors, July to October 2023, Maiduguri, Borno State. See also, Hilary Maffess, *Women and the War on Boko Haram: Wives, Weapons, Witnesses* (previously cited), p. 126.

¹⁴⁸ For more on the impact of the conflict on children’s access to education, see Amnesty International, *We Dried Our Tears* (previously cited), pp. 72-85.

¹⁴⁹ Interview in person with survivor “IH”, 3 October 2023, Maiduguri, Borno State.

¹⁵⁰ Interviews conducted separately in person with four survivors, July and October 2023, Maiduguri, Borno State.

an attempt to protect her from forced marriage to Boko Haram. She told Amnesty International that her grandmother married her off when she was between 12 and 14.¹⁵¹ If any husbands of such a girl had sex with them, it could amount to rape and other forms of conflict-related sexual violence because these girls were too young to consent to sex. These girls were also too young to consent to marriage, rendering their marriages forced.

Other families tried other strategies to avoid their children being harmed by Boko Haram. Extreme insecurity had displaced, at times multiple times, the girls and young women Amnesty International spoke with.¹⁵² It also fractured families, as parents sent their children to live in areas believed to be safer or, when fleeing themselves, left their children with other family members.¹⁵³ **BK**, a teenager, told Amnesty International: “Before the crisis, I was living with my parents in our town. During the crisis, my mother and father ran. They left me with my auntie.”¹⁵⁴ When ISWAP attacked her village in Gwoza local government area (LGA) in 2019 or 2020, they abducted her and her auntie. At the time of the interview, in July 2023, she did not know where her parents were.

Prior to being imprisoned, forcibly married or abducted by Boko Haram, at least eight girls interviewed by Amnesty International witnessed Boko Haram kill their relatives.¹⁵⁵ **CB**, who was abducted when she was around 13 years old in 2014, recalls: “One day, Boko Haram entered Mugi and came into our house. They told our father we’re non-believers. They shot my father in the back of his head and the bullet came through his eyes. We started crying. They said if we don’t keep quiet, they will kill my mother too.”¹⁵⁶ Forcing someone to witness the murder or torture of another person is itself an act of torture under international human rights and humanitarian law.¹⁵⁷

2.2 ENTRY INTO BOKO HARAM

In the earliest years of Boko Haram, some women joined for socio-economic reasons, seeing more opportunity to advance their interests in Boko Haram, an anti-state movement, than in the systemic structural violence many women experience in northern Nigeria.¹⁵⁸ However, as the crisis went on and Shekau took control, Boko Haram abducted and forcibly married thousands of women and girls. Most interviewees who spoke with Amnesty International entered the group in this way. A minority of girls experienced a less hostile entry into the group, and were either born into Boko Haram or became part of the group when a male relative or their husband joined (see section 2.2.3 below).

2.2.1 ABDUCTIONS

“Even little children were taken away by them.”

FM, 14 July 2023, Maiduguri, Borno State

Boko Haram is infamous for abducting civilians, including women and girls. According to Human Rights Watch, the first documented Boko Haram abduction of multiple women in a single attack was the abduction

¹⁵¹ Interview in person with survivor “NC”, 13 July 2023, Maiduguri, Borno State; Child and forced marriage as a protection strategy employed by parents to protect their daughters from abduction by Boko Haram has been documented by other organizations as well. Save the Children and Royal Tropical Institute (KIT), *Assessing the responses to the needs of survivors of sexual violence in humanitarian settings: Findings from Borno State, Nigeria*, April 2022, <https://www.kit.nl/wp-content/uploads/2022/04/Assessing-Responses-to-the-Needs-of-Survivors-of-Sexual-Violence-in-Humanitarian-Settings.pdf>

¹⁵² Interviews conducted separately in person with four survivors, July 2023, Maiduguri, Borno State.

¹⁵³ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

¹⁵⁴ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

¹⁵⁵ Interviews conducted separately in person with six survivors, July and October 2023, Maiduguri, Borno State; Interview conducted in person with survivor “EC”, 22 January 2020, Maiduguri, Borno State; Interview conducted in person with survivor “KJ”, 4 January 2020, Michika, Adamawa State.

¹⁵⁶ Interview in person with survivor “CB”, 9 July 2023, Maiduguri, Borno State.

¹⁵⁷ See, for example, UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment of punishment, Report, 14 February 2020, UN Doc. A/HRC/43/49, para. 47; Hernan Reyes, “The worst scars are in the mind: psychological torture,” September 2007, *International Review of the Red Cross*, Volume 89 (867), <https://international-review.icrc.org/sites/default/files/irrc-867-5.pdf>, p. 594. Torture is a grave breach of the Geneva Conventions, and a war crime under the Rome Statute.

¹⁵⁸ For more on these dynamics, see Hilary Matfess, *Women and the War on Boko Haram: Wives, Weapons, Witnesses* (previously cited), pp. 257 (e-reader); ICG, *Nigeria: Women and the Boko Haram Insurgency*, 5 December 2016, <https://www.crisisgroup.org/africa/west-africa/nigeria/nigeria-women-and-boko-haram-insurgency>

of 12 women from a police barracks in Bama in May 2013.¹⁵⁹ Shekau released videos prior to and immediately after that attack, suggesting the abductions were committed as retaliation against the government for the alleged arrest and detention of Boko Haram families, including Shekau's wives and the wives of other prominent Boko Haram leaders in 2011 and early 2012.¹⁶⁰



A screenshot from the May 2013 video, obtained from AFP via BBC, copyright holder unknown.

In the May 2013 video, Shekau says that “no one in the country will enjoy his women and children” unless the government released the families of Boko Haram members.¹⁶¹ Since then, Boko Haram has abducted at least thousands of children, including many girls.¹⁶² Other reported reasons for the initial abductions include punishing students for attending government schools and to forcefully convert Christian women and girls to Islam.¹⁶³ The abduction of 276 mostly Christian schoolgirls in Chibok in Borno State in April 2014 received

¹⁵⁹ Prior to this May 2013 abduction, Boko Haram had been implicated in single abductions of women and girls between 2009 and May 2013. HRW, “Those Terrible Weeks in their Camps”: *Boko Haram Violence against Women and Girls in Northeast Nigeria*, 27 October 2014, https://features.hrw.org/features/HRW_2014_report/Those_Terrible_Weeks_in_Their_Camp/index.html

¹⁶⁰ HRW, *Those Terrible Weeks in their Camps* (previously cited).

¹⁶¹ HRW, *Those Terrible Weeks in their Camps* (previously cited), https://features.hrw.org/features/HRW_2014_report/Those_Terrible_Weeks_in_Their_Camp/index.html p. 19.

¹⁶² An accurate number of abducted girls is difficult to determine. In his annual reports on children affected by armed conflict, the UNSG documented and verified the abduction of 560 girls by Boko Haram (JAS and ISWAP) between 1 January 2015 and 31 December 2022. In addition, the SG wrote that the military rescued 366 girls in 2015 who were reportedly abducted by Boko Haram. For Nigeria, in his report covering 2016, the SG verified the abduction of 2,064 children in previous years and in his report covering 2017, another 1,456 child abductions from previous years. See UNSG, *Report: Children and armed conflict*, 24 August 2017, A/72/361-S/2017/821, para. 212; UNSG, *Report: Children and armed conflict*, 16 May 2018, A/72/865-S/2018/465, para. 229; UNSG, *Report: Children and armed conflict*, 20 June 2019, A/73/907-S/2019/509 https://www.securitycouncilreport.org/atf/cf/i65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9/s_2019_509.pdf, para. 212; UNSG, *Report: Children and armed conflict*, 9 June 2020, A/74/845-S/2020/525, https://www.securitycouncilreport.org/atf/cf/i65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9/S_2020_525_E.pdf para. 212; UNSG, *Report: Children and armed conflict*, 6 May 2021, A/75/873-S/2021/437, para. 256; UNSG, *Report: Children and armed conflict*, 23 June 2022, A/76/871-S/2022/493, https://www.securitycouncilreport.org/atf/cf/i65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9/S_2022_493.pdf para. 269; UNSG, *Report: Children and armed conflict*, 5 June 2023, A/77/895-S/2023/363, para. 286. The SG country reports on children in armed conflict in Nigeria reported on 686 verified cases of abductions of girls, overwhelmingly by Boko Haram, between January 2013 and December 2021. In 2017, the SG wrote that an additional 1,358 girls were reported to have been abducted since the start of the conflict. See UNSG, *Report: Report of the Secretary-General on Children on children and armed conflict in Nigeria*, 10 April 2017, S/2017/304, <https://documents.un.org/doc/undoc/gen/n17/096/82/pdf/n1709682.pdf?token=QV60bCR59Pw9oCIBFJ&fe=true> para. 69; UNSG, *Report: Children on children and armed conflict in Nigeria*, 6 July 2020, S/2020/652, <https://documents.un.org/doc/undoc/gen/n20/172/67/pdf/n2017267.pdf?token=UdOmR8AJEJ2mgL0vsh&fe=true> para. 53; UNSG, *Report: Children on children and armed conflict in Nigeria*, 4 August 2022, S/2022/596, <https://documents.un.org/doc/undoc/gen/n22/451/39/pdf/n2245139.pdf?token=pWH30CDJqDSbbwJg&fe=true> para. 43. All of these numbers are likely significant underestimates of the total number of children, including girls, abducted by Boko Haram. The figures include only verified cases, which ensures a rigorous standard but does not attempt to capture the full scale. In addition, documentation and other reporting on abductions in north-east Nigeria have primarily focused on events of large-scale abductions; many children living in areas under Boko Haram control, including many girls, have been abducted individually from their families and communities, or in small groups, as this report demonstrates.

¹⁶³ HRW, *Those Terrible Weeks in their Camps* (previously cited) https://features.hrw.org/features/HRW_2014_report/Those_Terrible_Weeks_in_Their_Camp/index.html; ICG, *Nigeria: Women and the Boko Haram Insurgency* (previously cited);

the most global attention.¹⁶⁴ But many more abductions, including of many Muslim girls, took place without any, or much less, attention. According to media reports, the latest reported Boko Haram mass abduction of girls and women occurred in March 2024.¹⁶⁵

Amnesty International spoke with at least 32 girls and young women who said Boko Haram abducted them from their villages as a child.¹⁶⁶ **GT**, who was a girl when Boko Haram fighters took her away on a motorbike, said, “Even little children were taken away by them.”¹⁶⁷ Two survivors said they were abducted twice: first by JAS, which was their entry into Boko Haram; and then a second time by ISWAP, when they were taken from JAS during fighting between the factions.¹⁶⁸ At least 17 girls and young women interviewed by Amnesty International spoke of sisters, friends and other girls from their communities who were also abducted.¹⁶⁹ They said many of those relatives and friends remain missing.

According to interviewees, Boko Haram employed various strategies to carry out the abductions. Often, abductions occurred during raids on towns, as girls tried to flee and hide, many enduring harsh conditions for days or weeks until they were captured. **JB** recalled her abduction in 2014 when she was around 12 years old:

“When Boko Haram came to Gulak, we ran up the mountain and lived with my uncle... He fed us, but we ran out of food after one month, so I and two of my cousins came down from the mountain to try to look for food. Boko Haram caught us and took us away. They took us to Madagali, where we were all married off.”¹⁷⁰

In other instances, Boko Haram would occupy a village, force their rules on residents who had been unable to flee, and then abducted people, including girls, when the Nigerian military attacked to retake the town. **CW** said she was 14 when Boko Haram seized her town of Gulak. “We were running to the mountain with my aunt and sisters-in-law. Boko Haram brought us back to Gulak and put us in different makeshift prisons,” she said.¹⁷¹ Each time Nigerian soldiers attacked, Boko Haram moved **CW** with them, eventually taking her to Sambisa Forest where she was forcibly married to a Boko Haram member.¹⁷²

Boko Haram has also abducted girls living in Boko Haram-controlled areas and taken them to other Boko Haram-held locations. Boko Haram would load girls onto cars or trucks, force them to walk for days, transport them on motorbikes, or a combination of the three.

EE was around 11 years old when Boko Haram abducted her around 2014. She told Amnesty International: “Boko Haram gathered us all under a tree... They went house to house to find men... They kept us under the tree for one and a half days. They said since we did not provide the men of our town, they would take us from the town to Sambisa Forest [as a punishment]. Most of us were women and children. They started carrying us on bikes... [They took around] 30 young girls like me [that day].”¹⁷³

¹⁶⁴ The abduction ignited the #BringBackOurGirls campaign and gave Boko Haram international notoriety. As of April 2024, over 80 Chibok girls are still missing. Amnesty International, “Nigeria: Decade after Boko Haram attack on Chibok, 82 girls still in captivity”, 14 April 2024, <https://www.amnesty.org/en/latest/news/2024/04/nigeria-decade-after-boko-haram-attack-on-chibok-82-girls-still-in-captivity/>; New York Times, “She was Kidnapped a Decade Ago With 275 Girls. Finally She Escaped” 14 April 2024, <https://www.nytimes.com/2024/04/14/world/africa/nigeria-chibok-girls-kidnapping-boko-haram.html>. For more, see Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 66-67 and HRW, *Those Terrible Weeks in their Camps* (previously cited), pp. 22-23. For more on the campaign, government’s response, as well as the plight of some of the Chibok girls after their release, see Hillary Matfess, *Women and the War on Boko Haram: Wives, Weapons, Witnesses* (previously cited) pp. 178 (e-reader).

¹⁶⁵ Washington Post, “Families are pleading for answers after mass kidnapping by extremists”, 31 March 2024, <https://www.washingtonpost.com/world/2024/03/31/families-are-pleading-answers-after-mass-kidnapping-by-extremists/>; Amnesty International, “Nigeria: Authorities must ensure safe release and return of over 680 people abducted this week”, 8 March 2024, <https://www.amnesty.org/en/latest/news/2024/03/nigeria-authorities-must-ensure-safe-release-and-return-of-over-680-people-abducted-this-week/>; HumAngle, “Terrorists Invade Resettlement Site In North East Nigeria”, 8 March 2024, <https://humanglemedia.com/terrorists-invade-resettlement-site-in-north-east-nigeria/>; Voice of America, “UN Condemns Mass Abduction of Displaced Persons in Nigeria”, 7 March 2024, <https://www.voanews.com/a/un-condemns-mass-abduction-of-displaced-persons-in-nigeria/7517987.html>; BBC, “Nigeria’s Boko Haram crisis: Dozens of women feared abducted in Gamboru Ngala”, 6 March 2024, <https://www.bbc.co.uk/news/world-africa-68490001>

¹⁶⁶ Interviews conducted separately in person with 24 survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted in person with two survivors, 22 January 2020, Maiduguri, Borno State; Interviews conducted separately in person with three survivors, January 2020, Michika, Adamawa State; Interviews conducted separately in person with three survivors, January 2020, Madagali, Adamawa State. None of these girls were abducted during the attacks mentioned above.

¹⁶⁷ Interview conducted in person with survivor “GT”, 14 July 2023, Maiduguri, Borno State.

¹⁶⁸ Interview by voice call with survivor “II”, 25 April 2024; Interview conducted in person with survivor “GS”, 12 July 2023, Maiduguri, Borno State.

¹⁶⁹ Interviews conducted separately in person with sixteen survivors, July to October 2023, Maiduguri, Borno State; Interview conducted in person with survivor “CY”, 6 January 2020, Madagali, Adamawa State.

¹⁷⁰ Interview in person with survivor “JB”, 5 January 2020, Madagali, Adamawa State.

¹⁷¹ Interview in person with survivor “CW”, 6 January 2020, Madagali, Adamawa State.

¹⁷² Interview in person with survivor “CW”, 6 January 2020, Madagali, Adamawa State.

¹⁷³ Interview in person with survivor “EE”, 15 July 2023, Maiduguri, Borno State.

Boko Haram typically used intimidation and fear to take children. **IG**, who estimates she was around 11 years old when Boko Haram abducted her, told Amnesty International: “One Sunday, Boko Haram came to town. By then, [I was] hawking outside... That’s when [I] encountered their people. [They] asked me, ‘Follow us or we kill you’. I was afraid. [I said] OK, I will follow you people.”¹⁷⁴

The conscription or enlistment of children under 15 into an armed group, or the use of them to take part in hostilities, is prohibited by international humanitarian law and a war crime.¹⁷⁵ The objective of the abductions documented here was for these girls and women to serve as “wives” of Boko Haram fighters and to support the armed group in its activities.¹⁷⁶ The abductions by Boko Haram thus constitute war crimes of conscription of children. The abductions also constitute trafficking (see section 3.1.4).

Abductions are often preceded by, lead to, and are intrinsically linked to a variety of other abuses and violations, including those detailed in the next section of this report, and cannot be considered in isolation. For the girls and young women Amnesty International spoke with, abductions led to imprisonment, forced marriage and sexual slavery, sexual and reproductive health rights violations, enslavement, being forced to act as suicide bombers, restrictions in movement, and a deprivation of access to food, water, education, security and the right to play.

FORCED CONVERSION OF NON-MUSLIMS AND INDOCTRINATION OF ALL

Boko Haram forcibly converted most, if not all, non-Muslims whom it abducted, including girls.¹⁷⁷ Coercion often consisted of death threats and physical abuse. Refusal to convert would typically be met with punishment.¹⁷⁸

All seven interviewees who had previously been Christian were forcibly converted to Boko Haram’s interpretation of Islam, stripped of their Christian names and given Muslim ones.¹⁷⁹ Interviewees described being forced to learn the Qur’an; to recite the *Shahada*, an Islamic oath; and to wear clothes in accordance with Boko Haram’s religious interpretations.¹⁸⁰

When asked how Boko Haram made her convert, **SD**, a young Christian girl when Boko Haram took control of her town and imprisoned her, recalled: “They forced me into it. They said either we become Muslim, or they kill us. That’s how I became converted to Muslim.”¹⁸¹

Boko Haram indoctrinated children, including girls it abducted, into its interpretation of Islam, primarily through its religious education classes.¹⁸² Boko Haram’s classes and preachings have been used to justify violence against those whom the group has characterized as non-believers, which has included many Muslims and, at times, included everyone living in areas under the authority of the Nigerian government.¹⁸³

Boko Haram’s forced conversion of the girls’ religion violates its obligations under international humanitarian law to respect their right to freedom of conscience and of religion.¹⁸⁴

¹⁷⁴ Interview in person with survivor “IG”, 17 July 2023, Maiduguri, Borno State.

¹⁷⁵ Rome Statute, Article 8(2)(e)(vii). See also CRC-OP-AC; and ICRC, Customary International Humanitarian Law, Rule 136(Recruitment of Child Soldiers) and Rule 137(Participation of Child Soldiers in Hostilities).

¹⁷⁶ This objective demonstrates that the abductions took place in the context of, and were associated with, the armed conflict. See similar conclusion in International Criminal Court, Ongwen case, Trial judgment, 4 February 2021, para. 2814.

¹⁷⁷ Amnesty International, “Cameroon: Victims of Boko Haram attacks feel abandoned in the Far North”, 11 December 2019, <https://www.amnesty.org/en/latest/news/2019/12/cameroon-victims-of-boko-haram-attacks-feel-abandoned-in-the-far-north/>; Interviews conducted separately in person with five survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted in person with survivor “NZ”, 22 January 2020, Maiduguri, Borno State; Interview conducted in person with survivor “JJ”, 5 January 2020, Madagali, Adamawa State.

¹⁷⁸ HRW, *Those Terrible Weeks in their Camps* (previously cited).

¹⁷⁹ Interviews conducted separately in person with five survivors, July to October 2023, Maiduguri, Borno State; Interview conducted in person with survivor “NZ”, 22 January 2020, Maiduguri, Borno State; Interview conducted in person with survivor “JJ”, 5 January 2020, Madagali, Adamawa State.

¹⁸⁰ Interviews conducted separately in person with four survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, 5 January 2020, Madagali, Adamawa State.

¹⁸¹ Interview in person with survivor “SD”, 30 September 2023, Maiduguri, Borno State.

¹⁸² See, for example, Amnesty International, “Nigeria: Abducted women and girls forced to join Boko Haram attacks”, 14 April 2015, <https://www.amnesty.org/en/latest/news/2015/04/nigeria-abducted-women-and-girls-forced-to-join-boko-haram-attacks/>

¹⁸³ ISS, “Female Boko Haram members need tailor-made rehabilitation”, 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>

¹⁸⁴ ICRC, Customary International Humanitarian Law Database, Rule 104. The girls’ right to freedom of religion is also enshrined in international human rights law. International Covenant on Civil and Political Rights (ICCPR), Article 18; African Charter on Human and Peoples’ Rights (ACHPR), Article 8. Nigeria ratified the ICCPR in 1993 and the ACHPR in 1983.

2.2.2 FORCED MARRIAGE

Forced marriage is a common practice in Boko Haram. Whilst there is evidence of boys being subjected to forced marriage during their association with the group,¹⁸⁵ the practice mainly affects girls. Boko Haram has generally considered girls to be “of age” to marry from the first signs of puberty, including their first menstruation or even before.¹⁸⁶ Abubakar Shekau, in a video, stated that Boko Haram would marry girls as young as nine.¹⁸⁷ The age gap between married girls and their Boko Haram “husbands” is often wide.

All interviewees who spoke with Amnesty International, except for two, were forcibly married to Boko Haram members when they were girls. Most of them were married when they were young adolescents.

Some girls were abducted from their villages, taken straight to the forest, often imprisoned (see section 3.2), and then forcibly married. Other girls were forcibly married in their villages after Boko Haram had taken control of the area and were then abducted by their “husbands” and taken to other Boko Haram areas. Amnesty International also spoke with girls who had been living in Boko Haram-controlled areas with their families who, after some time, were imprisoned and then forcibly married. Some girls spoke of individual “weddings,” and others of mass “weddings”.¹⁸⁸

SD, a young woman from Madagali who was a young girl at the time of her forced marriage, told Amnesty International:

“Boko Haram came to our place... They entered house to house. They packed us in one house. Like 100 [of us]. Amongst us were small, small children... I was like six by then... We stayed for like two years there. After the two years, they got us married, all of us.”¹⁸⁹

NC described how, when she was 12 years old, “there was a man in our neighbourhood who joined [Boko Haram] and he informed them there was a young girl in our house good for marriage. They [Boko Haram] came to the house, searched it and found me. That night, they married me off to one of them after threatening to kill my uncle if he refused.”¹⁹⁰ After forcibly marrying NC, Boko Haram took her to Madagali.

Boko Haram often threatened family members until they “agreed” to the “marriage”. In most cases, Boko Haram also pressured or threatened the girls into agreeing to the “marriage”, as though they had a say in the matter. For instance, NV told Amnesty International that before she was forcibly married, “Boko Haram came to the house and told my mother that they want to get married to me. I was just 13... My mother said no, I’m too young. They flogged my mother and tied her hands and legs. They kept beating her. I decided to agree [so they would] stop beating my mother.”¹⁹¹

At times, Boko Haram has made girls select their “husbands”. When Boko Haram attacked Bama in 2014, they abducted IU, a girl at the time, along with other girls and women as IU tried to flee with her parents to Maiduguri. Once IU was in Boko Haram-controlled territory, she was imprisoned with other girls for about one month. She told Amnesty International:

“[Boko Haram] would come and ask us, ‘Who wants to marry us?’ By then, we would start crying and they would start beating us. They would take one or two girls outside, show her a hole and say that they will cut her neck and her hands [but] if you agree [to ‘marry’], then they will not cut your neck, but if you say you don’t agree, they will start beating you.

[They] called me and asked me and said they will bring a husband for me... I said yes, I will get married to them, but they have to bring men for me to select. Then I would not select, I would refuse to select. The next day, they would bring men for me. They will ask me to select, but I would not select. Until my brother [a Boko Haram member], said, ‘This girl is not going to select a man. Just allow her to stay with me.’”

¹⁸⁵ UNSG, Report: *Children and armed conflict in Nigeria*, 6 July 2020, UN Doc. S/2020/652, para. 45.

¹⁸⁶ Interview by voice call with human rights activist in north-east Nigeria, 29 May 2024. Interviews conducted separately in person with two survivors, July to October 2023, Maiduguri, Borno State.

¹⁸⁷ Hillary Matfess, *Women and the War on Boko Haram: Wives, Weapons, Witnesses* (previously cited), p. 277 (e-reader)

¹⁸⁸ Interviews conducted separately by voice call with three survivors, April 2024; Interviews conducted separately in person with 18 survivors, July to September 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State; Interview conducted in person with survivor “NC”, 1 January 2020, Michika, Adamawa State.

¹⁸⁹ Interview in person with survivor “SD”, 30 September 2023, Maiduguri, Borno State.

¹⁹⁰ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

¹⁹¹ Interview in person with survivor “NV”, 9 July 2023, Maiduguri, Borno State.

Her brother later forcibly married her to a high-ranking Boko Haram fighter when she was still a young adolescent.¹⁹²

Some girls had known their “husbands” before the forced marriage,¹⁹³ because they had lived together in the same community, but most of those interviewed by Amnesty International had never seen their “husbands” before.¹⁹⁴ “They took me to my husband, who I was seeing for the first time. I was scared because I didn’t know the kind of person he was,”¹⁹⁵ AH told Amnesty International about her forced marriage in Gulak when she was a child. JJ, a Christian girl who Boko Haram kept imprisoned as they forced on her teachings of their conception of Islam, said, “One day, they brought me out and asked if I was married and I said yes, although I was not. They did not believe me and married me off to one of them. They sent me back inside the house, while their colleagues outside did some sort of marriage ceremony. Everything lasted about 20 minutes. After that, they took me to Sambisa... It was only [when] I arrived in Sambisa that I met my supposed husband.”¹⁹⁶

Forced marriage, as part of a widespread or systematic attack on a population, as Boko Haram has carried out since at least May 2013,¹⁹⁷ amounts to a crime against humanity.¹⁹⁸ Forced marriage in the context of an armed conflict is often followed by marital rape and other forms of CRSV and domestic violence. It is also often associated with restrictions on access to reproductive health services, an inability for women and girls to make their own reproductive choices, and forced pregnancy, with high risks of maternal mortality. These issues are covered in greater detail in section 3.1.

2.2.3 “NON-HOSTILE” ENTRY TO BOKO HARAM

Whilst most of the girls and younger women that Amnesty International spoke with were coerced into joining Boko Haram, 11 entered the group in a less hostile manner, often through family connections.¹⁹⁹ Four of these interviewees were born into the group.²⁰⁰ Amnesty International does not consider this to be “voluntary” recruitment or association, given the girls’ age and the lack of full and free consent.

HN was living in Bama when “my family decided to move to the bush with us”.²⁰¹ Her father was a member of ISWAP, and her brothers were JAS members. She said her father left the group and they returned together to Bama not long after the ISWAP/JAS split in 2016.²⁰²

ZN, who was around 16 years old when interviewed in mid-2023, thought her parents were already JAS members when she was born. She believes that her father was “commanded” to join the group. She told Amnesty International that she spent the first seven years of her life in Marte LGA after her family moved with her to Lake Chad.²⁰³

GY had known her husband for two years before her parents forced her to marry him when she was still a girl. She gave birth to a baby boy. When the baby was nine months old, the military attacked the village she was living in. She says that after the attack, her husband was convinced by Boko Haram’s preaching, voluntarily joined and took her to a forest around Lake Chad. She says she was a teenager at the time.²⁰⁴

Further research is needed, but those who joined in less-hostile ways, through family members who were Boko Haram members, appear, at least in some instances, to express less dissatisfaction with their time in

¹⁹² Interview in person with survivor “IU”, 12 and 13 July 2023, Maiduguri, Borno State.

¹⁹³ For instance, interview in person with survivor “IU”, 12 and 13 July 2023, Maiduguri, Borno State and interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

¹⁹⁴ For instance, interviews conducted separately in person with 10 survivors, July and October 2023, Maiduguri, Borno State and interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State.

¹⁹⁵ Interview in person with survivor “AH”, 5 January 2020, Adamawa State.

¹⁹⁶ Interview in person with survivor “JJ”, 5 January 2020, Adamawa State.

¹⁹⁷ In 2015, Amnesty International demonstrated Boko Haram’s widespread and systematic attack against a civilian population. Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 25-26.

¹⁹⁸ Rome Statute, Article 7(1)(k); SCSL, Prosecutor v. Brima, Kamara, and Kanu (Case No. SCSL-2004-16-A), Appeal Judgment, 22 February 2008 para. 196 (first time forced marriage was recognized by an international court as the crime against humanity of “other inhumane acts”); ICC, Prosecutor v. Dominic Ongwen (Case No. ICC-02/04- 01/15), ICC Pre-Trial Chamber II, Decision on the confirmation of charges against Dominic Ongwen, 23 March 2016, paras 87-95 (confirming forced marriage can be the crime against humanity of “other inhumane acts”); ICC, Prosecutor v. Dominic Ongwen, Trial Chamber IX, Judgment, 4 February 2021, paras. 2748-2751 (developing the definition of forced marriage as “other inhumane act”). See also Amnesty International, *We Dried Our Tears* (previously cited), p. 21.

¹⁹⁹ Interview by voice call with survivor “DD”, 23 April 2024; Interviews conducted separately in person with 10 survivors, July to October 2023, Maiduguri, Borno State.

²⁰⁰ Interview by voice call with survivor “DD”, 23 April 2024; Interviews conducted separately in person with three survivors, in July and October 2023, Maiduguri, Borno State.

²⁰¹ Interview in person with survivor “HN”, 30 September 2023, Maiduguri, Borno State.

²⁰² Interview in person with survivor “HN”, 30 September 2023, Maiduguri, Borno State.

²⁰³ Interview in person with survivor “ZN”, 6 July 2023, Maiduguri, Borno State.

²⁰⁴ Interview in person with survivor “GY”, 6 July 2023, Maiduguri, Borno State.

Boko Haram, including their “marriages” to Boko Haram members. **ZN**, who was around 10 or 11 years old when she was married, said: “He came, he saw me and so I decided [to marry him]. I liked him.”²⁰⁵ She said both of her parents agreed to the marriage without force or threats.

Although marked by less violence in entering the group, and in certain aspects of their experience, girls who entered in less-hostile ways were still subjected to forced marriage and sexual violence, in contravention of international law, as well as further abuses while in the group.

²⁰⁵ Interview in person with survivor “ZN”, 6 July 2023, Maiduguri, Borno State.

3. LIFE IN BOKO HARAM

“They just said this is your husband.”

FGE, Boko Haram survivor, 11 July 2023, Maiduguri, Borno State²⁰⁶

Globally, girls play a wide variety of combatant and non-combatant roles in non-state armed groups, from cooks, cleaners and nurses, conforming to societal gender norms, to spies, recruiters, radio operators, weapon cleaners and logisticians.²⁰⁷

In Nigeria, Amnesty International documented that Boko Haram has forced girls into many different roles including “wives” made to serve their “husbands” in sexual slavery as well as domestic servants and midwives. Boko Haram has also forced girls into combat and to carry out punishments.²⁰⁸ At certain periods of the conflict, Boko Haram also used girls as suicide bombers at a large scale.²⁰⁹

Girls’ time with Boko Haram was riddled with crimes under international law and other human rights abuses.²¹⁰ These abuses are all interconnected, interrelated and compound suffering. Understanding girls’ experiences will help inform appropriate responses for their unique reintegration needs.

3.1 WHAT IT MEANS TO BE A GIRL IN BOKO HARAM

Some roles within Boko Haram were unique to girls, due to their gender and young age. In particular, being a girl in Boko Haram most often meant being a “wife”, and thus subjected to domestic servitude, forced childbirth, and years of sexual and physical violence. Interviewees estimated that they were used as “wives” for anywhere between several months and 10 years, nearly as long as the conflict between Boko Haram and the Nigerian forces has existed.

Sexual violence is prohibited under international humanitarian law in non-international armed conflict, including under Common Article 3 of the Geneva Conventions, which prohibits violence to life and person as

²⁰⁶ Interview conducted in person with survivor “GE”, 11 July 2023, Maiduguri, Borno State.

²⁰⁷ The Alliance for Child Protection in Humanitarian Action (The Alliance), *Girls Associated with Armed Forces and Armed Groups*, 3 December 2020, <https://alliancecpha.org/en/GAAFAG>

²⁰⁸ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 71-72; BBC, “Chibok girls ‘forced to join Nigeria’s Boko Haram’”, 29 June 2015, <https://www.bbc.co.uk/news/world-africa-33259003>; Interviews conducted separately in person with three survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview conducted in person with survivor “EC”, 22 January 2020, Maiduguri, Borno State.

²⁰⁹ Girls have also been used as suicide bombers in other countries including Indonesia, Iraq, Afghanistan and Pakistan. See, for instance, BBC, “Surabaya church attacks: One family responsible, policy say”, 13 May 2018, <https://www.bbc.co.uk/news/world-asia-44100278>; BBC, “How the Taliban groom child suicide bombings”, 15 December 2014, <https://www.bbc.co.uk/news/world-asia-27250144>; Saba Noor, “Women Suicide Bombers: An Emerging Security Challenge for Pakistan”, November 2011, International Centre for Political Violence and Terrorism Research, Volume 3, number 11, <https://www.ijstor.org/stable/pdf/26351018.pdf>; UN Interregional Crime and Justice Research Institute and Ghent University, “The Changing Nature of Women in Extremism and Political Violence”, Undated, <https://f3magazine.unicri.it/?p=1093>

²¹⁰ For instance, see Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 71-72; HRW, *Those Terrible Weeks in their Camps* (previously cited).

well as outrages upon personal dignity, and under customary international humanitarian law.²¹¹ These acts can constitute the war crimes of rape, sexual slavery, sexual violence and/or torture²¹² and – where they are committed as part of a widespread or systematic attack directed against a civilian population, as here – may constitute the crimes against humanity of rape, sexual slavery, torture and forced marriage as other inhumane acts.²¹³

The Committee on the Elimination of All Forms of Discrimination Against Women recognized gender-based violence may amount to a violation of the right not to be tortured.²¹⁴ Similarly, the Committee Against Torture has identified that rape may amount to a form of torture.²¹⁵ Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment have also recognized that rape and sexual assault may amount to forms of torture.²¹⁶

Under international law, states are required to take comprehensive action to prevent sexual violence, protect those at risk, prosecute perpetrators,²¹⁷ and ensure that survivors can access assistance and reparations.²¹⁸ Borno and Adamawa States domesticated the 2015 Violence Against Persons Prohibition (VAPP) Act in 2022 and 2021, respectively.²¹⁹ The law prohibits sexual violence and obliges states to provide effective remedies.²²⁰

3.1.1 FORCIBLY MARRIED, MULTIPLE TIMES

As detailed in Chapter 2, most girls were threatened into marriage by members of Boko Haram and then abducted, or were abducted during Boko Haram attacks, imprisoned and then forcibly married. Several who were not initially made to marry, generally because of their extremely young age, were later forcibly married. Boko Haram often gave “wives” to Boko Haram fighters as a recruitment tactic.²²¹

²¹¹ ICRC, Customary International Humanitarian Law, Rules 90 and 93.

²¹² Rome Statute, Article 8(2)(e)(vi) lists war crimes of rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and sexual violence, and Article 8(2)(c)(i) lists war crimes of cruel treatment and torture. For rape as a war crime of torture, see also ICTY, *Prosecutor v Kunarac, Kovac and Vukovic* IT-96-23 & IT-96-23/1-A, 12 June 2002, para. 151. For more on the importance of prosecuting acts of rape and sexual violence as torture, see Chapter 6 in Amnesty International, *Rape and sexual violence: Human rights law and the standards in the International Criminal Court* (Index: IOR 53/001/2011), 1 March 2011, <https://www.amnesty.org/en/wp-content/uploads/2021/07/ior530012011en.pdf>, pp. 38-46.

²¹³ For rape and sexual slavery, see Rome Statute, Article 7(1)(g). For torture, see Rome Statute, Article 7(1)(f). For forced marriage, see Rome Statute, Article 7(1)(k); SCSL, *Prosecutor v. Brima, Kamara, and Kanu* (Case No. SCSL-2004-16-A), Appeal Judgment, 22 February 2008, para. 196 (first time forced marriage was recognized by an international court as the crime against humanity of “other inhumane acts”); ICC, *Prosecutor v. Dominic Ongwen* (Case No. ICC-02/04- 01/15), Pre-Trial Chamber II, Decision on the confirmation of charges against Dominic Ongwen, 23 March 2016, paras 87-95 (confirming forced marriage can be the crime against humanity of “other inhumane acts”).

²¹⁴ CEDAW, General Recommendation 19: Violence Against Women, 1992, UN Doc. HRI/GEN/1/Rev.8, para. 19.

²¹⁵ Committee against Torture (CAT), General Comment 2: Implementation of article 2 by States parties, 24 January 2008, UN Doc. CAT/C/GC/2, paras. 18 and 22.

²¹⁶ UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Report: *Torture and other cruel, inhuman or degrading treatment or punishment*, 19 February 1986, UN Doc. E/CN.4/1986/15, p. 29; UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Report: *Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular: torture and other cruel, inhuman or degrading treatment or punishment*, 12 January 1995, UN Doc. E/CN.4/1995/34, paras. 15-24; UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Report: *Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development*, 15 January 2008, UN Doc. A/HRC/7/3, paras. 26 and 34-36.

²¹⁷ See, for example, Nigeria’s obligations under the Maputo Protocol. Article 11 of the Maputo Protocol contains important provisions that protect women in armed conflicts, including imposing on State parties obligations to ensure that acts of sexual violence in times of armed conflict are considered “war crimes, genocide and/or crimes against humanity and that their perpetrators are brought to justice before a competent criminal jurisdiction”. The ACHPR Guidelines on Combating Sexual Violence and its Consequences in Africa, in particular part 4(c) which sets out guidelines for investigating and prosecuting crimes of sexual violence as international crimes specifically in situations of conflict and crisis. Guideline 44 specifies that “States must take all measures to enable the prosecution of crimes of sexual violence committed in situations of conflict and crisis as international crimes, providing for them to be prosecuted as crimes of genocide, crimes against humanity and war crimes in their domestic legislation, in accordance with international criminal law”. The ACHPR Guidelines on Combating Sexual Violence and its Consequences in Africa, Guideline 44.

²¹⁸ Part 5 of the ACHPR Guidelines on Combating Sexual Violence and its Consequences in Africa set out general principles for the right to reparation. In addition, the ACHPR’s 2007 resolution 111 on the Right to a Remedy and Reparation for Women and Girls Victims of Sexual Violence offers an important framework for victims’ rights to truth, justice and reparation, and access to medical assistance and psychological support and also considers sexual violence in times of armed conflict. ACHPR, Resolution 111: *Resolution on the Right to a Remedy and Reparation for Women and Girls Victims of Sexual Violence*, adopted on 28 November 2007, ACHPR/Res. 111(XXXII)07.

²¹⁹ Rule of Law and Empowerment Initiative, “VAPP Tracker”, <https://www.partnersnigeria.org/vapp-tracker/> (accessed on 31 May 2024).

²²⁰ Nigeria, Violence Against Persons Prohibition Act, 2015, <https://www.refworld.org/legal/legislation/natlegbod/2015/en/105106>. For a more detailed legal analysis of the law and the prosecution of sexual violence, see, for example, Amnesty International, *Nigeria: A harrowing journey: Access to justice for women and girls survivors of rape* (Index AFR 44/4959/2021), 17 November 2021, <https://www.amnesty.org/en/documents/afr44/4959/2021/en/>

²²¹ ICG, *Nigeria: Women and the Boko Haram Insurgency* (previously cited).

HA, abducted from her village and imprisoned with five other children, told Amnesty International she witnessed Boko Haram kill two girls for refusing to marry.

“Two among us disagreed. They were a bit older. [They] killed the two girls that disagreed... all kneeling down, they just killed them immediately [with a] gun... With that, when we saw, we all agreed.”²²²

Girls used as “wives” were overwhelmingly dependent on their “husbands” for food and other items. They were not permitted to work for wages. Instead, interviewees told Amnesty International that, when available, their “husbands” would provide them with food, including items pillaged during raids on villages, which they would cook. When their “husbands” died – or, in one case, was imprisoned – some girls were left to fend for themselves until they were forced to marry again. In three cases, the girls said they resorted to eating leaves from trees or begging for food.²²³

Thirteen girls and young women interviewed by Amnesty International were forcibly married by Boko Haram multiple times: seven of them twice²²⁴ and six of them three times.²²⁵ When their “husbands” died, mostly during combat, the girls would typically observe *iddah*, a period of “mourning”, and then would often be forcibly married again.²²⁶

SB, who was a young teenager when she was first forcibly married, told Amnesty International, “When my husband died, they [Boko Haram] took me again and they brought me to Madagali. They kept us there and locked us. We stayed a while. Soldiers started attacking... When we reached Sambisa Forest, they decided to get me married after mourning. I said no, I want to go back home. They said they will kill me if I do not get married. So, I agreed... I stayed married for almost two years.”²²⁷ A month after SB’s second “husband” died, “[Boko Haram] asked me to get married, I said no. They put me in *handak* and they flogged me. They married me a third time.”²²⁸

Girls would also be forced to re-marry after a divorce. GA was around nine years old when she was forcibly married for the first time. She said:

“[The community leader] agreed to get me divorced from that man, but he told me that after I finish my *iddah*... I would have to get married, and I agreed. So, after the three-month stay in his house, he brought another man for me. I did not even know him, I did not even see him, and they got me married to that man.”²²⁹

Seven interviewees told Amnesty International they were divorced their “husbands” during their time with Boko Haram.²³⁰ Two were able to initiate the divorce.

3.1.2 RAPE AND SEXUAL SLAVERY

Within the forced “marriages”, girls were subjected to rape and sexual slavery. Coercion can include a range of degrees of force, including physical, psychological intimidation, blackmail, or other threats.

At least 33 survivors of forced marriage told Amnesty International that their “husbands” raped them. For most of the girls, these rapes took place either before they had their first period or shortly after. Fighters would report to Boko Haram leaders girls’ refusal to have sexual intercourse, and the girls’ resistance was met with more violence, imprisonment, and intimidation, including death threats. HA, a teenager when she had “agreed” to be married to save her father from being killed by Boko Haram, said:

“When I got married, when my husband wanted to get intimate with me, I would refuse. So he would report me to the people [other Boko Haram fighters] and then they would call me and flog me. So, after flogging me, sometimes he would call his friends and then he would force himself [inside me]. The

²²² Interview in person with survivor “IG”, 17 July 2023, Maiduguri, Borno State.

²²³ Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State.

²²⁴ Interviews conducted separately in person with four survivors, July and October 2023, Maiduguri, Borno State; Interview in person with survivor “EC”, 22 January 2020, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, 5 January 2020, Madagali, Adamawa State.

²²⁵ Interviews conducted separately in person with six survivors, July 2023, Maiduguri, Borno State.

²²⁶ *Iddah* is a period of mourning, typically lasting four months and 10 days.

²²⁷ Interview in person with survivor “SB”, 15 July 2023, Maiduguri, Borno State.

²²⁸ Interview in person with survivor “SB”, 15 July 2023, Maiduguri, Borno State.

²²⁹ Interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

²³⁰ Interviews conducted separately in person with seven survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Michika, Adamawa State.

friends would help him. [They] tied me [up] and then he would force himself on me. They would hold my hands and then my legs and then he would fall on me. [He did this] every day. He did this for almost one year with his friends. Later on, he decided to come alone and if I did not agree, he would inform his friends and then they would tell me they would get me killed if I did not agree to his needs.”²³¹

IB estimated she was “married” to this Boko Haram fighter for five years. During that time, she gave birth to one son as the result of sexual violence. The child died due to an illness.²³²

NM was a prepubescent teenager when her “husband” started subjecting her to sexual violence, including rape. She said:

“The husband would come at night to sleep with me. I would refuse and leave the house. [I did that] five times... They caught me. They locked me. And they beat me up. The emir [beat me]. [My husband] reported me to him... He flogged me with a cane... for three days... He would come in the morning and in the evening. My legs were tied... with [an] iron [chain]... and then they would lock it...

[The emir] told me I should stay with my husband and that I should sleep with my husband. So, at night [my husband] decided to come and sleep with me... We had sex, but it was very difficult because I did not accept easily. The first time he did it, I started to bleed. I bled for almost one week... After one week, I got better, and he continued to have [sex] with me. I started to have pain under my stomach. I had this pain for a while and there was no medication for me...

From there, my husband decided to get married again because he said I was a child and that anytime he wanted to have [sex] with me, I would shout. I would cry and shout and tell him, ‘I don’t want, I don’t want.’ Because anytime he was having [sex] with me, I would have serious pain in this place [lower abdomen].”²³³

NL told Amnesty International that she got pregnant twice as the result of sexual violence and miscarried once.²³⁴ Another girl, GE, told Amnesty International that multiple Boko Haram fighters raped her and four other girls who were abducted with her, before they were forcibly married. She said:

“It was so disturbing. Anybody can do that [rape]. More than one, more than ten [men had vaginal intercourse with me]... [When they finished], they give us water to take a bath.”²³⁵

A few weeks later, Boko Haram forced her to “marry” one of her rapists.

Although there are reports of “extra-marital” sexual violence by members of Boko Haram,²³⁶ typically, based on the interviews with survivors for this research, once a girl was forcibly married, other men would be punished if they abused her. However, Amnesty International documented one case of rape outside the context of “marriage”. GS, whose husband joined Boko Haram when she was a girl, told Amnesty International that when she was older, after Shekau’s death, ISWAP abducted and raped her:

“They would insult and beat us, ask if we had money with us. They put their hands in our panties to check if we hid money inside... They used to harass us sexually. They used to play with our body... They put their hand inside [my vagina].”²³⁷

Nine of the girls interviewed were not raped.²³⁸ They said it was primarily because their “marriages” were very brief, their “husbands” were away fighting, or they escaped or were taken by Nigerian soldiers before they could be raped. For instance, BK, who had not yet had her period when she was forcibly married, said she was not raped because her “husband” was called to fight the day after their “wedding” and was killed. Boko Haram told BK she would be re-married after her mourning period. But before that could happen, Nigerian soldiers attacked and took her to Giwa Barracks.²³⁹

These repeated rapes were committed in the context of the “husbands” exercising power of ownership over these girls as they had been abducted, forcibly married and deprived of liberty. They were committed in the

²³¹ Interview in person with survivor “IB”, 8 July 2023, Maiduguri, Borno State.

²³² Interview in person with survivor “IB”, 8 July 2023, Maiduguri, Borno State.

²³³ Interview in person with survivor “NM”, 1 October 2023, Maiduguri, Borno State.

²³⁴ Interview in person with survivor “NM”, 1 October 2023, Maiduguri, Borno State.

²³⁵ Interview in person with survivor “GE”, 11 July 2023, Maiduguri, Borno State.

²³⁶ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 32 and 64; HRW, *Those terrible weeks in their camp* (previously cited), pp. 3 and 33-35; ICG, *Nigeria: Women and the Boko Haram Insurgency* (previously cited)

²³⁷ Interview in person with survivor “GS”, 12 July 2023, Maiduguri, Borno State.

²³⁸ Interviews conducted separately in person with nine survivors, July and September 2023, Maiduguri, Borno State.

²³⁹ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

context of, and were associated with, the ongoing armed conflict in north-east Nigeria. These acts therefore constitute the war crimes of rape and sexual slavery.²⁴⁰ Rape inflicts severe physical or mental pain or suffering on the victim.²⁴¹ In the context of Boko Haram captivity, this pain was inflicted for the purpose of coercion. As such, the rapes documented in this report also constitute war crimes of torture.²⁴²

As these crimes were part of Boko Haram's widespread and systematic attack against the civilian population in north-east Nigeria,²⁴³ they also amount to the crimes against humanity of rape, sexual slavery²⁴⁴ and torture.²⁴⁵

3.1.3 FORCED PREGNANCIES AND CHILDREN BORN OF SEXUAL VIOLENCE

At least 28 of the interviewees that Amnesty International spoke with bore children of the sexual violence.²⁴⁶ Of those, at least 20 were children themselves when they gave birth.²⁴⁷ At least eleven survivors gave birth to more than one child as a result of sexual violence.²⁴⁸

Most girls did not have access to reproductive and maternal health services and gave birth in very difficult circumstances. Older women within Boko Haram, most without medical training,²⁴⁹ acted as midwives. **IO**, a teenager when she gave birth to a boy, said: "I was really suffering. A neighbour helped me give birth. It was only the two of us."²⁵⁰ Like **IO**, at least eleven other girls and young women interviewed by Amnesty International did not have any medical support when they gave birth.²⁵¹

Six girls said they had a miscarriage.²⁵² **NM**, who as a girl long resisted her "husband's" efforts to subject her to sexual violence, said:

"I fell sick for a while. He [her "husband"] asked me what was happening to me. I told him I don't know. At that time, I did not know I was pregnant and that I had had a miscarriage. I would vomit every day. I would lie down on the ground, somewhere that is wet..."

I saw something small, just like a lizard. When they called the emir's woman to come and check on me and she saw this thing, she told me this is the baby. So, I had a miscarriage. They boiled hot water for me and asked me to bathe with hot water and have soup."²⁵³

Thirteen of the interviewees experienced the death of one or more of their children as a result of disease, thirst, or hunger in captivity, during their escape journeys, or later in Hajj Transit Camp or an IDP camp.²⁵⁴

Amnesty International asked six girls and young women whether they were able to make their own reproductive choices.²⁵⁵ Three of them said their "husbands" informed them that they wanted to have

²⁴⁰ Rome Statute, Article 8(2)(e)(vi). See also, ICC, Trial Chamber II, Katanga case (Case No. ICC-01/04-01/07), Judgment, 7 March 2014, paras 961-984; ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, paras 2708-2710 and 2715-2716.

²⁴¹ See also *Prosecutor v Kunarac, Kovac and Vukovic* IT-96-23 & IT-96-23/1-A (12 June 2002), para. 151.

²⁴² Rome Statute, Article 8(2)(i)-4 (war crime of torture). Jurisprudence identifies acts of rape as constituting severe pain and suffering of a type to constitute torture, and the comments in the ICTR's *Akayesu* Trial judgement emphasise the purposes of rape, which reflect the second element of the war crime of torture. See *Prosecutor v Akayesu*, ICTR-96-4-T (2 September 1998), para. 687.

²⁴³ Amnesty International, *Our Job is to Shoot, Slaughter and Kill*, (previously cited), pp. 25-26.

²⁴⁴ Rome Statute, article 7(1)(g). See also ICC, Trial Chamber II, Katanga case (Case No. ICC-01/04-01/07), Judgment, 7 March 2014, paras 961-984; ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, paras 2708-2710 and 2715-2716.

²⁴⁵ Rome Statute, Article 7(1)(f) (crime against humanity of torture). See also the textbox on crimes under international law committed by Boko Haram, in section 3.3 of this report.

²⁴⁶ Interviews conducted separately in person with 25 survivors, July to October 2023, Maiduguri, Borno State; Interview conducted in person with survivor "NZ", 22 January 2020, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State.

²⁴⁷ Interviews conducted separately in person with 17 survivors, July to October 2023, Maiduguri, Borno State; Interview conducted in person with survivor "NZ", 22 January 2020, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State.

²⁴⁸ Three survivors gave birth to two children, seven survivors gave birth to three children, and "SB" gave birth to five children. Interviews conducted separately in person with 10 survivors, July to October 2023, Maiduguri, Borno State; Interview in person with survivor "SB", 15 July 2023, Maiduguri, Borno State.

²⁴⁹ Interview in person with survivor "ZN", 6 July 2023, Maiduguri, Borno State.

²⁵⁰ Interview in person with survivor "IO", 11 July 2023, Maiduguri, Borno State.

²⁵¹ Interviews conducted separately in person with 11 survivors, July and September 2023, Maiduguri, Borno State.

²⁵² Interviews conducted separately in person with six survivors, July and October 2023, Maiduguri, Borno State.

²⁵³ Interview in person with survivor "NM", 1 October 2023, Maiduguri, Borno State.

²⁵⁴ Interview in person with survivor "YA", 5 July 2023, Maiduguri, Borno State; Interviews conducted separately in person with 11 survivors, July and October 2023, Maiduguri, Borno State; Interview conducted in person with survivor "NA", 22 January 2020, Maiduguri, Borno State.

²⁵⁵ Interview by voice call with survivor "IJ", 24 April 2024; Interviews conducted separately in person five six survivors, in July and October 2023, Maiduguri, Borno State.

children.²⁵⁶ the interviewees were not given a meaningful reproductive choice. Another, **GH**, who was used by Boko Haram as a midwife and gave birth to three children as the result of sexual violence, of whom one died, said: “We had no such conversation. I don’t have a choice. If you told your husband your choice, your husband would report you to the leader and say that you do not want to stay with them.”²⁵⁷ **GH** said she twice witnessed the killing of women who had taken contraceptive pills. About witnessing one of the executions, **GH** said:

“She had stayed long without getting a baby. [Boko Haram] tied her and stoned her until she was dead... [I knew she had taken family planning pills because] after they gathered us, they would have to say what you had done. When announcing [what the woman had done], they said, ‘This is a drug. Women taking it will not get pregnant. Any woman found taking this drug, we will kill her too.’”²⁵⁸

The overwhelming majority of the interviewees’ pregnancies resulted from sexual violence in the context of forced marriage during their captivity by Boko Haram. They were typically confined to their dwelling and Boko Haram-held village, forcibly made pregnant, and placed in a situation in which they could not choose whether to continue the pregnancy, with the effect that the women and girls were deprived of their reproductive autonomy. This amounts to the war crime of forced pregnancy.²⁵⁹

It appears from what Amnesty International has documented that Boko Haram wanted these girls and women to become pregnant and keep their pregnancies (such as through punishing those who would try to prevent being pregnant), however this specific intent is not required for the crime of forced pregnancy to be established, as it is already demonstrated that these women and girls were being confined to act as “wives” and to be subjected to rapes and sexual slavery.²⁶⁰

When committed as part of Boko Haram’s widespread or systematic attack against a civilian population,²⁶¹ forced pregnancy also amounts to a crime against humanity.²⁶²

3.1.4 TRAFFICKING

Girls who were abducted or otherwise recruited and forcibly married into Boko Haram are victims of trafficking because they were recruited, transported, transferred, harboured or received into the group for the purpose of exploitation, including slavery, forced marriage and sexual exploitation. All girls and young women fleeing Boko Haram should be seen presumptively by the Nigerian authorities as victims of trafficking, given the scale and patterns of the armed group’s crimes against girls and young women.

The internationally accepted definition of trafficking is set out in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (also known as the Palermo Protocol).²⁶³

The Palermo Protocol requires the following three elements to each be met for adults: 1) an action, such as the “recruitment, transportation, transfer, harbouring or receipt of a person” 2) carried out by a particular means including “the threat or use of force or other forms of coercion, of abduction, of deception, of the abuse of power or of a position of vulnerability” 3) “for the purpose of exploitation”, including slavery or practices similar to slavery.²⁶⁴

²⁵⁶ Interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

²⁵⁷ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

²⁵⁸ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

²⁵⁹ Rome Statute, Article 8.2(e)(vi). See also, ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, paras. 2717-2729 (first ICC judgment on the crime of forced pregnancy); and Amnesty International, *Forced pregnancy: a commentary on the crime in international criminal law*, June 2020, IOR 523/2711/2020, <https://www.amnesty.org/en/documents/ior53/2711/2020/en/>

²⁶⁰ ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, paras. 2727-2729: “[...]the crime of forced pregnancy under the Statute is committed with the intent *either* to affect the ethnic composition of the population *or* to carry out other grave violations of international law, e.g. confining a woman with the intent to rape, sexually enslave, enslave and/or torture her. It is not required that the accused intended to keep the woman pregnant beyond these alternative intentions. [...] the crime of forced pregnancy consists in the confinement of a forcibly pregnant woman in order to carry out other grave violations of international law, regardless of whether the accused specifically intended to keep the woman pregnant.”

²⁶¹ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 25-26.

²⁶² Rome Statute, Article 7.1(g). See also the textbox on crimes under international law committed by Boko Haram, in section 3.3 of this report.

²⁶³ Palermo Protocol, Article 3(a). See, also, CEDAW General Recommendation 38 (previously cited), paragraph 11 which affirms the definition in the Palermo Protocol as including the internationally recognized legal definition in trafficking in persons.

²⁶⁴ Palermo Protocol, Article 3(a).

Only the action and purpose (not the means) elements are required to establish trafficking for children,²⁶⁵ as they cannot consent to their intended exploitation.²⁶⁶ Additionally, for adults, where any of the “means” are used, any consent they appear to have given to their intended exploitation is “irrelevant”.²⁶⁷

The action element of the trafficking definition is met in all cases where girls were abducted into Boko Haram, and in cases where girls were imprisoned in makeshift prisons until they were forcibly married to Boko Haram members, and in cases where they were harboured in their “husbands” home after the forced marriage. Once under Boko Haram control, married and unmarried girls were subjected, often by force or the threat of force, to strict rules and lived in severe confinement under their “husbands” or another, often male, Boko Haram member’s control (see section 5.2 below).

These girls were recruited, transported, transferred, harboured and/or received for the purpose of exploitation, including slavery (see section 3.2 below). Forced marriage is recognised as a slavery-like practice, which is a form of exploitation specifically recognized in the Palermo Protocol.²⁶⁸ Trafficking experts have also identified the connections between forced marriage and other forms of exploitation,²⁶⁹ and indeed, the girls and young women interviewed often described being forced into other forms of exploitation, including sexual exploitation or domestic servitude, within the forced marriage (see sections 3.1.2 above and 3.2 below).

International human rights mechanisms have explicitly advised states not to exclude people with connections to groups they have proscribed as “terrorist” from the definition of trafficking.²⁷⁰

3.2 ENSLAVEMENT, PUNISHMENT, IMPRISONMENT AND OTHER DAILY ABUSES

Most members of Boko Haram, or those affiliated with the group, were subjected to certain deprivations and miseries. But even in these common experiences, there were aspects distinctive to girls.

Their years spent in Boko Haram captivity were characterized by periods of hunger, inconsistent and often inadequate access to health services and products, including sanitary pads, further loss of and separation from family members, and attacks by the Nigerian military. Impending or actual attacks caused Boko Haram to move the girls repeatedly, often into more and more remote areas and deeper into Sambisa Forest.

Many girls described extreme hunger when they were in captivity which, for some, followed divorce or the death of their “husband” on whom they relied to provide food. “[We] suffered in that forest. We ate a grass called *njara*. We would uproot it and cook it... Some people, because of hunger, you cannot even stand on your feet,” said **CW**, a young teenager who escaped from Boko Haram in early 2023.²⁷¹

Girls held captive by Boko Haram also described the fear they experienced during aerial bombardments and other attacks by the Nigerian military. “Whenever we heard the sound of the jet or helicopter approaching, we ran to the bush to hide,” 17-year-old **CY** recalled.²⁷² **EE** said that, when she was pregnant from her first “husband” who had died, Nigerian soldiers attacked, prompting everyone to scatter and run. “During the running, I got a miscarriage due to the panic,” she said.²⁷³

Amnesty International spoke with ten interviewees who were forced to work outside the context of their forced marriage including before they were forcibly married for the first time or after their “husbands”

²⁶⁵ Palermo Protocol, Article 3(c).

²⁶⁶ Palermo Protocol, Article 3(b).

²⁶⁷ Palermo Protocol, Article 3(b).

²⁶⁸ See, for example, ILO, “50 million people worldwide in modern slavery”, 12 September 2022, [https://www.ilo.org/resource/news/50-million-people-worldwide-modern-slavery-Q#:~:text=GENEVA%20\(ILO%20News\)%20%E2%80%93%20Fifty%20were%20trapped%20in%20forced%20marriage](https://www.ilo.org/resource/news/50-million-people-worldwide-modern-slavery-Q#:~:text=GENEVA%20(ILO%20News)%20%E2%80%93%20Fifty%20were%20trapped%20in%20forced%20marriage); UN Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences, Report: *Current and emerging forms of slavery*, 25 July 2019, UN Doc. A/HRC/42/44. More specifically, for the “exploitation” requirement in the UN Trafficking Protocol definition also covering forced marriage into proscribed groups, see UN Special Rapporteur on Trafficking in Persons, Report: *The Intersections Between Trafficking and Terrorism*, 3 August 2021, UN Doc. A/76/263, paras. 19, 37–38, 58(a), and UN Special Rapporteur on Trafficking in Persons, Report: *Strengthening Accountability for Trafficking in Persons in Conflict Situations*, 13 July 2023, UN Doc. A/78/172, paras. 10 and 12.

²⁶⁹ UNODC, *Interlinkages Between Trafficking in Persons and Marriage: Issue Paper*, 2020, https://www.unodc.org/documents/human-trafficking/2020/UNODC_Interlinkages_Trafficking_in_Persons_and_Marriage.pdf

²⁷⁰ See, for example, UN Special Rapporteur on Trafficking in Persons, *The Intersections Between Trafficking and Terrorism* (previously cited), paras. 17–20 and 36–39, and CEDAW General Recommendation 38 (previously cited), para. 17.

²⁷¹ Interview in person with survivor “CW”, 17 July 2023, Maiduguri, Borno State.

²⁷² Interview in person with survivor “CY”, 6 January 2020, Madagali LGA, Adamawa State.

²⁷³ Interview in person with survivor “EE”, 15 July 2023, Maiduguri, Borno State.

died.²⁷⁴ Forms of work included midwifery,²⁷⁵ domestic work²⁷⁶ – often in senior commanders’ houses – tailoring,²⁷⁷ caring for older persons,²⁷⁸ and carrying weapons to storage areas.²⁷⁹

GH, who estimates she spent around a decade in captivity, told Amnesty International that Boko Haram forced her to work as a midwife:

“[They] named me as a midwife. By then, when they asked me to be a midwife, I did not have any experience. So, the first baby that I helped a woman deliver, there was an older woman with me. So, after the woman delivered, we did not know how to cut the umbilical cord, so the woman asked me to get a stick and then put it in between this thing. When I put it, I didn’t know the stick is dirty and the baby got an infection and he died later on.

The second wife that they asked me to help, the older woman was still with me. She was showing me how to collect the baby... After, the baby had come out from the mother and then the sack [placenta] refused to come out from the mother. We tried, tried, tried, tried but the thing, it did not come down from the mother. The sack looked very dark. We do not know what happened. After some days, the baby died.”²⁸⁰

GH helped deliver a third baby who survived. She said she developed an eye problem and stopped working as a midwife.²⁸¹

TT, a 17-year-old who was abducted and taken by Boko Haram to Sambisa Forest, told Amnesty International, “We would go fetch water or firewood because we were considered their slaves. We washed their clothes, cooked food for them. We also attended *Islamiyya* [Islamic school] twice a day.”²⁸²

How girls were treated, and the levels of “domestic” violence they experienced, depended on their “husbands”. Some girls were clear that they did not like their “husbands” and suffered physical and verbal abuse, often when they did not cook, clean, or carry out other imposed “duties” to their “husbands” liking. Several testimonies suggested that some of the girls normalized physical violence. For instance, GT, a teenager, described her “husband’s” treatment as “it was okay, it was fine. Yes, [he beat me].”²⁸³ Survivors of domestic violence can, as a result of the repeated emotional and physical violence and subsequent trauma, rationalize and normalize the abuse, which raises specific needs in terms of specialized care.²⁸⁴ Gendered expectations and patriarchal norms can also contribute to girls’ and women’s experience of violence used by men against them.²⁸⁵

IU said, about her “husband” to whom she was forcibly married by her Boko Haram brother when she was around nine years old: “He used to beat me. He said I cannot take care of him and his house like other women can.”²⁸⁶

Most girls also described their lives as extremely confined, with strict rules imposed and punishment, including violence, inflicted on them if they broke, or were perceived to break, those rules.

Many girls told Amnesty International that they were not allowed to play or move around freely or visit others without the express permission of their “husbands”. “I was always indoors and not allowed to go out,” said ED, echoing many other girls who were interviewed. “The only time I went out was for Qur’anic lesson or to

²⁷⁴ Interviews conducted separately in person with six survivors, July and October 2023, Maiduguri, Borno State; Interviews conducted separately in person with three survivors, January 2020, Michika, Adamawa State; Interview conducted in person with survivor “CY”, 6 January 2020, Madagali, Adamawa State.

²⁷⁵ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

²⁷⁶ Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State; Interviews conducted separately in person with three survivors, January 2020, Michika, Adamawa State.

²⁷⁷ Interview in person with survivor “IC”, 8 July 2023, Maiduguri, Borno State.

²⁷⁸ Interview conducted in person with survivor “CY”, 6 January 2020, Madagali, Adamawa State.

²⁷⁹ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

²⁸⁰ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

²⁸¹ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

²⁸² Interview in person with survivor “TT”, 4 January 2020, Michika LGA, Adamawa State.

²⁸³ Interview in person with survivor “GT”, 14 July 2023, Maiduguri, Borno State.

²⁸⁴ James Edem Effong and others, “Traumatic bonding in victims of intimate partner violence is intensified via empathy”, 2 June 2022, *Journal of Social and Personal Relationships*, Volume 39, issue 2, <https://journals.sagepub.com/doi/10.1177/02654075221106237>

²⁸⁵ Chinyere Elsie Ajayi and others, “The Role of Cultural Beliefs, Norms, and Practices in Nigerian Women’s Experiences of Sexual Abuse and Violence”, 5 April 2021, *Violence Against Women*, Volume 28(2), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8739597/pdf/10.1177_10778012211000134.pdf, pp. 466-468.

²⁸⁶ Interview in person with survivor “IU”, 12 July 2023, Maiduguri, Borno State.

watch punishments of offenders.”²⁸⁷ JJ told Amnesty International, “No movement was allowed and no visitation of friends.”²⁸⁸

Interviewees said that when Boko Haram believed they had broken its rules, they were typically subjected to flogging and, at times, imprisonment. In some cases, Boko Haram punished girls in public, calling their members and all others under their control to watch.²⁸⁹

Recalling being punished by JAS when she was a girl, BT said:

“They would tie the stick with wire and flog you with it. It left marks in your body. They caught me in the bush three times... I was not trying to escape... I went to get some food. When they brought me back to the village where we were, they gathered everyone in the community and asked them to come and watch, that I went into the bush, and they caught me there and that this is my punishment. And then they beat me, and all the people were watching.”²⁹⁰

EI, who had been abducted by Boko Haram and detained in a house in Gwoza, said: “One day, I told Boko Haram that I wanted to go to my parents, and they gave me 20 lashes for trying to forsake the righteous path.”²⁹¹

Amnesty International also documented incidents in which, according to the survivors, Boko Haram punished them for failing to do chores, for not reciting verses to Boko Haram’s standards, for singing, for speaking loudly, and for arguing with their co-wives.²⁹²

SZ, who Boko Haram subjected to forced labour after abducting her along with her mother and siblings, recalled: “Once, I was given 20 lashes. They asked me to grind corn using a grinding stone, but I couldn’t and told them so, but they didn’t believe me. My body was swollen from the beating, and I was sick for about a month. They did not give me drugs, so I had to use hot water to massage the body.”²⁹³

Girls’ refusal to marry was also punished by flogging and prolonged periods of imprisonment. After Boko Haram killed her “husband” on suspicion that he was a spy, AH was told she had to remarry. “I was not interested in marrying any of them and made this known to them. They locked me in prison for three months before releasing me,” she said.²⁹⁴ She escaped from Boko Haram captivity before she was forcibly married a second time.

In addition to imprisonment as punishment for refusal to marry, Boko Haram also typically imprisoned girls and young women for refusing sex or attempting to escape, and so that Boko Haram fighters could select girls to forcibly marry from these makeshift prisons (see section 2.2.2).²⁹⁵ Like AH, at least twenty-four other interviewees told Amnesty International that Boko Haram locked them up – for at least six of them, multiple times.²⁹⁶ They described being held in dire conditions, for periods ranging from a few days to what one survivor estimated to be two years.²⁹⁷

Many of them were as young as nine or 10 years old at the time of the imprisonment; the others were young adolescents. Almost all said they were locked up with other girls and women, including their sisters and mothers, ranging from being held with two others to an estimated 100.²⁹⁸ BN, for example, said she was detained with other enslaved persons. During the day, they were forced to work for Boko Haram, and at night, they were locked up in an abandoned house.²⁹⁹

In larger towns, the makeshift prisons, also referred to as *handak*, were typically residential houses that had been abandoned by their occupants, like the one BN was held in. In the smaller villages, the makeshift prisons were typically grass or mud huts constructed by Boko Haram. One girl, around nine years old at the time, told Amnesty International that Boko Haram held her in an underground hole covered with grass and

²⁸⁷ Interview in person with survivor “ED”, 5 January 2020, Madagali LGA, Adamawa State.

²⁸⁸ Interview in person with survivor “JJ”, 5 January 2020, Madagali LGA, Adamawa State.

²⁸⁹ Interviews conducted separately in person with four survivors, in July and September 2023, Maiduguri, Borno State.

²⁹⁰ Interview in person with survivor “BT”, 30 September 2023, Maiduguri, Borno State.

²⁹¹ Interview in person with survivor “EI”, 6 January 2020, Madagali LGA, Adamawa State.

²⁹² Interviews conducted separately in person with 11 survivors, July to October 2023, Maiduguri, Borno State; Interview conducted in person with survivor “NZ”, 22 January 2020, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State.

²⁹³ Interview in person with survivor “SZ”, 30 December 2019, Michika LGA, Adamawa State.

²⁹⁴ Interview in person with survivor “AH”, 5 January 2020, Madagali LGA, Adamawa State.

²⁹⁵ Interviews conducted separately in person with 18 survivors, July and September 2023, Maiduguri, Borno State.

²⁹⁶ Interviews conducted separately in person with 24 survivors, July and September 2023, Maiduguri, Borno State.

²⁹⁷ Interviews conducted separately in person with 24 survivors, July and September 2023, Maiduguri, Borno State.

²⁹⁸ Interviews conducted separately in person with 13 survivors, July and September 2023, Maiduguri, Borno State.

²⁹⁹ Interview with survivor “BN”, 9 July 2023, Maiduguri, Borno State.

black plastic. She said, “[It] was very tight, there were so many of us... If you want to lie down, you have to fold your legs.”³⁰⁰

Nine other survivors described being kept in similarly congested conditions as well as lacking sufficient food and water.³⁰¹ IO, around nine years old in 2014 or 2015 when Boko Haram imprisoned her for around a week, said: “In a day, we were given one cup of *pap* [porridge] in the morning...and three cups of water... Five girls died in that one week... Most died of thirst.”³⁰² Two other interviewees described witnessing the death of women or girls with whom they were held.³⁰³

Boko Haram typically placed armed guards around the makeshift prisons to prevent the girls and women from escaping. In two documented cases, Boko Haram used rope to tie a girl’s hands and feet together or to tie one girl to another detained girl.³⁰⁴

Despite these measures, two girls tried to escape multiple times, only to be captured and locked up again. SB, kept in an abandoned residential house for around two months when she was around 12 years old in 2013, told Amnesty International that she tried escaping five times using metal from the bed in the room where she was held.³⁰⁵ CC, around 10 years old in 2014 when she was held in an abandoned residential house surrounded by a wall, said: “That day, most [guards] went to fight and there were only a few... The guards opened the [room] door for us and let us walk around the compound... We got a chance to escape... We jumped the fence.”³⁰⁶

Boko Haram exercised powers attached to the right of ownership over these girls and young women, as they had been abducted and were deprived of their liberty. They were restricted in their movements and mostly confined indoors, prohibited and unable to leave Boko Haram for fear for their lives or severe punishments, forced to work through cleaning, cooking, tailoring among other tasks, subjected to force, threats and abuses including control over their sexuality and repeated rapes and sexual violence.³⁰⁷ All these elements together, committed in the context of Boko Haram’s continuing widespread and systematic attack against a civilian population,³⁰⁸ constitute the crime against humanity of enslavement.³⁰⁹

The fact that Boko Haram abducted these girls and women, severely restricted their movements, mostly confined them indoors, prohibited them from leaving Boko Haram-held areas and sometimes imprisoned them further in abandoned houses or huts as punishments also constitutes the crime against humanity of imprisonment or other severe deprivation of physical liberty.³¹⁰

In addition, Boko Haram’s frequent flogging and beatings of these girls, including for punishment, intimidation or coercion, inflicted severe physical and mental pain or suffering and amounts to the war crime of torture.³¹¹ Since these girls and young women were held under Boko Haram’s control,³¹² and as part of its widespread and systematic attack on a population, it also amounts to the crime against humanity of torture.³¹³

³⁰⁰ Interview with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

³⁰¹ Interviews conducted separately in person with nine survivors, in July and September 2023, Maiduguri, Borno State.

³⁰² Interview with survivor “IO”, 11 July 2023, Maiduguri, Borno State.

³⁰³ Interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

³⁰⁴ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

³⁰⁵ Interview with survivor “SB”, 15 July 2023, Maiduguri, Borno State.

³⁰⁶ Interview with survivor “CC”, 15 July 2023, Maiduguri, Borno State.

³⁰⁷ ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, paras 2711-2712: “Article 7(2)l of the Statute defines ‘enslavement’ as the exercise of any or all of the powers attaching to the right of ownership over a person [...]. Indicia for the exercise of the powers attaching to the right of ownership include: (i) control or restrictions of someone’s movement and, more generally, measures taken to prevent or deter escape; (ii) control of physical environment; (iii) psychological control or pressure; (iv) force, threat of force or coercion; (v) duration of the exercise of powers attaching to the right of ownership; (vi) assertion of exclusivity; (vii) subjection to cruel treatment and abuse; (viii) control of sexuality; (ix) forced labour or subjecting the person to servile status; and (x) the person’s vulnerability and the socio-economic conditions in which the power is exerted.”. See also ICC, Trial Chamber VI, Ntaganda case (Case No. ICC-01/04-02/06), Judgment, 8 July 2019, para. 952; ICC, Trial Chamber II, Katanga case (ICC-01/04-01/07), Judgment, 7 March 2014, para. 976.

³⁰⁸ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 25-26.

³⁰⁹ Rome Statute, Article 7(1)(c).

³¹⁰ Rome Statute, Article 7(1)(e).

³¹¹ Rome Statute, Article 8(2)(c)(i).

³¹² ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, paras 2702-2704. Note that in the Ongwen case, the ICC found that the beatings, constant threat of beatings or death, being forced to walk barefoot or not fully clothed through the bush for long distance that abductees suffered in the hands of the armed group LRA was considered torture.

³¹³ Rome Statute, Article 7(1) (f).

3.2.1 FORCED TO WATCH PUNISHMENT

Boko Haram often meted out punishments publicly to instil fear and exert control.³¹⁴ At least 31 girls and young women interviewed by Amnesty International were forced to watch forms of punishment that included lashings; the amputation of hands and legs; and execution by stoning, beheadings, shooting and “slaughtering”.³¹⁵ Two interviewees said Boko Haram showed them videos of the punishments, indirectly warning them not to break the group’s rules.³¹⁶

From testimonies, it appears Boko Haram has, at least at times, meted out different punishments against men, boys, women and girls for the same “offences”. **ED**, forcibly married to a Boko Haram fighter and taken away from her family, told Amnesty International that she “watched the lashing of three young girls – 15, 14 and 10 years old – accused of stealing. They were lashed 100, 90 and 80 lashes each. There were also six men accused of stealing and their hands were cut off. They were prevented from crying and threatened to be killed if they shouted.”³¹⁷

CB, who was abducted and forcibly married, told Amnesty International, “One of my friends intended to run away. Boko Haram caught her, dug a hole and buried her. They just allowed the head outside. She spent two weeks [like that]. [There was] not enough food.”³¹⁸ **CA** also said she witnessed Boko Haram amputate two girls’ legs. One girl died from her injuries.³¹⁹ **CB** was unsure whether the other girl survived.³²⁰

IU, abducted at a young age by Boko Haram when she and her parents were fleeing, described witnessing punishments:

“Whenever [Boko Haram] decided to punish people, they would call us, make a circle and would start flogging a person. If you steal, they cut your hand from here [wrist]. If you commit adultery, they put you in a hole, leave only your head and stone you...”

One girl in our neighbourhood... [they] stone[d] her... I saw that one time... I also saw five women whose hands were cut off... The blood was rushing. Immediately after cutting [the hand], they had hot oil put aside, they put the hand in the hot oil. Once [the hand is] removed, you go to the clinic and get a bandage and a pain reliever.”³²¹

Six girls and young women told Amnesty International that Boko Haram would beat or otherwise punish people who did not want to watch, talked during the enforcement of punishment, showed pity for the victims, or did not join Boko Haram in cheering the punishments.³²²

Amnesty International has previously reported on the killing and other punishment of women who tried to escape Boko Haram, including an incident in which a girl who had been abducted by Boko Haram described being forced to watch as 18 women caught trying to flee were murdered by gunshot or being “slaughtered”; two other women were spared with a warning, because they were nursing mothers.³²³

In addition to being forced to watch punishments, one girl interviewed by Amnesty International said that when she was around 13, Boko Haram demanded she cut off the hand of a boy who was accused of stealing. When she refused, Boko Haram beat her with a metal rod.³²⁴

The practice of forcing others to watch punishment, for intimidation or coercion, amounts to torture or cruel treatment as a war crime in the context of the conflict³²⁵ and torture or other inhumane acts as a crime

³¹⁴ Amnesty International has previously documented Boko Haram’s practice of forcing people under its control, including children, to watch punishments. Amnesty International, *We Dried Our Tears* (previously cited); Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited).

³¹⁵ Interviews conducted separately by voice call with three survivors, April 2024; Interviews conducted separately in person with 22 survivors, July to October 2023, Maiduguri, Borno State; Interview conducted in person with survivor “SZ”, 30 December 2019, Michika, Adamawa State; Interview conducted in person with survivor “TT”, 4 January 2020, Michika, Adamawa State; Interviews conducted separately in person with four survivors, January 2020, Madagali, Adamawa State.

³¹⁶ Interviews conducted separately in person with two survivors, July and October 2023, Maiduguri, Borno State.

³¹⁷ Interview in person with survivor “ED”, 5 January 2020, Madagali LGA, Adamawa State.

³¹⁸ Interview in person with survivor “CB”, 9 July 2023, Maiduguri, Borno State.

³¹⁹ The amputations of the girls’ legs amount to the war crimes of mutilation. Rome Statute, Article 8(2)(c)(i).

³²⁰ Interview in person with survivor “CB”, 9 July 2023, Maiduguri, Borno State.

³²¹ Interview in person with survivor “IU”, 12 and 13 July 2023, Maiduguri, Borno State.

³²² Interviews conducted separately in person with six survivors, in July 2023, Maiduguri, Borno State.

³²³ Amnesty International, *We Dried Our Tears* (previously cited), p. 30. The killings that girls were forced to watch amount to war crimes of murder. Rome Statute, Article 8(2)(c)(i).

³²⁴ Interview in person with survivor “IG”, 17 July 2023, Maiduguri, Borno State.

³²⁵ Rome Statute, Article 8(2)(c)(i). Alternatively, the ICC has also determined that forcing an abductee to watch someone being killed amounts to the war crime of outrage upon personal dignity under article 8(2)(c)(ii), see ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, para. 2903.

against humanity³²⁶ in the context of Boko Haram’s widespread and systematic attack against a civilian population.³²⁷ Most, if not all, of the crimes that Boko Haram has and continues to commit have devastating consequences for children’s physical and mental health. Forcibly watching punishment is particularly devastating for children’s long-term psychosocial welfare and can cause prolonged fear and distress.³²⁸

3.3 SUICIDE BOMBERS

Between mid-2014 and around 2019,³²⁹ the majority of Boko Haram suicide bombers were female, including girls.³³⁰ They targeted mosques, marketplaces, video halls, security checkpoints, IDP camps and other places people gathered, instilling fear for girls associated with Boko Haram in the population and among state security actors.³³¹ In 2016, the UN reportedly documented cases where soldiers killed children they, incorrectly, perceived to be suicide bombers.³³² Soldiers have also helped untie the suicide vests that Boko Haram forcibly strapped to girls.³³³

Amnesty International interviewed three girls on whom Boko Haram had strapped vests and who chose not to detonate their explosive devices, outsmarting and defying Boko Haram. One of these survivors, and another interviewee who witnessed Boko Haram’s use of girls as suicide bombers, told Amnesty International that Boko Haram would send girls on suicide missions as punishment,³³⁴ including for refusing to marry.³³⁵

AE, around 16 years old at the time Amnesty International interviewed her in 2020, recalled her experience:

“Then they put us in a suicide jacket. Me and another woman. We came to Konduga. The woman tried to set off the jacket but couldn’t. Soldiers came and beat us thoroughly. After two days, the military took us to a hospital in Bama.”³³⁶

Soldiers subsequently detained her in Bama Prison and Giwa Barracks. She told Amnesty International, “I said I would not marry. They [Boko Haram] said if I don’t marry, I can’t stay. That is why they sent me for suicide, they said maybe that would give me some redemption.”³³⁷

GE told Amnesty International that when she was a teenager, her “husband” went to fight and other members of Boko Haram strapped a bomb to her without telling her why:

³²⁶ Rome Statute, Article 7(1) (f) or (k).

³²⁷ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 25-26.

³²⁸ Elisabeth Schauer & Thomas Elbert, “The Psychological Impact of Child Soldiering,” 2010, Trauma rehabilitation after war and conflict: Community and individual perspectives, https://www.researchgate.net/publication/230651547_The_Psychological_Impact_of_Child_Soldiering, pp. 314 – 316 and 323 – 326. See, for example, Rochelle Frounfelker and others, “Living through War: Mental health of children and youth in conflict-affected areas”, August 2019, International Review of the Red Cross, number 911, <https://international-review.icrc.org/articles/living-through-war-mental-health-children-and-youth-conflict-affected-areas>.

³²⁹ ICG, *Returning from the Land of Jihad: The Fate of Women Associated with Boko Haram*, 21 May 2019, <https://www.crisisgroup.org/africa/west-africa/nigeria/275-returning-land-jihad-fate-women-associated-boko-haram>; See, for example, Combating Terrorism Center at Westpoint, *Boko Haram Beyond the Headlines: Analyses of Africa’s Enduring Insurgency*, May 2018, <https://www.istor.org/stable/resrep21483.6>, pp. 33-52; See, for example, Al Jazeera, “Female suicide bombers shock Nigerians”, 31 July 2014, <https://youtu.be/Wj5wqztYrFO>

³³⁰ Al Jazeera, “UNICEF: Boko Haram use of child bombers soars”, 22 August 2017, <https://www.aljazeera.com/news/2017/8/22/unicef-boko-haram-use-of-child-bombers-soars>; ICG, *Returning from the Land of Jihad* (previously cited); Combating Terrorism Center at West Point, *Exploding Stereotypes: The Unexpected Operational and Demographic Characteristics of Boko Haram’s Suicide Bombers*, 9 August 2017, <https://ctc.westpoint.edu/wp-content/uploads/2017/08/Exploding-Stereotypes-1.pdf>; Combating Terrorism Center at Westpoint, *Boko Haram Beyond the Headlines* (previously cited), pp. 33-52; ICG, *Nigeria: Women and the Boko Haram Insurgency* (previously cited).

³³¹ New York Times, “Boko Haram strapped suicide bombs to them. Somehow these teenage girls survived”, 25 October 2017, <https://www.nytimes.com/interactive/2017/10/25/world/africa/nigeria-boko-haram-suicide-bomb.html>; ICG, *Returning from the Land of Jihad* (previously cited); BBC, “Nigeria: ‘Children used’ as suicide bombers in Borno attack”, 18 June 2019, <https://www.bbc.co.uk/news/world-africa-48674014>; UNICEF, “Use of children as ‘human bombs’ rising in north east Nigeria, 27 August 2017, <https://www.unicef.org/nigeria/press-releases/use-children-human-bombs-rising-northeast-nigeria>; The Independent, “Boko Haram increasingly using drugged children as suicide bombers, warns UNICEF”, 12 April 2017, <https://www.independent.co.uk/news/world/africa/boko-haram-children-suicide-bombers-drugged-children-unicef-warn-nigeria-cameroon-niger-chad-a7680366.html>; UNICEF, *Beyond Chibok*, April 2016, <https://www.unicef.org/wca/media/906/file/Beyond%20Chibok%20Report%20English.pdf>

³³² New York Times, “Boko Haram strapped suicide bombs to them. Somehow these teenage girls survived”, 25 October 2017, <https://www.nytimes.com/interactive/2017/10/25/world/africa/nigeria-boko-haram-suicide-bomb.html>

³³³ New York Times, “Boko Haram strapped suicide bombs to them. Somehow these teenage girls survived”, 25 October 2017, <https://www.nytimes.com/interactive/2017/10/25/world/africa/nigeria-boko-haram-suicide-bomb.html>

³³⁴ Interview in person with survivor “NV”, 9 July 2023, Maiduguri, Borno State.

³³⁵ Interview by voice call with survivor “AE”, 25 November 2020; New York Times, “Boko Haram strapped suicide bombs to them. Somehow these teenage girls survived”, 25 October 2017, <https://www.nytimes.com/interactive/2017/10/25/world/africa/nigeria-boko-haram-suicide-bomb.html>

³³⁶ Interview by voice call with survivor “AE”, 25 November 2020.

³³⁷ Interview by voice call with survivor “AE”, 25 November 2020.

“[They told me,] ‘You should go to the midst of people and if you see people, you just press [the detonator].’ On my way, I met some soldiers at the checkpoint. The soldiers noticed that I was carrying something...

I was scared. If I press, I know I will kill myself and others, so I just decided to go and make the soldiers untie that thing. When the soldiers were coming towards me, I said, ‘Don’t come close to me, I’m carrying a bomb with me.’ That is when they decided to come and untie the bomb... I heard people saying that people are killing [others] so I was feeling very bad but when I decided to take mine off [the bomb], I was proud of that.”³³⁸

GE said her mother found out that she was held at the military barracks and was able to come get her.

EC, who in 2018, when she was likely a teenager, unstrapped her suicide vest and escaped, said:

“[Boko Haram] sent so many people [on suicide missions]. We were even many the day I was strapped with a bomb... They will strap you with bomb and ask you to go, if you see soldiers, or group of people, they will ask you to go in front while they follow behind. If you are in a group of people, they will detonate it or if you are close to soldiers, they will detonate it...

If you are older, they will strap you with bomb that has [a] lock because they believe you are smart enough to remove it but if you are small like I was, they will strap you with the bomb that has belt like a bag. I was watching how they strapped the belt on me. So, when I had the opportunity, I removed it and threw it away. I don’t know if it later exploded because they told us the bomb was timed and it will explode at a particular time. If you are in the midst of soldiers or people when it detonates it will be all of you but if you do not get in the midst of people, it will be just you. If you do not want to die alone, you better look for a crowd. That is what they will tell you.”³³⁹

Girls who were abducted or who were forced to directly participate in hostilities by carrying bombs and sent to attack while being under 15 years old were subjected to the war crimes of conscription and use of children.³⁴⁰ For many of them, Boko Haram knew or should have known they were under 15 years old, as they were abducted and forcibly married at very young ages.

In addition, forcing girls or young women to wear suicide vests and ordering them to kill others and themselves, inflicting at least great mental pain or suffering for purpose of punishment, amounts to torture as a war crime in the context of the conflict³⁴¹ and as a crime against humanity³⁴² in the context of Boko Haram’s widespread and systematic attack against a civilian population.³⁴³ It would also amount to the crime of trafficking.³⁴⁴

³³⁸ Interview in person with survivor “GE”, 11 July 2023, Maiduguri, Borno State.

³³⁹ Interview in person with survivor “EC”, 22 January 2020, Maiduguri, Borno State.

³⁴⁰ Rome Statute, Article 8(2)(e)(vii).

³⁴¹ Rome Statute, Article 8(2)(c)(i). Alternatively, the ICC has also determined that forcing an abductee to watch someone being killed amounts to the war crime of outrage upon personal dignity under article 8(2)(c)(ii), see ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, para. 2903.

³⁴² Rome Statute, Article 7(1) (f) or (k).

³⁴³ Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 25-26.

³⁴⁴ The recruitment and use of children by armed groups nearly always constitutes trafficking; the action (recruitment) and purpose (exploitation) are intrinsic elements. See, for example, SRSR-CAAC, Report: *Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict*, 8 January 2018, UN Doc. A/HRC/37/47, para. 16. See also Special Rapporteur on Trafficking in Persons, Report on the Implementation of the Non-Punishment Principle (previously cited), paras 30 and 31, and UN Office on Drugs and Crime (UNODC), *Countering Trafficking in Persons in Conflict Situations*, 2018, https://www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf, p. 16 which states: “Although the use of children as combatants is not specifically listed as a form of exploitation in the definition of trafficking, it is clear that the recruitment of children (an act) into armed and/or terrorist groups (a purpose of exploitation) is a form of trafficking in persons.”

BOKO HARAM'S CRIMES UNDER INTERNATIONAL LAW

Boko Haram's crimes amount to war crimes and crimes against humanity under international law.

War crimes are serious violations of international humanitarian law, committed in the context of an international or a non-international armed conflict, as defined under article 8 of the Rome Statute. As mentioned in Chapter 1, Amnesty International considers the situation in north-east Nigeria to constitute a non-international armed conflict since at least May 2013. Crimes documented in the present report were committed in the context of, and were associated with, this armed conflict, and Boko Haram members were all aware of such context. These crimes therefore amount to the war crimes of conscription and use of children to actively participate in hostilities;³⁴⁵ rape;³⁴⁶ sexual slavery;³⁴⁷ forced pregnancy;³⁴⁸ and torture and/or cruel treatment.³⁴⁹

Crimes against humanity are certain prohibited acts when committed as part of a widespread or systematic attack directed against a civilian population, as defined under article 7 of the Rome Statute. In a 2015 report, Amnesty International determined that Boko Haram was perpetrating an attack against the civilian population in north-east Nigeria, and that such attack is both widespread and systematic and pursuant to policy of the armed group.³⁵⁰ The ICC's Office of the Prosecutor has also made such determination in a 2013 report.³⁵¹ This attack is ongoing to date. The findings of the present report build on this previous finding as well as on a decade of Amnesty International documentation of crimes under international law by Boko Haram.³⁵² Since certain crimes documented in the present report were committed as part of Boko Haram's widespread and systematic attack against a civilian population, they amount to the crimes against humanity of enslavement;³⁵³ rape;³⁵⁴ sexual slavery;³⁵⁵ forced pregnancy;³⁵⁶ torture;³⁵⁷ and forced marriage as other inhumane acts.³⁵⁸

Perpetrators of enslavement, rape, sexual slavery, forced pregnancy, torture and forced marriage of girls and young women have also committed the crime against humanity of persecution on the grounds of gender.³⁵⁹ These acts are each a deprivation of fundamental rights, perpetrated by Boko Haram in violation of international law. According to Amnesty International's research, Boko Haram specifically targeted girls and adult women for these acts, by virtue of their gender. As stated above, these acts formed or were part of a widespread or systematic attack on the civilian population, and perpetrators would have been aware of this.

Those responsible for these crimes should be investigated, prosecuted and judged in fair trials before national courts or the ICC.

³⁴⁵ Rome Statute, Article 8(2)(e)(vii).

³⁴⁶ Rome Statute, Article 8(2)(e)(vi).

³⁴⁷ Rome Statute, Article 8(2)(e)(vi).

³⁴⁸ Rome Statute, Article 8(2)(e)(vi).

³⁴⁹ Rome Statute, Article 8(2)(c)(i).

³⁵⁰ See full demonstration in Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited), pp. 25-26.

³⁵¹ Office of the Prosecutor of the ICC, *Report on the preliminary examination: Situation in Nigeria*, 5 August 2013, <https://www.icc-cpi.int/sites/default/files/iccdocs/PIDS/docs/SAS%20-%20ONGA%20-%20Public%20version%20Article%205%20Report%20-%2005%20August%202013.PDF>, paras. 79-89.

³⁵² See, for instance, Amnesty International, *Our Job is to Shoot, Slaughter and Kill* (previously cited); Amnesty International, *My Heart is in Pain* (previously cited); Amnesty International, *They Betrayed Us* (previously cited); Amnesty International, *We Dried Our Tears* (previously cited).

³⁵³ Rome Statute, Article 7(1)(c).

³⁵⁴ Rome Statute, Article 7(1)(g).

³⁵⁵ Rome Statute, Article 7(1)(g).

³⁵⁶ Rome Statute, Article 7(1)(g). See also, ICC, Trial Chamber IX, Ongwen case (ICC-02/04-01/15), Judgment, 4 February 2021, paras. 2717-2729 (first ICC judgment on the crime of forced pregnancy); and Amnesty International, *Forced pregnancy* (previously cited).

³⁵⁷ Rome Statute, Article 7(1)(f).

³⁵⁸ Rome Statute, Article 7(1)(k); Special Court for Sierra Leone (SCSL), Prosecutor v. Brima, Kamara, and Kanu (Case No. SCSL-2004-16-A), Appeal Judgment, 22 February 2008 para. 196 (first time forced marriage was recognized by an international court as the crime against humanity of "other inhumane acts"); ICC, Prosecutor v. Dominic Ongwen, Trial Chamber IX, Judgment, 4 February 2021, paras. 2748-2751 (developing the definition of forced marriage as "other inhumane act")

³⁵⁹ Rome Statute, Article 7(1)(h).

COMPLEX EXPERIENCES

While there are similarities, girls' and young women's experiences in Boko Haram are not homogeneous. Most are kept in exploitative roles with abusive "husbands", but a few described being treated with more care.³⁶⁰ In sharp contrast to other girls' and women's testimonies, **SE** told Amnesty International, "[Our husbands] will buy us make-up and cosmetics to do our make-up."³⁶¹ **NV**, abducted when she was around 12 years old and forcibly married to a high-ranking fighter tasked with converting abductees, said, "He used to take care of me... He was very nice to me."³⁶² She said Boko Haram later imprisoned her "husband", who they suspected was helping others escape.

How girls and young women were treated has depended on many factors including their "husbands" personality; the rank of their "husbands" ("wives" of senior Boko Haram commanders were typically treated better);³⁶³ the Boko Haram faction and cell they were held captive in; and the year in which the girls and women entered Boko Haram.³⁶⁴

As with their experiences, girls' and young women's relationship with, and feelings towards, Boko Haram or their Boko Haram "husbands" or husbands also varies. Often girls and young women who have left Boko Haram describe having fully disassociated themselves from the group and their "husbands", but other times they indicate having developed stronger links. A mental health expert in Nigeria who has worked on these issues told Amnesty International that years of (often forced) indoctrination and socialization into the group's beliefs can result in girls and young women internalizing at least some of the beliefs – especially when these processes take place at a young age, when children have not accessed much, or any, education and are more susceptible to indoctrination.³⁶⁵ Some girls and young women develop emotional connections or may develop bonds as a coping mechanism to survive captivity.³⁶⁶ It often takes time, distance from the group and specialized care to respond to these survivors' distinct reintegration needs.³⁶⁷

As is evident from Chapters 2 and 3, girls and young women formerly associated with Boko Haram are overwhelmingly survivors of horrendous crimes and abuses.³⁶⁸ Two interviewees were both victims and perpetrators of abuses, one under duress.³⁶⁹ Amnesty International spoke with **BR**, whom Boko Haram abducted and forcibly married to one of their fighters when she was a girl. She told Amnesty International that her husband was a leader in Boko Haram and that she had been selected to carry out punishments, including amputating the hands of women who committed adultery; she said she had believed in the righteousness of those punishments.³⁷⁰ Her age and whether she was still a child at the time she started carrying out punishments was unclear, and Amnesty International did not seek to determine that fact.

There were hierarchies among women, with some women taking on, and socialized into, different roles with varying degrees of status and power.³⁷¹ For instance, commanders' wives were at times reportedly put in charge of abducted women.³⁷² Understanding the girls' and young women's individual experiences is critical to successful reintegration.³⁷³

³⁶⁰ This does not mean that these girls and young women did not experience human rights violations or crimes under international law. Interview by voice call with the Executive Director of a leading Nigerian mental health organization, 16 February 2024; New Yorker, "The women rescued from Boko Haram who are returning to their captors", 20 December 2018, <https://www.newyorker.com/news/dispatch/the-women-rescued-from-boko-haram-who-are-returning-to-their-captors>; New York Times, "She Was Kidnapped a Decade Ago With 275 Girls. Finally, She Escaped", 14 April 2024, <https://www.nytimes.com/2024/04/14/world/africa/nigeria-chibok-girls-kidnapping-boko-haram.html>

³⁶¹ Interview in person with survivor "SE", 9 July 2023, Maiduguri, Borno State.

³⁶² Interview in person with survivor "NV", 9 July 2023, Maiduguri, Borno State.

³⁶³ Interview by voice call with the Executive Director of a leading Nigerian mental health organization, 22 February 2024. As mentioned above, this does not mean that these girls and women did not experience human rights violations or crimes under international law.

³⁶⁴ Interview by voice call with the Executive Director of a leading Nigerian mental health organization, 22 February 2024.

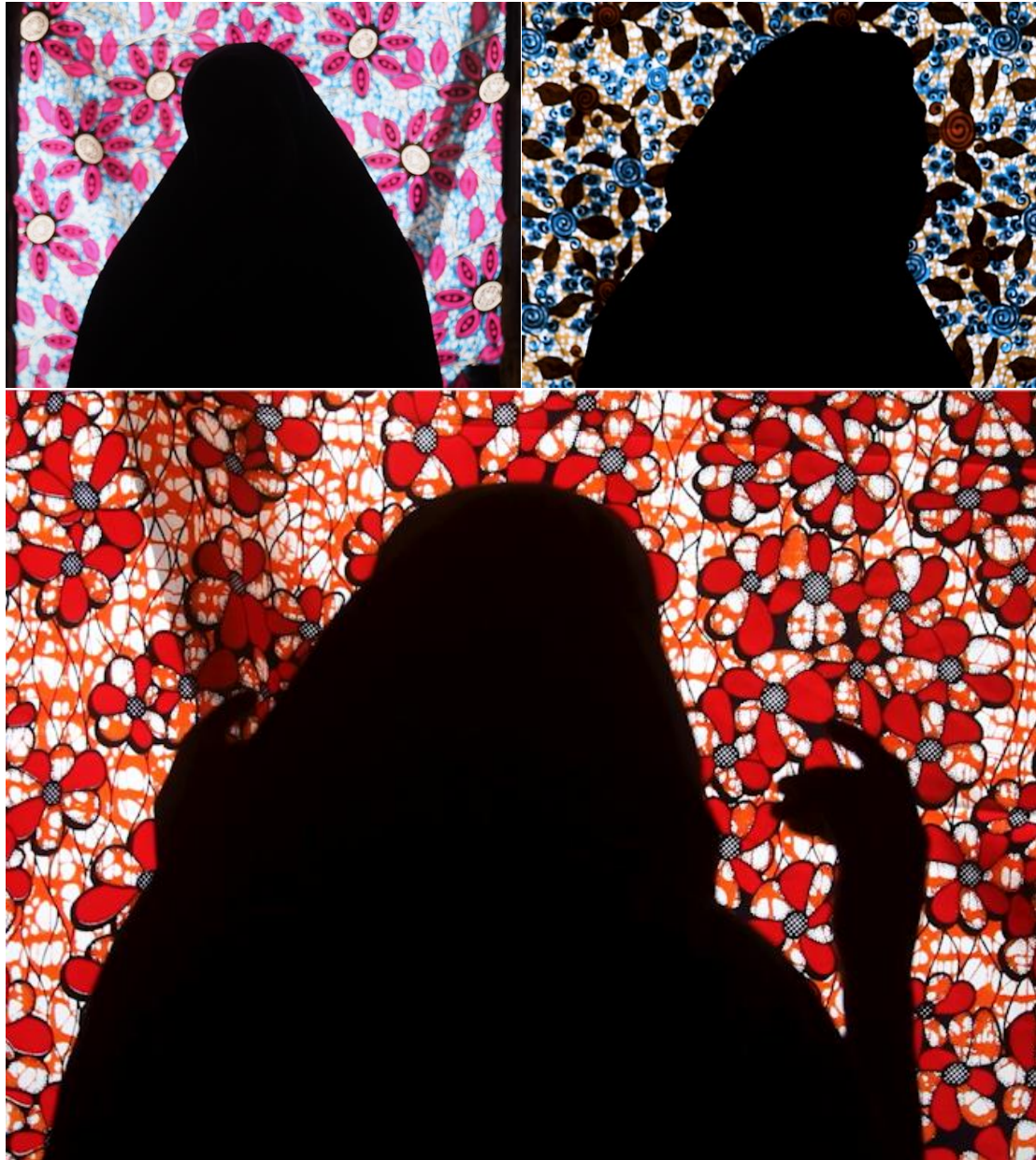
³⁶⁵ Interview by voice call with the Executive Director of a leading Nigerian mental health organization, 22 February 2024.

³⁶⁶ New Yorker, "The women rescued from Boko Haram who are returning to their captors", 20 December 2018, <https://www.newyorker.com/news/dispatch/the-women-rescued-from-boko-haram-who-are-returning-to-their-captors>; Interview by voice call with the Executive Director of a leading Nigerian mental health organization, 16 February 2024.

³⁶⁷ Interview by voice call with the Executive Director of a leading Nigerian mental health organization, 22 February 2024.

³⁶⁸ This is based on the interviews Amnesty International conducted for this report in addition to an interview conducted by voice call with the Executive Director of a leading Nigerian mental health organization on 16 and 22 February 2024; an interview conducted by voice call with a Nigerian woman human rights activist on 9 May 2024; and past reports including Amnesty International, *Our job is to shoot, kill and slaughter* (previously cited); Amnesty International, *We Dried Our Tears* (previously cited); and HRW, *Those terrible weeks in their camp* (previously cited).

³⁶⁹ For more information on girls and young women as both victims and suspected perpetrators of crimes under international law, see, Sanne Weber, "Defying the Victim-Perpetrator Binary: Female Ex-combatants in Colombia and Guatemala as Complex Political



Three Boko Haram survivors share their experiences on video in December 2023, Maiduguri, Borno State. © Amnesty International

Perpetrators", 15 June 2021, International Journal of Transitional Justice, Volume 15, issue 2, <https://academic.oup.com/ijtj/article/15/2/264/6299972>, pp. 264-283.

³⁷⁰ Interview in person with survivor "BR", 3 October 2023, Maiduguri, Borno State.

³⁷¹ For instance, interview in person with survivor "EV", 10 July 2023, Maiduguri, Borno State. See, for example, New Yorker, "The women rescued from Boko Haram who are returning to their captors", 20 December 2018, <https://www.newyorker.com/news/dispatch/the-women-rescued-from-boko-haram-who-are-returning-to-their-captors>

³⁷² ISS, "Female Boko Haram members need tailor-made rehabilitation", 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>

³⁷³ For more, see also ISS, "Female Boko Haram members need tailor-made rehabilitation", 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>

4. EXITING BOKO HARAM

Leaving Boko Haram or Boko Haram-held territory does not end the girls' and young women's association with the armed group. While most girls and young women interviewed by Amnesty International escaped the group, some were captured or "rescued" by Nigerian security forces, who later detained them, and a handful left Boko Haram-held territory with male Boko Haram members, including their "husbands". In many cases, leaving Boko Haram did not erase the stigma of being associated with the group, or ensure that the women and girls received the support and services they needed.

4.1 BRAVING DEATH TO ESCAPE

Nearly fifty girls and younger women told Amnesty International courageous and harrowing stories of successfully escaping from Boko Haram, risking their lives and the lives of their children and braving possible re-capture and punishment.³⁷⁴ While most of those who fled were young women, at least 22 were still girls, and one had grown up in Boko Haram and knew no other life.³⁷⁵

Interviewees' motivations for escaping included hunger; continued attacks by either ISWAP or the Nigerian military; missing relatives and wanting to go search for them; and escaping forced marriage.³⁷⁶ **CY**, a teenager when she and five others escaped together, said she fled because "I was not happy with living in the bush, not happy with being married instead of being in school, and I was always thinking of my family. I also did not like witnessing the punishments meted out to offenders."³⁷⁷

Moments of escape included at night; during prayers; when Boko Haram fighters went to fight or farm; when it rained; and during, or after, clashes with ISWAP or attacks by the Nigerian military.³⁷⁸ Girls and young women outwitted Boko Haram with excuses to convince members to let them walk to a neighbouring Boko Haram-held village, that they had permission to forage for food or firewood and then used that opportunity to flee.³⁷⁹ **NC**, a teenager when she escaped, told Amnesty International:

³⁷⁴ Interview by voice call with survivor "II", 25 April 2024; Interviews conducted separately in person with 32 survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State; Interviews conducted separately in person with three survivors, January 2020, Michika, Adamawa State; Interviews conducted separately in person with five survivors, January 2020, Madagali, Adamawa State; Interview conducted in person with survivor "SZ", 30 December 2019, Michika, Adamawa State.

³⁷⁵ Interview by voice call with survivor "II", 25 April 2024; Interviews conducted separately in person with 14 survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Michika, Adamawa State; Interviews conducted separately in person with four survivors, January 2020, Madagali, Adamawa State; Interview conducted in person with survivor "SZ", 30 December 2019, Michika, Adamawa State.

³⁷⁶ Interview by voice call with survivor "II", 25 April 2024; Interviews conducted separately in person with 32 survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State; Interviews conducted separately in person with three survivors, January 2020, Michika, Adamawa State; Interviews conducted separately in person with five survivors, January 2020, Madagali, Adamawa State; Interview conducted in person with survivor "SZ", 30 December 2019, Michika, Adamawa State.

³⁷⁷ Interview in person with survivor "CY", 6 January 2020, Madagali LGA, Adamawa State.

³⁷⁸ Interview by voice call with survivor "II", 25 April 2024; Interviews conducted separately in person with 32 survivors, July to October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State; Interviews conducted separately in person with three survivors, January 2020, Michika, Adamawa State; Interviews conducted separately in person with five survivors, January 2020, Madagali, Adamawa State; Interview conducted in person with survivor "SZ", 30 December 2019, Michika, Adamawa State.

³⁷⁹ For instance, interview conducted in person with survivor "JG", 16 July 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Michika, Adamawa State.

“I escaped by telling the emir that I wanted to go collect a message from my mother in Gobara, another village in Sambisa. He allowed me and said I should be back by 3pm. I left with two other women... The emir did not suspect us because he had allowed us in the past to go places and we returned. There was no sign that we were planning to escape.

On the way, we encountered several Boko Haram members but always told them that we were going to see our parents in Ngoshe, a village in Gwoza that was also controlled by Boko Haram. So, they allowed us passage since [they thought] we were not going outside their territory.”³⁸⁰

Others carefully plotted their escape. “They thought we had accepted them and that we wouldn’t run,” said **GH**, who was in her early twenties when she and other captives managed to escape in March 2023. “Sometimes we pretended that we had a mental health issue. We [then] went with women and checked places [to escape]. [We] kept doing that until they stopped following us... They went to fight. Then the women and I went out of the village.”³⁸¹

Some paid for help, and, in two cases, the young women bribed their Boko Haram guard.³⁸² **EI**, likely around 19 when she escaped in 2019, told Amnesty International: “One night, I and other women decided to escape but we were caught and locked up in prison, saying they were going to kill us. After two days, we bribed the guard with our clothes, the ones we had taken when we wanted to escape... So, he released us, and we left Sambisa.”³⁸³

Some interviewees had help escaping. **EC**, whom Boko Haram abducted and, in 2018, unsuccessfully tried to use as suicide bomber, told Amnesty International:

“When I unstrapped the bomb, I started running. It was very late, around 11pm... I saw a small light... When I got there, I saw a Fulani man and his family in the farm... I was dressed like a Boko Haram... and that period the fear was too much...

I said, ‘It’s me, please, I need your help.’ I shared my experience with him, and I asked for direction, but he insisted I spend the night with them but I could not sleep because the Boko Haram place was not that far from where they were, so I told them I wanted to discard the hijab and niqab I was wearing. Their daughter was almost my age, so they gave me her hijab. The father then dug a hole with a hoe and buried my hijab.”³⁸⁴

EC said they all fled the area together the next morning.

Once escaped, interviewees experienced harrowing journeys lasting up to 12 days,³⁸⁵ surviving on whatever they could find along the way. “For the three days, we only ate fruits and drank water from streams. We were very tired and slept on the ground. Our feet hurt and had bruises,” **KJ** recalled, about her escape.³⁸⁶

Two interviewees said their young children or fellow escapees died during these journeys.³⁸⁷ **IO** told Amnesty International: “There was no food, no water. [We] got lost. Before we reached Bama, I lost my son from hunger and thirst.”³⁸⁸ She said her baby was not yet one year old when he died.

IG, around 14 years old at the time of the interview, told Amnesty International that she and two other girls escaped, got lost and encountered a river. “[We] don’t know how to pass that river... [We] decided to enter the water... One among us, I don’t really know what happened to her, whether she died... Two of us escaped.”³⁸⁹ The two girls continued walking for another two days, at times sleeping in trees, when they reached a village that was familiar to **IG**. She and her friend then found their way to her father in Maiduguri.³⁹⁰

Girls and young women told Amnesty International that threats of punishment or death by Boko Haram, and unfamiliarity with their surroundings, delayed or prevented them from leaving.³⁹¹ “I had decided to [escape]

³⁸⁰ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

³⁸¹ Interview conducted in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

³⁸² Interview conducted in person with survivor “SB”, 15 July 2023, Maiduguri, Borno State; Interview conducted in person with survivor “EI”, 6 January 2020, Madagali, Adamawa State.

³⁸³ Interview conducted in person with survivor “EI”, 6 January 2020, Madagali, Adamawa State.

³⁸⁴ Interview conducted in person with survivor “EC”, 22 January 2020, Maiduguri, Borno State.

³⁸⁵ Interview in person with survivor “CY”, 6 January 2020, Madagali LGA, Adamawa State.

³⁸⁶ Interview in person with survivor “KJ”, 4 January 2020, Michika LGA, Adamawa State.

³⁸⁷ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

³⁸⁸ Interview conducted in person with survivor “IO”, 17 2023, Maiduguri, Borno State.

³⁸⁹ Interview conducted in person with survivor “IG”, 17 2023, Maiduguri, Borno State.

³⁹⁰ Interview conducted in person with survivor “IG”, 17 2023, Maiduguri, Borno State.

³⁹¹ Interviews conducted separately in person with four survivors, in July and October 2023, Maiduguri, Borno State.

so many times, but any time, there are [Boko Haram] people at the checkpoint, so I am afraid to get caught. [If caught] running away, [they would] call all people and slaughter you,” **IB** said.³⁹² She was still a girl when she heard her parents, who she said were not affiliated with Boko Haram, were living in the area; she convinced her “husband” to let her visit her father. She then escaped during the night with her family.³⁹³

4.2 NIGERIAN MILITARY OR CJTF

In 11 cases, when the Nigerian military recaptured territory from Boko Haram, girls and young women who had often been held captive for years were “rescued”.³⁹⁴ Of those, at least five were girls³⁹⁵ at the time the military captured and subsequently unlawfully detained them, and two were likely just under or just over 18.³⁹⁶ According to the Committee on the Rights of the Child, when age is in doubt, the presumption should favour the child.³⁹⁷ One girl was rescued by members of the CJTF.³⁹⁸

BK, who had been abducted, imprisoned by Boko Haram multiple times, and forced to marry a Boko Haram fighter – all when she was still a young adolescent – said: “Luckily, soldiers attacked our village. Everyone was running. I followed one man, he showed me where my auntie was.”³⁹⁹ Soldiers “rescued” her and her auntie, only to tie their hands with rope and take them straight to Giwa Barracks (see Section 5.2), where they were unlawfully detained for around four months in 2021 or 2022.⁴⁰⁰

VB, whom Boko Haram also abducted as a girl, and who was around 18 years old when Nigerian forces attacked the area where she was around 2021, said soldiers “put us in a car and took us to the King’s House [in Gwoza] [They] covered our face with black cloths.”⁴⁰¹ She was unlawfully detained at the “King’s House” for around a week before her aunt was able to get her.

4.3 WITH MALE BOKO HARAM MEMBERS

Ten girls and young women interviewed by Amnesty International left Boko Haram-held territory with their “husbands”, with other members of their “family”, or with both.⁴⁰² Many of these cases occurred after Shekau’s death in May 2021, and as part of the increased exodus from the group and its territory. In two cases, relatives already in government-controlled areas called interviewees to reassure or convince them it was safe to return.⁴⁰³ **GB**, a girl when she left Boko Haram-held territory sometime between April 2020 and April 2021, told Amnesty International that her “husband’s” father arranged for her, her “husband” and her “husband’s” mother to leave.⁴⁰⁴ **IK**, a teenager who left ISWAP-held territory with her ISWAP “husband” sometime in 2021 and was subsequently taken to Giwa Barracks, said: “We decided to come back to the soldiers and turn ourselves in to them.”⁴⁰⁵

YA, who was around 11 years old when she was forcibly married to a JAS fighter and around 20 when she left JAS with her “husband” in early 2023, said: “When Shekau died, another group came, we didn’t believe them and didn’t consider their ideas. We [were] fighting [with them]. From there, we had to leave the main village where we were. [We were] roaming in [the] bush. We came to Bama.”⁴⁰⁶

³⁹² Interview conducted in person with survivor “IB”, 8 2023, Maiduguri, Borno State.

³⁹³ Interview conducted in person with survivor “IB”, 8 2023, Maiduguri, Borno State.

³⁹⁴ Interviews conducted separately in person with 11 survivors, July to October 2023, Maiduguri, Borno State.

³⁹⁵ Interviews conducted separately in person with five survivors, July to October 2023, Maiduguri, Borno State.

³⁹⁶ Interviews conducted separately in person with two survivors, July and October 2023, Maiduguri, Borno State.

³⁹⁷ The best interest principle enshrined in article 3.1 of the CRC implies that, when in doubt of a person’s age, the person is to be treated as a child. See also paragraph 24 of Committee on the Rights of the Child (CRC) General Comment 24 regarding giving children the benefit of the doubt when determining age of criminal responsibility. CRC, General Comment 24: Children’s rights in the child justice system, 18 September 2019, CRC/C/GC/24, para. 24; See also CRC, General Comment 6 on the treatment of unaccompanied and separated children outside their country of origin that states that, when there is a possibility that the individual is a child, the person should be given the benefit of the doubt and treated as a child. CRC, General Comment 6: Treatment of Unaccompanied and Separated Children Outside their Country of Origin, 1 September 2005, CRC/GC/2005/6, para. 31.

³⁹⁸ Interview in person with survivor “IW”, 13 July 2023, Maiduguri, Borno State; Interview by voice call with “IW’s” father, 30 and 31 January 2024.

³⁹⁹ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

⁴⁰⁰ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

⁴⁰¹ Interview in person with survivor “VB”, 16 July 2023, Maiduguri, Borno State.

⁴⁰² Interview by voice call with survivor “DD”, 23 April 2024; Interviews conducted separately in person with nine survivors, July to October 2023, Maiduguri, Borno State.

⁴⁰³ Interviews conducted separately in person with nine survivors, July and October 2023, Maiduguri, Borno State.

⁴⁰⁴ Interview in person with survivor “GB”, 1 October 2023, Maiduguri, Borno State.

⁴⁰⁵ Interview in person with survivor “IK”, 1 October 2023, Maiduguri, Borno State.

⁴⁰⁶ Interview in person with survivor “YA”, 5 July 2023, Maiduguri, Borno State.

GA, around 18 years old and forcibly married to a Cameroonian ISWAP “husband”, said, “I told him I am not from this country; I am going back to Nigeria. From there, we came back through Yola.”⁴⁰⁷ She left, together with her “husband” and other ISWAP associates, and, after Nigerian forces held her in a house for two weeks, was brought to BICC (discussed in detail in section 5.3.1).⁴⁰⁸

One interviewee left with her “husband’s” knowledge. **BR**, who was forcibly married into Boko Haram before she had her first period, said her second “husband” – still in Boko Haram territory – knew that she went to Maiduguri in search of her parents. “I told him I [would] go and come back. Yes, [I want to go back] because I don’t have anyone here [in Maiduguri],”⁴⁰⁹ she said.

⁴⁰⁷ Interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁴⁰⁸ Interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁴⁰⁹ Interview in person with survivor “BR”, 3 October 2023, Maiduguri, Borno State.

5. INTO THE HANDS OF THE NIGERIAN STATE

After leaving Boko Haram and areas under their control, almost all interviewees spoke of encountering Nigerian soldiers or CJTF members. Only a few girls and young women went straight to their communities.⁴¹⁰

For many girls and young women, presenting themselves to soldiers at a checkpoint or encountering them along the road was their first interaction with the Nigerian state after years of association with Boko Haram, and a gateway to further hardship and violations of their human rights.

This chapter lays out what has happened to girls after encountering Nigerian soldiers prior to and after the signing of the 2022 handover protocol related to children associated with an armed group, as well as what has happened to young women who are not covered by the handover protocol.

Prior to September 2022, some girls and young women were unlawfully detained following an opaque screening process, at times with their children or younger siblings, in unsanitary conditions with insufficient access to water and food, including in Giwa Barracks in Maiduguri, a notorious military detention facility. Some of these girls and young women endured abuse by soldiers, two bore a child during her time in military custody, and three others witnessed infants and other children dying in detention. Amnesty International documented the continued unlawful detention after September 2022 of young women perceived to be associated with Boko Haram, but not of girls.

Many girls and young women interviewed by Amnesty International have been sent to one or more of three transit or interim care centres established by the Nigerian authorities, with international support, in Maiduguri: the Bulumkutu Interim Care Centre (BICC); Hajj Transit Centre; and Shukuri Transit Centre. The most common pathway into BICC between 2016 and 2023 was after being unlawfully detained in Giwa Barracks. Girls and young women at BICC have generally been able to access some important services related to reintegration. But during their time there, in all but one documented case, they have not been able to leave the closed facility. For women and for children accompanying mothers above the age of 18, who were or are not allowed to leave the facility, Amnesty International considers BICC *de facto* a place of detention. Women who were deprived of their liberty were not able to contest their detention or have access to a lawyer, among other fair trial rights, rendering their time in BICC unlawful. For girls under the legal guardianship of the state, BICC only risks becoming a place of detention if the period of time girls spend in the centre unduly delays family reunification, something which Amnesty International did not document.

Many girls and young women who left Boko Haram and Boko Haram-held territory without their “husbands”, and who were not detained in military barracks, were redirected to IDP camps or to communities. In some cases, girls and young women who had escaped and were living in IDP camps, at times reunited with their families, have been placed in Hajj Transit Camp or Shukuri Transit Centre, when their Boko Haram “husbands” returned to government-held territory. They stayed in these facilities in deplorable conditions and without access to reintegration support or services.

⁴¹⁰ Interviews conducted separately in person with two survivors, July and October 2023, Maiduguri, Borno State.

HUMAN RIGHTS STANDARDS AND OBLIGATIONS FOR SCREENING AND REINTEGRATION SUPPORT

The moment girls or young women leave Boko Haram marks the start of their reintegration. The criteria and screening procedures that determine inclusion in reintegration programmes and informal release processes should ensure that girls, often more “invisible” than boys, are included,⁴¹¹ not distinguish between fighter and non-fighter and always assume the presence of girls in non-state armed groups.⁴¹² Per the terms of the 2022 handover protocol, children encountered by the Nigerian security agencies should be transferred within seven days to Nigerian civil authorities or child protection actors.⁴¹³

Under international human rights and anti-trafficking laws and standards, victims of trafficking should be identified as early as possible to prevent any further traumatisation and to ensure their rights.⁴¹⁴ The UN Committee on the Elimination of Discrimination Against Women has required all duty bearers to establish “procedures to identify possible victims of trafficking, including those suspected of association with or returning from territory under the control of non-State armed groups” as a first step to ensure their rights.⁴¹⁵ Identification should be done by multi-disciplinary teams, including professionals from all relevant fields.⁴¹⁶

Trafficking victims have a range of rights, including to inclusive and accessible services such as “access to information on their rights, the medical, psychological, social and legal services available to them and how to acquire access to them, as well as to safe and appropriate accommodations”.⁴¹⁷

Under the CRC, Nigeria should take steps “to promote [the] physical and psychological recovery and social reintegration” of children who are victims of armed conflict.⁴¹⁸

Any DDR or similarly named reintegration effort⁴¹⁹ should be informed by girls’ unique experiences and roles played in Boko Haram and designed in such a way that girls are made aware of their existence and able to access them confidentially to minimize stigma.⁴²⁰ Nigeria’s response to victims of CRSV should also be survivor-centred and informed by their needs and priorities.⁴²¹

Reintegration efforts of children, including girls, associated with non-state armed groups should be guided by their best interest; consider them primarily as victims; and designed in line with their right to life, survival and development.⁴²² To cater to the needs of girls during a release process, the Paris Principles prescribe that “accessible female employees” should be present at all times.⁴²³

Reintegration support to children, including girls, associated with Boko Haram should also be given in a way that includes and benefits the communities they are reintegrating into.⁴²⁴ Most of the population in north-east Nigeria has been affected by the conflict and needs support. Directing support primarily to individuals associated with Boko Haram, including girls, can lead to resentment among communities, stigmatization, and create perverse incentives that encourage other people to join an armed group, to benefit from (future rounds of) reintegration support. Participants of a perception study conducted in Borno State expressed mixed feelings about the state government’s approach to DDR which, they said, “place more emphasis on the perpetrators rather than the victims”.⁴²⁵ These sentiments were also observed by a Nigerian civil society member working on reintegration.⁴²⁶

The reintegration of girls and young women associated with Boko Haram is a long-term endeavour that necessitates sustained support, regular follow-up with the individuals and being responsive to the varying strengths of association with and affinity for Boko Haram.⁴²⁷

5.1 ENCOUNTERING SOLDIERS

Girls and young women overwhelmingly leave Boko Haram through informal ways such as escape. Aside from *Sulhu* – a programme aimed at senior Boko Haram fighters⁴²⁸ – and Operation Safe Corridor, there is

⁴¹¹ Paris Principles, paras. 4.1 and 7.23 – 7.24.

⁴¹² UN, Integrated Disarmament, Demobilization and Reintegration Standards (Integrated DDR Standards), Module 5.20: Children and DDR, https://www.unddr.org/wp-content/uploads/2023/11/IDDRS-5.20-Children-and-DDR_9-Nov-2021-2.pdf, p. 10.

⁴¹³ Handover Protocol.

⁴¹⁴ See, for example, CEDAW General Recommendation 38 (previously cited), para. 38; United Nations High Commissioner for Human Rights (UNOHCHR), *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, 20 May 2022, UN Doc. E/2002/68/Add.1, Guideline 2: Identification of Trafficked Persons and Traffickers; UN Special Rapporteur on Trafficking in Persons, Report: *Trafficking in Persons, Especially Women and Children*, 6 August 2014, UN Doc. A/69/269, Annex, para 7(b) (explaining States must ensure trafficking victims “[a]re promptly and accurately identified”).

⁴¹⁵ CEDAW General Recommendation 38 (previously cited), para. 86. Paragraph 17 also affirms that State parties bear a legal obligation to respect and ensure the rights set out in the Convention to anyone within their power or effective control, even if not situated within their

no formal disarmament, demobilisation and reintegration (DDR) programme in north-east Nigeria.⁴²⁹ Although Amnesty International documented the presence of three females (one of whom may have been a girl) in the Safe Corridor detention facility in Gombe,⁴³⁰ and another who went through *Sulhu*,⁴³¹ these programmes are designed for males, primarily men. Aside from Bulumkutu Interim Care Centre, discussed below, and some support provided to girls who were abducted in Chibok in April 2014, there presently appears to be no formal government reintegration support for girls and young women coming out of Boko Haram.⁴³² On 4 April 2024, Amnesty International wrote to the Borno and Adamawa State governments seeking information about the availability of reintegration support for girls and young women associated with Boko Haram. At the time of publication, the letters remain unanswered.

Some of the girls and young women interviewed by Amnesty International were held by soldiers at checkpoints for several hours.⁴³³ Others said they were held there for days or weeks.⁴³⁴ From checkpoints, soldiers typically brought girls and young women to military barracks, to other facilities under military control or to prisons for anywhere between a few hours to three days as they underwent preliminary screening (see section 5.1.2). From there, soldiers directed many girls and young women to IDP camps (see section 5.4). Once in IDP camps, some were reunited with their families, and some left to communities. Fourteen interviewees went from IDP camps or villages to Hajj Transit Camp or Shukuri Transit Centre (see section 5.3).⁴³⁵

Soldiers unlawfully detained 31 girls and young women interviewed by Amnesty International, some without undergoing preliminary screening, for anywhere between five days and almost four years between 2015 and mid-2023 (see section 5.2). Most of the girls and young women Amnesty International spoke with who spent time in BICC (see section 5.3) arrived there after prolonged periods of unlawful detention in Giwa Barracks.

respective territories. See also paragraph 17 in UN Security Council Resolution 2388 urging member states “to assess the individual situation of persons released from the captivity of armed and terrorist groups so as to enable prompt identification of victims of trafficking, their treatment as victims of crime and to consider, in line with domestic legislation, not prosecuting or punishing victims of trafficking for unlawful activities they committed as a direct result of having been subjected to trafficking”. UNSC, Resolution 2388 (2017), adopted on 21 November 2021, UN Doc. S/RES/2388, para. 17.

⁴¹⁶ CEDAW General Recommendation 38 (previously cited), paragraph 78, which states that identification should not be led exclusively by law enforcement, or immigration officials (or, by extension, military or national security officials).

⁴¹⁷ CEDAW General Recommendation 38 (previously cited), para. 40.

⁴¹⁸ CRC, Article 39.

⁴¹⁹ Within the Borno Model, the process being developed is referred to as Disarmament, Demobilization, Deradicalization, Rehabilitation, Reintegration, and Reconciliation (DDDRRR). Interview in person with human rights defender, 18 July 2023, Maiduguri, Borno State; Interview in person with senior humanitarian worker, 20 July 2023, Abuja, Federal Capital Territory.

⁴²⁰ UN, *Integrated DDR Standards* (previously cited), p. 10.

⁴²¹ UNSC, Resolution 2467 (2019), adopted on 23 April 2019, S/RES/2467, para. 16.

⁴²² Office of the SRSG-CAAC, *Reintegration of former child soldiers*, September 2018, <https://childrenandarmedconflict.un.org/wp-content/uploads/2018/09/Reintegration-brochure-layout.pdf>, pp. 6-7.

⁴²³ Paris Principles, paras. 7.24.0

⁴²⁴ Paris Principles, paras. 7.30 – 7.32 (on an inclusive approach to reintegration); Paris Principles, paras. 7.33 – 7.35 (on material assistance). See also, ICRC, *Children Associated with armed forces or armed groups*, September 2013, <https://www.icrc.org/en/doc/assets/files/publications/icrc-002-0824.pdf>, p. 11.

⁴²⁵ Allamin Foundation for Peace and Development (AFPD), *Making Healing Work: Reclaiming our Humanity Through Transitional Justice*, 29 January 2023, on file with Amnesty International, p. 13.

⁴²⁶ Interview in person with NGO staff member, 4 July 2023, Maiduguri, Borno State.

⁴²⁷ ISS, “Female Boko Haram members need tailor-made rehabilitation”, 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>

⁴²⁸ For more, see, Center for Strategic and International Studies (CSIS), “Deconstructing Disarmament and Reconciliation Programs in Northeast Nigeria”, 10 January 2022, <https://www.csis.org/analysis/deconstructing-disarmament-and-reconciliation-programs-northeast-nigeria>; The New Humanitarian, “Nigeria’s secret programme to lure top Boko Haram defectors”, 19 August 2021, <https://www.thenewhumanitarian.org/news/2021/8/19/nigerias-secret-programme-to-lure-top-boko-haram-defectors>. *Sulhu* is operated by Nigeria’s Department of State Services and the military.

⁴²⁹ Interview in person with Nigerian human rights defender, 18 July 2023, Maiduguri, Borno State; Interview in person with a member of the diplomatic community, 19 July 2023, Abuja, Federal Capital Territory; Interview by voice call with a member of the diplomatic community, 28 July 2023.

⁴³⁰ Interview in person with survivor “BC”, 10 July 2023, Maiduguri, Borno State; Interviews conducted separately by voice call with two survivors, September and December 2020.

⁴³¹ Interview in person with survivor “GA”, 3 October, Maiduguri, Borno State.

⁴³² ISS, “Female Boko Haram members need tailor-made rehabilitation”, 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>

⁴³³ Interviews conducted separately in person with survivors, July to October 2023, Maiduguri, Borno State.

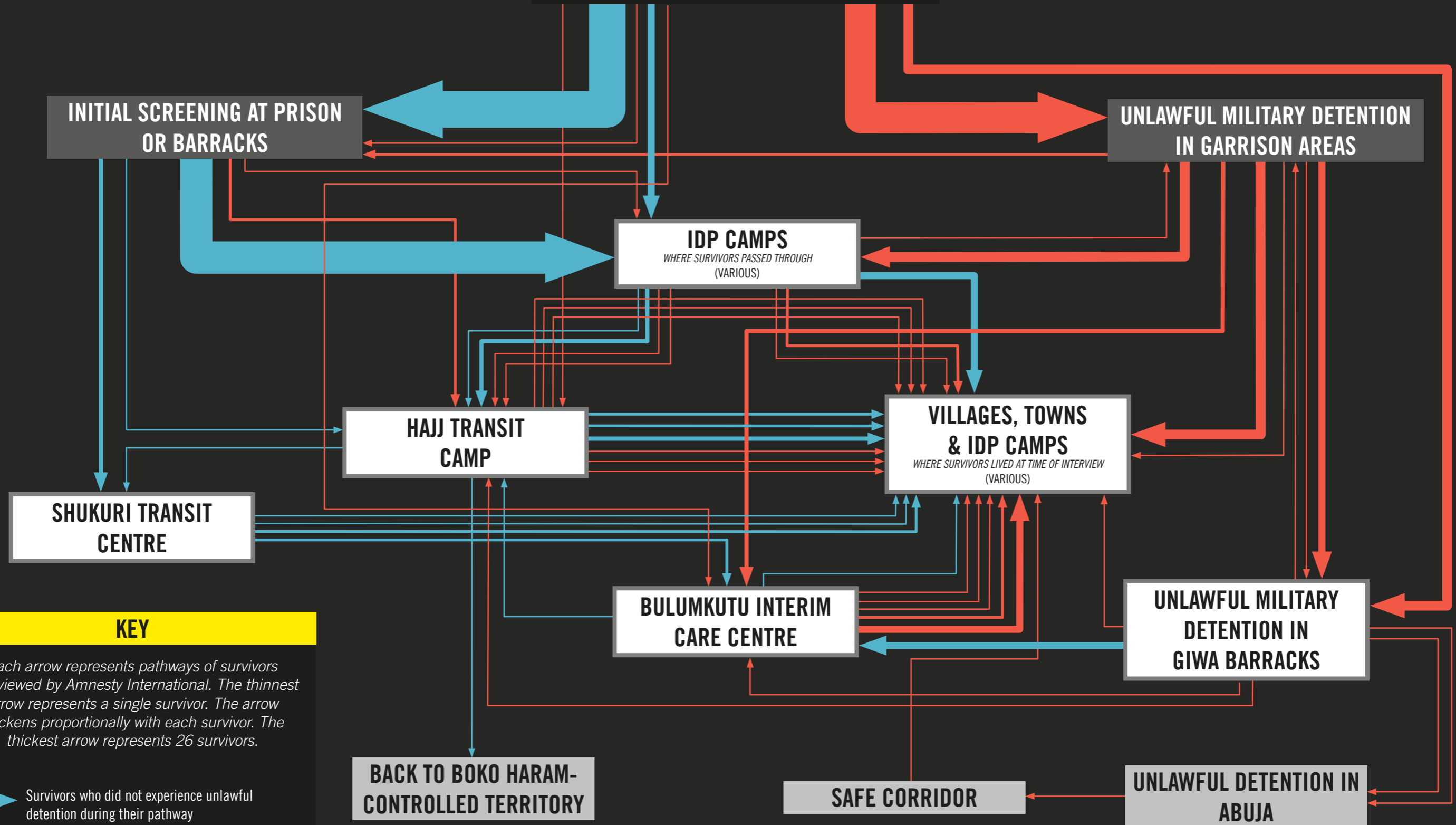
⁴³⁴ Interviews conducted separately in person with survivors, July to October 2023, Maiduguri, Borno State.

⁴³⁵ Interviews conducted separately in person with 14 survivors, July to October 2023, Maiduguri, Borno State. Other girls and young women ended up in Hajj Transit Camp and Shukuri Transit Centre through different pathways.

SURVIVORS' PATHWAYS OUT OF BOKO HARAM-CONTROLLED TERRITORY



THIS GRAPHIC SHOWS THE PATHWAYS AS DESCRIBED BY 63 BOKO HARAM SURVIVORS INTERVIEWED BY AMNESTY INTERNATIONAL WHO EXITED BETWEEN 2015 AND EARLY 2024

INTO THE HANDS OF SOLDIERS



KEY

Each arrow represents pathways of survivors interviewed by Amnesty International. The thinnest arrow represents a single survivor. The arrow thickens proportionally with each survivor. The thickest arrow represents 26 survivors.

-  Survivors who did not experience unlawful detention during their pathway
-  Survivors who experienced unlawful detention in their pathway

Amnesty International spoke with five girls who left Boko Haram or the group's territory after the signing of the handover protocol in 2022. After soldiers asked the girls basic questions and registered them, the soldiers transferred four of the girls to Nigerian civil authorities in IDP camps.⁴³⁶ One adolescent girl, DD, who left Boko Haram-held territory with a Boko Haram fighter whom she described as a father figure, told Amnesty International that soldiers kept her in military barracks for around two weeks until "soldiers... then brought us to Hajj Camp... and I met so many girls like me and younger than me".⁴³⁷

The pathways for girls and young women exiting Boko Haram have been and remain largely unclear. What has happened to them has not been based on their needs, but rather overwhelmingly determined by whether their relatives could be located and the whereabouts of their "husbands".

5.1.1 TREATMENT AT INITIAL ENCOUNTER

Interviewees expressed a variety of experiences when describing how Nigerian soldiers treated them when first encountering them after leaving Boko Haram or its territory. At least 14 spoke of kindness, such as soldiers giving them food and water, letting them bathe, or buying shoes for them.⁴³⁸ In other cases, though, girls said soldiers beat and insulted them,⁴³⁹ including by calling them "Boko Haram wives" or "goats".⁴⁴⁰ The beatings constitute torture or other ill-treatment, prohibited under international law, and the insults while in military custody may likewise constitute ill-treatment.⁴⁴¹ There are many factors that could explain the difference in treatment, including geographic area, military commanders, and the year interviewees exited Boko Haram. Testimonies suggest that soldiers have treated girls better in the last several years.

Many girls and young women said that, after establishing they were not suicide bombers, soldiers perceived them as "Boko Haram wives" and did not consider them to be survivors of abductions, CRSV, other crimes under international law, and trafficking. YM, a teenager when she encountered soldiers in Bama in late 2022, said the soldiers did not ask her age, but asked her many questions about her "husband".⁴⁴² In addition, interviewees said soldiers asked them about their families, areas of origin, and their reasons for leaving Boko Haram. Two Kanuri-speaking girls said they experienced difficulties communicating with soldiers who only spoke Hausa.⁴⁴³

5.1.2 POOR AND OPAQUE SCREENING

Amnesty International has previously documented how the general "screening" process by the military and CJTF, for both men and women leaving Boko Haram or its territory, has been arbitrary in its application and closed to international observers.⁴⁴⁴ According to a Nigeria case study by the Institute for Integrated Transitions, which was able to interview a screening team member in 2018, individuals were categorized as: those "engaged deeply" with Boko Haram, those "peripheral", and those "not at all" involved.⁴⁴⁵ As of 2020, individuals coerced into their association with Boko Haram, which could include girls forced to be "wives", were still considered "peripheral".⁴⁴⁶

⁴³⁶ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State; Interviews conducted separately by voice call with two survivors, April 2024.

⁴³⁷ Interview by voice call with survivor "DD", 23 April 2024.

⁴³⁸ Interviews conducted separately by voice call with two survivors, April 2024; Interviews conducted separately in person with 11 survivors, July - October 2023, Maiduguri, Borno State; Interview conducted in person with survivor "JB", 5 January 2020, Madagali, Adamawa State.

⁴³⁹ Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State; Interview by voice call with survivor "AE", 25 November 2020.

⁴⁴⁰ Interviews conducted separately in person with four survivors, July to October 2023, Maiduguri, Borno State.

⁴⁴¹ Ill-treatment constitutes cruel, inhuman or degrading treatment. Ill-treatment is prohibited by key human rights instruments ratified by Nigeria including article 7 of the ICCPR, article 5 of the ACHPR and the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Nigeria ratified in 2001. OHCHR, "Status of Ratification Interactive Dashboard", <https://indicators.ohchr.org/> (accessed on 1 June 2024). Torture and other ill-treatment are also prohibited under customary international law. The prohibition is non-derogable, meaning it applies in all circumstances, including in situations of non-international armed conflict and state of emergencies. Under international humanitarian law, common Article 3 of the four Geneva Conventions, applicable in non-international armed conflicts, expressly prohibits "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture" as well as "outrages upon personal dignity, in particular humiliating and degrading treatment". In addition, article 4 of Additional Protocol II prohibits "violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment".

⁴⁴² Interview in person with survivor "ZN", 6 July 2023, Maiduguri, Borno State.

⁴⁴³ Interviews conducted separately with two survivors, July 2023, Maiduguri, Borno State.

⁴⁴⁴ Amnesty International, *We Dried Our Tears* (previously cited), pp. 38-40.

⁴⁴⁵ UN University Centre for Policy Research, *The Limits of Punishment: Transitional Justice and Violent Extremism, Nigeria case study*, May 2018, <https://ifit-transitions.org/wp-content/uploads/2021/03/Nigeria-case-study-The-Limits-of-Punishment.pdf>, p. 22.

⁴⁴⁶ Amnesty International, *We Dried Our Tears* (previously cited), p. 39.

In the years since, there has been no significant improvement to the transparency and clarity of the screening process or categories. A 2022 report by the Cairo International Centre for Conflict Resolution, Peacekeeping and Peacebuilding (CCCPA), an Egyptian public agency involved in training and research including on reintegration, described the screening process of all “surrendered individuals”.⁴⁴⁷ According to the report, individuals leaving Boko Haram and territory under its control report to the Military Intelligence Commanders at nine designated reception areas.⁴⁴⁸ “Surrendered fighters” then identify farmers who had lived in their areas of operation. Local government authorities and the CJTF then conduct a second round of identification and verification. The fourth step includes sharing the accounts and photos of “farmers” with community members of their areas of origin to verify they were indeed “farmers” rather than members of Boko Haram. Once their identities have been verified, they are asked to pledge an oath on the Qur’an vowing that they are farmers. They are then brought back to their communities.⁴⁴⁹

The Nigerian military, in collaboration with the Local Government Chairman, transport “surrendered individuals” to Hajj Transit Camp, Shukuri Transit Centre or Bulumkutu Interim Care Centre for more extensive profiling, screening and verification to assess rehabilitation and reintegration needs, assess individuals’ risk to society and “assess potential connection to known serious crimes or terrorist acts”.⁴⁵⁰ This is also meant to be the start of rehabilitation support.⁴⁵¹ In mid-2022, the CCCPA reported that 82% of the “caseload” are women and children.⁴⁵²

In a 2024 draft technical note on the Borno Model, the Borno State government says that it carries out this extensive profiling and screening in Hajj Transit Camp, supported by the Department of State Services and a community verification mechanism. During this process, individuals and families are divided into three categories which are: fighters; farmers (male farmers and their families who were forced to farm for Boko Haram but did not engage in combat); and unaccompanied persons.⁴⁵³

Relevant to girls and young women associated with, or perceived to be associated with, Boko Haram, are the first and last categories. The Borno Model strives to keep families together as a unit and the state government’s categories suggest that the authorities consider Boko Haram fighters’ family members as part of the first category. Wives of Boko Haram fighters, including those resulting from forced marriages, and their children, including those born of sexual violence, are also kept in Hajj Transit Camp, supposedly with special support from the Borno State Ministry of Women Affairs and Social Affairs (see sections 5.1.3 and 5.3.2). According to the 2024 technical note, “Women and children who are not connected to [a] family unit are considered unaccompanied associated persons.”⁴⁵⁴ These individuals are supposed to be relocated from Hajj Transit Camp to BICC for specialized support.⁴⁵⁵

The rubric leaves many questions unanswered. Amnesty International asked five representatives of diplomatic missions and UN staff to clarify the screening process. All replied that it is largely undefined and still being developed.⁴⁵⁶ They raised concerns regarding screening, and the Borno Model that it is part of, including the lack of transparency, impunity, discrimination, the legality under Nigerian law, and continued inaccessibility to international observers. It is also unclear if and how the information collected during

⁴⁴⁷ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited). It is unclear who are considered to be “surrendered individuals” and how, and on which grounds, this determination is made.

⁴⁴⁸ These are in Bama, Banki Junction, Banki, Gwoza, Konduga, Dikwa, Mafa, Maiduguri and Damboa. See CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 32. In northern Borno State, where ISWAP operates, the government had yet to establish reception areas at the time of the CCCPA study. See CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 32. A 2024 draft technical note on the Borno Model also describes that all persons leaving Boko Haram or the territory it controls are transported to nine reception areas and adds that the Military Intelligence Commanders conduct an initial screening. Borno State Government, “Draft technical note on the implementation of the Borno Model for managing mass-exits”, undated (updated in February 2024), on file with Amnesty International, p. 4.

⁴⁴⁹ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 34.

⁴⁵⁰ Borno State Government, “Draft technical note on the implementation of the Borno Model for managing mass-exits” (previously cited), p. 5.

⁴⁵¹ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 34; Borno State Government, “Draft technical note on the implementation of the Borno Model for managing mass-exits” (previously cited), p. 4.

⁴⁵² CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), pp. 33-34.

⁴⁵³ Borno State Government, “Draft technical note on the implementation of the Borno Model for managing mass-exits” (previously cited), p. 5.

⁴⁵⁴ Borno State Government, “Draft technical note on the implementation of the Borno Model for managing mass-exits” (previously cited), p. 5.

⁴⁵⁵ Borno State Government, “Draft technical note on the implementation of the Borno Model for managing mass-exits” (previously cited), p. 5.

⁴⁵⁶ Interview in person with member of Nigerian civil society, 4 July 2023, Maiduguri, Borno State; Interview in person with member of the diplomatic community, 19 July 2023, Abuja, Federal Capital Territory; Interview by voice call with member of the diplomatic community, 28 July 2023; Interview by voice call with UN staff, 2 February 2024; Interview by voice call with UN staff, 25 March 2024.

screening is stored. A 2021 media report described the process as “threadbare” and included allegations of corruption.⁴⁵⁷

On 4 April 2024, Amnesty International wrote to the Governor of Borno State to seek clarification. At the time of publication, the letter remains unanswered. Amnesty International also wrote to the Nigerian military and asked questions on screening, but the response from the Office of the Chief of Army Staff (see Annex) did not include answers to those questions.

The screening process does not appear to attempt to identify victims of forced marriage and trafficking and other Boko Haram abuses, further obstructing support these victims are entitled to under international human rights law. When Amnesty International asked girls and young women who had exited Boko Haram or its territory what questions soldiers or other government authorities asked them during the screening process, none of the interviewees said they were asked whether they had married or joined Boko Haram freely. Only one survivor, a girl, said soldiers asked her at which age she entered Boko Haram.⁴⁵⁸ Four interviewees said soldiers took photographs of them but were unable to tell Amnesty International what these photographs were for.⁴⁵⁹

Under the 2022 handover protocol, Nigerian security agencies should only ask information necessary to establish children’s ages and home origin, and to establish their health and family status.⁴⁶⁰ Amnesty International spoke with five girls who exited Boko Haram or the group’s territory after September 2022.⁴⁶¹ Three of them told Amnesty International that soldiers did not ask their age.⁴⁶² Interviewees said soldiers asked for their home origin and asked about their Boko Haram “husbands”. None said soldiers asked questions to understand the status of their health, as part of facilitating their rehabilitation.

5.1.3 “HUSBANDS” MATTER, GIRLS DON’T

Overwhelmingly, girls told Amnesty International that, in recent years, their trajectory through the screening and reintegration process was largely determined by the whereabouts of their “husbands” and whether relatives could be found. **ZN**, a teenager who arrived in Bama in 2023 and said soldiers held her overnight in a “big house”, which Amnesty International believes to most likely be Bama Prison, told Amnesty International: “They brought a car. Those with husbands were taken to Hajj camp. We, without husbands, [were] taken [by CJTF] to the place for new arrivals.”⁴⁶³

Amnesty International’s interviews with girls and younger women formerly associated with Boko Haram also indicate a decrease in girls held in military detention over the last few years.⁴⁶⁴ In addition to Amnesty International’s documentation of girls in detention, the UN documented the presence of five girls in military detention in 2022.⁴⁶⁵

As mentioned above, to incentivize defections, Governor Zulum promised Boko Haram fighters that they would not be handed over to the military, would be provided for and would be reunited with their families.⁴⁶⁶ As part of that reunification, state authorities have actively returned girls and young women associated with Boko Haram – many of whom had, until then, successfully managed to escape their forced and abusive marriages – to their “husbands” who had subjected them to rape repeatedly. The girls and young women interviewed by Amnesty International indicated that they were not given a meaningful choice or alternative to this “reunification”. Some interviewees followed instructions given by their “husbands” who organized transport for them, while others were put in lorries and transported to Hajj Transit Camp at times by state authorities. A minority of the interviewees indicated a desire to be reunited with their “husbands”, though for some this was for economic reasons.⁴⁶⁷

⁴⁵⁷ France 24, “Inside Nigeria’s centres for jihadists and their captives”, 11 April 2023, <https://www.france24.com/en/live-news/20230411-inside-nigeria-s-centres-for-jihadists-and-their-captives>

⁴⁵⁸ Interview by voice call with survivor “DD”, 23 April 2014.

⁴⁵⁹ Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State; Interview by voice call with survivor “II”, 25 April 2024.

⁴⁶⁰ Handover Protocol, p. 5.

⁴⁶¹ Interviews conducted separately with two survivors, July 2023, Maiduguri, Borno State; Interviews conducted separately by voice call with two survivors, April 2024.

⁴⁶² Interview in person with survivor “ZN”, 6 July 2023, Maiduguri, Borno State; Interviews conducted separately by voice call with two survivors April 2024.

⁴⁶³ Interview in person with survivor “ZN”, 6 July 2023, Maiduguri, Borno State.

⁴⁶⁴ The military detained thousands of children for months or years during the conflict. Over the years, this has become less frequent. For more, see Amnesty International, *We Dried Our Tears* (previously cited), pp. 36 – 54.

⁴⁶⁵ UNSG, Report: *Children and Armed Conflict*, 5 June 2023, UN Doc. A/77/895-S/2023/363, para. 282.

⁴⁶⁶ Interview in person with senior humanitarian worker, 20 July 2023, Abuja, Federal Capital Territory.

⁴⁶⁷ Interviews conducted separately in person with survivors, July and October 2023, Maiduguri, Borno State.

Boko Haram's abductions, forced marriage, and use of girls as "wives" across north-east Nigeria is well documented. State authorities should have known they were likely interacting with survivors of crimes under international law and of trafficking in persons when encountering girls and young women exiting Boko Haram-controlled areas. Where state authorities have actively facilitated reunification of girls and young women with their "husbands" without hearing their preference and without providing alternatives, they have failed in their obligation to protect these girls and young women.⁴⁶⁸

Almost all interviewees who went to Hajj Transit Camp went together with their "husbands" or because their "husbands" were already in the camp. Five girls and young women described being summoned by their "husbands" to come to Hajj Transit Camp.⁴⁶⁹ Not long after being reunited with her uncle in Marte, **ZN**, around 15 years old at the time, received a phone call from her "husband" telling her to join him at Hajj Transit Camp. She was taken there on transport arranged by her "husband" and stayed at Hajj Transit Camp with him for about six months, cooking for him and sewing caps.⁴⁷⁰ She now lives with her "husband" and her parents, who were Boko Haram members, in an IDP camp.

YA, a young woman twice forcibly married to Boko Haram fighters, told Amnesty International that after a few days in Bama IDP camp, she was taken to Hajj Transit Camp, where her "husband" was. "First, [the] men arrive to Hajj camp. Tell them our family is in Bama. [A] car will come with [a] list. They will call your name and your husband's name. Get ready and [we] take you to [your] husband [in the] camp," she said.⁴⁷¹ **GC**, who escaped from Boko Haram, told Amnesty International: "Somebody came... 'Your husband made a call. [He] needs you in Hajj camp.' [He] asked me to go to Hajj camp."⁴⁷²

State authorities do not allow girls and young women without "husbands" to stay in Hajj Transit Camp. **SH** told Amnesty International that when she was in Damboa General Hospital IDP camp, "they just asked for people [who] came from [the] bush. They took us to Hajj camp. [After] three days, [we were] sent back... For those of us [whose] husband is not around, [they] refused to keep us there and just sent us back to Damboa."⁴⁷³ **SE**, a young woman, told Amnesty International about her experience arriving at the Hajj Transit Camp gate: "They didn't put us in Hajj camp. They said it's not going to be possible, because our husbands are not here... Then they took us to Shukuri to our husbands."⁴⁷⁴ She later stayed in Hajj Transit Camp when her "husband" was transferred there.

Interviewees who spent time at Shukuri Transit Centre also said they were not given an informed choice of where to go. **GW**, a young teenager who had been reunited with her parents when she had arrived in Bama IDP camp after escaping from Boko Haram, said:

"[I was] staying with my parents, and [they] sent people to come take us along and to hold us for one or two months... I don't know where to. [They] said they should just take us to the place [Shukuri]... I don't know where the instructions [were] coming from... That is how we got separated from [our] parents."⁴⁷⁵

The girls in Shukuri Transit Centre stayed there because authorities placed male relatives or their "husbands" there. **HN** said she was taken to Shukuri Transit Centre because her father, an ISWAP fighter, was taken there,⁴⁷⁶ and **BU** said she was moved to be placed with her older brother and his family.⁴⁷⁷ Two girls told Amnesty International they went to the transit centre because their "husbands" – whom they had been forced to marry and who had subjected them to sexual violence – asked them to.⁴⁷⁸

⁴⁶⁸ CEDAW, Article 6, for example, states that "States Parties shall take all appropriate measures... to suppress all forms of traffic in women". States have an obligation to ensure the rights of victims of trafficking, including to protection and remedies. CEDAW General Recommendation 38 (previously cited) paragraph 41 specifically notes that "States parties are obligated to protect victims of trafficking in persons, especially women and children, from revictimization, which includes guaranteeing victims of trafficking protection against forcible return." Article 16.1(b) of CEDAW also recognizes women's right to "enter into marriage only with their free and full consent."

⁴⁶⁹ Interviews conducted separately in person with five survivors, July, Maiduguri, Borno State.

⁴⁷⁰ Interview in person with survivor "ZN", 6 July 2023, Maiduguri, Borno State.

⁴⁷¹ Interview in person with survivor "YA", 5 July 2023, Maiduguri, Borno State

⁴⁷² Interview in person with survivor "GC", 5 and 6 July 2023, Maiduguri, Borno State

⁴⁷³ Interview in person with survivor "SH", 14 July 2023, Maiduguri, Borno State.

⁴⁷⁴ Interview in person with survivor "SE", 4 October 2023, Maiduguri, Borno State.

⁴⁷⁵ Interview in person with survivor "GW", 30 September 2023, Maiduguri, Borno State.

⁴⁷⁶ Interview in person with survivor "HN", 30 September 2023, Maiduguri, Borno State.

⁴⁷⁷ Interview in person with survivor "BU", 30 September 2023, Maiduguri, Borno State.

⁴⁷⁸ Interviews conducted separately in person with two survivors, 30 September 2023, Maiduguri, Borno State.

5.2 EXPERIENCES UNIQUE TO GIRLS IN DETENTION

“I kept on crying. I was afraid of what would happen.”

AIA, Boko Haram survivor and girl detainee in Giwa Barracks, 15 July 2023, Maiduguri, Borno State

After encountering soldiers, many girls and young women were unlawfully detained by the military. Amnesty International spoke with a total of 34 Boko Haram survivors who were unlawfully detained by the military,⁴⁷⁹ of whom at least 13 were still girls when they were detained.⁴⁸⁰ Three of them said they were perceived to be associated with Boko Haram but told Amnesty International that they had, in fact, not been part of the group.⁴⁸¹ Of the 34 survivors, three were adults when they became, or were perceived to be, associated with Boko Haram and, for the purposes of this research, are eyewitnesses to violations against girls and young women in unlawful detention.⁴⁸²

The Nigerian military has arbitrarily detained tens of thousands of people, including thousands of children throughout the conflict for prolonged periods of time in terrible conditions.⁴⁸³ Unique to girls' and young women's experience in military detention was being detained with the babies and children they gave birth to during their captivity, giving birth during their detention period, witnessing children die in detention, and being subjected to certain insults by soldiers and members of the CJTF.

Two interviewees said they told soldiers that they were younger than 18 years old, but that soldiers detained them nonetheless.⁴⁸⁴ **JG**, who was unlawfully detained in Giwa Barracks around 2019 or 2020, said: “I told [the soldiers that] I was 14 or 15 [years old].” She said soldiers nonetheless detained her and her months-old son for around two months.⁴⁸⁵ In May 2020, Amnesty International reported that some children said soldiers wrote down ages older than the child indicated when arriving to detention, preventing some children from being released because military records wrongly indicated the person is an adult.⁴⁸⁶

Periods of detention ranged from between several days and almost four years. Amnesty International did not document unlawful detention of girls associated, or perceived to be associated, with Boko Haram by the Nigerian military after September 2022, but did document the continued unlawful detention of young women after September 2022.

The military detained some interviewees in military barracks, formal prisons, and makeshift prisons in garrison towns in Borno and Adamawa States. Some were later transferred to Giwa Barracks in Maiduguri, infamous for its inhumane conditions, though they have improved over time. Others were taken straight to Giwa Barracks,⁴⁸⁷ or were flown from Giwa Barracks to a detention facility in Abuja.⁴⁸⁸ All girls were detained with adult women, which included female family members.

In Giwa Barracks, girls were routinely held in a “women’s cell”.⁴⁸⁹ In July 2018, after the release of 183 children, the military closed the children’s cell in Giwa Barracks, likely to give the impression that it was no longer detaining children, when it continued doing so.⁴⁹⁰ At least seven of the girls Amnesty interviewed were detained in Giwa Barracks after mid-July 2018.⁴⁹¹

⁴⁷⁹ Interviews conducted separately in person with 28 survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview in person with survivor “NC”, 1 January 2020, Michika, Adamawa State; Interviews conducted separately in person with 3 survivors, January 2020, Madagali, Adamawa State.

⁴⁸⁰ Interviews conducted separately in person with nine survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with “AE”, 25 November 2020; Interview in person with “NC” 1 January 2020, Michika, Adamawa State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State.

⁴⁸¹ Interviews conducted separately in person with three survivors, September and October 2023, Maiduguri, Borno State.

⁴⁸² Interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

⁴⁸³ Amnesty International *If You See It You Will Cry* (previously cited); Amnesty International *They Betrayed Us* (previously cited); Amnesty International *We Dried Our Tears* (previously cited).

⁴⁸⁴ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁴⁸⁵ Interview in person with “JG”, 16 July 2023, Maiduguri, Borno State.

⁴⁸⁶ Amnesty International, *We Dried Our Tears* (previously cited), p. 43.

⁴⁸⁷ Interviews conducted separately in person with seven survivors, July to October 2023, Maiduguri, Borno State.

⁴⁸⁸ Interview in person with survivor “BC”, 10 July 2023, Maiduguri, Borno State; interview in person with survivor “JB”, 5 January 2020, Madagali, Adamawa State.

⁴⁸⁹ Amnesty International, *They Betrayed Us* (previously cited); Amnesty International, *We Dried Our Tears* (previously cited).

⁴⁹⁰ Amnesty International, *We Dried Our Tears*, (previously cited), p. 42.

⁴⁹¹ Interview by voice call with survivor “AE”, 25 November 2020; Interviews conducted separately in person with six survivors, July to October 2023, Maiduguri, Borno State.

None of the interviewees was charged with a criminal offence. At least six girls and young women were not informed about the reason soldiers arrested and detained them.⁴⁹² “Nobody explained anything to us. They just brought us there and nobody told us anything,” said **BZ**, who was detained in Giwa Barracks from around 2017 to 2020 when she was a teenager.⁴⁹³

Girls and young women told Amnesty International that reasons for their detention included phone calls with their Boko Haram “husbands”; their forced use as suicide bombers; preventing them from returning to Boko Haram; and generally, their association with Boko Haram.⁴⁹⁴

None of the detained interviewees had access to a lawyer while in detention, appeared before a competent court, or had the chance to challenge the lawfulness of their detention. “The military would tell us we are going to be charged and go to court... None of us ever saw a lawyer,” said **AE**, who was detained in Giwa Barracks in 2019 and 2020, when she was around 16 years old.⁴⁹⁵

In a May 2020 report, Amnesty International reported that the only way children detained in detention facilities had access to family members was if those family members were detained with them.⁴⁹⁶ This appears to have improved. **BK**, a young teenager detained in Giwa Barracks in 2021 or 2022, said family members were “sometimes allowed to come in, sometimes [soldiers did] not allow them”.⁴⁹⁷ **GC**, detained by the military in Mafa for two weeks around mid-May 2021, told Amnesty International, “If your relatives heard about you, [they would be] given five to ten minutes to visit you.”⁴⁹⁸ Two interviewees detained at the “King’s House” in Gwoza said relatives were allowed to visit, including to provide food.⁴⁹⁹

None of the detained girls Amnesty International interviewed took part in educational or recreational activities during their time in detention. Three said they accessed medical services,⁵⁰⁰ but Amnesty International was unable to determine whether these were appropriate for their age. Girls described varying levels of ability to spend parts of their day outside. In most cases in garrison towns, time spent outside was the result of the overcrowding of cells.⁵⁰¹

AV, around 15 years old when she escaped Boko Haram in late 2021 or early 2022 after years of captivity, was unlawfully detained by soldiers for almost two months in Yola, Adamawa State. She said, “[Soldiers] asked us about Boko Haram, where they are and what they are saying... No, [nobody told me anything about counselling, vocational training or other services.]”⁵⁰² **AV** now lives with her grandmother, whom soldiers reunited her with, and survives on casual labour and support from neighbours.

At the end of their detention, soldiers would either bring the girls and young women to IDP camps or to BICC, or family members would pick them up. One girl was taken to Hajj Transit Camp with her aunt in 2021 or 2022.⁵⁰³ Often, the moment of their release was determined by whether the military was able to find their relatives. One girl was freed as part of mass releases of children,⁵⁰⁴ likely following pressure by international actors. Most interviewees were neither able to explain the timing or reason of their release from detention, nor did they know where they would be taken next and what would happen to them when they got there.

⁴⁹² Interviews conducted separately in person with six survivors, July to October 2023, Maiduguri, Borno State.

⁴⁹³ Interview with survivor “BZ”, 30 September 2023, Maiduguri, Borno State.

⁴⁹⁴ Interview by voice call with survivor “AE”, 25 November 2020; Interviews conducted separately in person with nine survivors, July to October 2023, Maiduguri, Borno State.

⁴⁹⁵ Interview by voice call with survivor “AE”, 25 November 2020

⁴⁹⁶ Amnesty International, *We Dried Our Tears* (previously cited).

⁴⁹⁷ Interview in person with “BK”, 15 July 2023, Maiduguri, Borno State.

⁴⁹⁸ Interview in person with “GC”, 5 and 6 July 2023, Maiduguri, Borno State.

⁴⁹⁹ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁵⁰⁰ Interviews conducted separately in person with three survivors, July to October 2023, Maiduguri, Borno State.

⁵⁰¹ Interviews conducted separately in person with two survivors, in July 2023, Maiduguri, Borno State.

⁵⁰² Interview in person with survivor “AV”, 9 July 2023, Maiduguri, Borno State, Nigeria.

⁵⁰³ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

⁵⁰⁴ Interview in person with survivor “AT”, 1 October 2023, Maiduguri, Borno State.

PROTECTION AGAINST THE UNLAWFUL DETENTION OF GIRLS AND YOUNG WOMEN

Girls and young women who fled Boko Haram and their territory and who are not suspected of serious crimes consistent with international human rights law must not be detained. Instead, their human rights must be protected, respected and fulfilled, and they should receive specialised reintegration support provided for under international human rights law (see text box at the top of this chapter).⁵⁰⁵ The Nigerian military has a responsibility to immediately release any girls and young women, and more broadly all individuals, from military detention or to charge them with a crime recognizable under international law and ensure they receive a fair trial without recourse to the death penalty – also reflecting protections under international anti-trafficking and human rights law, including the non-punishment principle.

International law establishes protections from arbitrary arrest and detention.⁵⁰⁶ Detaining women and girls because of their association with Boko Haram, whether through “marriage” or otherwise, is not a legitimate ground for detention and is arbitrary.

Once arrested, all individuals including girls and young women, have a range of rights including to be promptly informed of the reason for arrest or detention and of any charges, to be assisted by a lawyer, to be brought promptly before a judge, and to challenge the lawfulness of their detention.⁵⁰⁷

Children receive special protections under international law, including that any detention or imprisonment “shall be used only as a measure of last resort and for the shortest appropriate period of time”.⁵⁰⁸ Under international human rights law, authorities should consider alternatives to formal judicial proceedings and priority should be given to rehabilitation in a non-custodial setting.⁵⁰⁹ As mentioned in the text box in Chapter 1, the Nigerian government has committed to treating children associated with groups such as Boko Haram primarily as victims of crimes and to only prosecute them as a measure of last resort.⁵¹⁰ International guidelines make clear that children should not be prosecuted for mere association with an armed group or force.⁵¹¹

In addition, under international law, children involved in armed conflict are considered primarily as victims of serious violations who require reintegration.⁵¹² In July 2018, the UNSC expressly called on member states to, as a matter of priority, end military detention of children.⁵¹³ Nigeria’s 2003 Child Rights Act provides for an apprehended child to be released “without delay”,⁵¹⁴ and pre-trial detention to be “a measure of last resort and for the shortest possible period of time”.⁵¹⁵

Trafficking victims should also be protected through the non-punishment principle under international anti-trafficking and human rights law. This principle protects trafficking victims from being re-victimized by being detained, charged or prosecuted for activities that they were compelled to do as are a “direct result” of being trafficked.⁵¹⁶

The detentions described in this chapter are unlawful. None of the girls interviewed in this report had been informed of any charges against them, or had access to a lawyer, a judge, or a trial. They were detained without any legal basis. These detentions violate the interviewees’ right to liberty and right to a fair trial protected by international human rights law⁵¹⁷ and Nigeria’s constitution.⁵¹⁸

In addition, the findings in this report build on a decade of Amnesty International documentation of crimes under international law by the Nigerian military in the north-east. In 2015, Amnesty International determined that crimes by the Nigerian military were perpetrated in a widespread and systematic manner and possibly in the context of an attack against the civilian population pursuant to a state policy.⁵¹⁹ Subsequent reports by Amnesty documented the continuation of these crimes,⁵²⁰ increasing the likelihood of the existence of such attack against the civilian population – and therefore, the likelihood of these crimes qualifying as crimes against humanity. As such, the unlawful detentions documented in the present report may have been committed as part of that same widespread and systematic attack against a civilian population and therefore they may amount to the crime against humanity of imprisonment.⁵²¹

⁵⁰⁵ Article 39 of the CRC obliges State Parties to “take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of:” various forms of harm and armed conflict. It furthermore states that “Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.” In addition, Article 38.4 of the CRC states that State Parties shall “take all feasible measures to ensure protection and care of children who are affected by an armed conflict. Article 6.3 of the CRC’s Optional Protocol also obliges State Parties to provide assistance to children within their jurisdiction who have been recruited or used in hostilities to enable their physical and psychological recovery and their social reintegration. Article 7 of the CRC’s Optional Protocol provides for cooperation, technical and financial assistance to the State Parties’ prevention and rehabilitation efforts. Relevant standards and principles are set out in paragraph 63 of the Paris Principles. For more thematic guidance on reintegration programming for children associated with armed forces and armed groups, see Child Protection Working Group (CPWG), *Inter Agency Guidelines for Case Management and Child Protection*, January 2014, <https://resourcecentre.savethechildren.net/document/inter-agency->

5.2.1 ABUSE IN DETENTION BY NIGERIAN SOLDIERS OR CJTF MEMBERS

Boko Haram survivors said they were insulted and beaten, and witnessed the beatings of others, by soldiers during their detention. All detention facilities where the interviewees were held were run by the Nigerian military. In some facilities, CJTF members played supporting roles.

One girl, **GN**, told Amnesty International that soldiers beat her with a cane during interrogation over the course of three days when she was detained in Bama Prison in 2021:

“They [soldiers] asked me why I was calling people from the bush. I told them I am asking the people [in Boko Haram] to come back to town, to leave the bush. They said no, that I am informing the people in the bush that soldiers are coming to them. They just put me in the cell and locked me [up]. They were beating me for three days [with a cane]. As they were asking me what I was calling the people from the bush for, what I was telling them, they were beating me.”⁵²²

Three girls witnessed soldiers beat female detainees, and heard the screams of male detainees being beaten, in Giwa Barracks.⁵²³ **BK**, a young teenager detained in Giwa Barracks in 2021 or 2022, said soldiers beat her aunt for refusing to let them take **BK** out of the cell with them:

“When we are in the cell in Giwa Barracks at night, soldiers come into the cell. [They] need girls outside the cell just to play, have fun, buy mint, to have fun with girls. One soldier showed interest in me, but my auntie didn’t allow it. She said I am too young to follow men like that... [They] said they would beat my auntie up, but she refused, and they keep beating her up day by day.”⁵²⁴

Based on past research documenting sexual violence in Nigerian military detention, Amnesty International understands the phrasing “need girls to play” and “have fun with girls” to mean sex.⁵²⁵ Testimonies like **BK**’s suggest that this sex was sometimes coerced or forced. Sexual conduct between detainees and persons in authority enforcing detention are presumed to be criminal acts of rape or sexual violence, due to the inherently coercive nature of detention.⁵²⁶ The circumstances in Giwa Barracks were so coercive as to negate any possibility of consent. Any sexual acts between those detained in Giwa Barracks and those in a

guidelines-case-management-and-child-protection/; Alliance for Child Protection in Humanitarian Action, *The Minimum Standards for Child Protection in Humanitarian Action*, 15 April 2020, https://alliancecpa.org/en/CPMS_home; Inter-agency Network for Education in Emergencies, *Minimum Standards for Education: Preparedness, Response, Recovery*, 2024 edition, <https://inee.org/minimum-standards>; Inter-Agency Standing Committee (IASC), *Guidelines on Mental Health and Psychosocial Support in Emergency Settings*, 1 February 2007, <https://reliefweb.int/report/world/iasc-guidelines-mental-health-and-psycho-social-support-emergency-settings>

⁵⁰⁶ Article 9.1 of the ICCPR and article 6 of the ACHPR; ICRC, Customary International Humanitarian Law, Rule 99 (deprivation of liberty).

⁵⁰⁷ ICCPR, Article 14; ACHPR, article 7. See also the ACHPR Principles and Guidelines on the Rights to a Fair Trial and Legal Assistance in Africa.

⁵⁰⁸ CRC, Article 37(b).

⁵⁰⁹ CRC, Articles 40(3)(b), 40(4); Paris Principles, para. 3.7; United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), 29 November 1985, A/RES/40/33, Rule 11.

⁵¹⁰ Call to Action (previously cited).

⁵¹¹ Paris Principles, para. 8.7.

⁵¹² CRC, Article 39; CRC-OP-AC, Article 6.3 and 7.1. See also, paragraphs 3.6 and 8.7 of the Paris Principles and UNSC, Resolution 2427 (2018), adopted on 9 July 2018, S/RES/2427, para. 20

⁵¹³ Resolution 2427 (unscr.com)

⁵¹⁴ Nigeria, Child Rights Act, 2003, <https://www.refworld.org/legal/legislation/natlegbod/2003/en/105082>, section 211.

⁵¹⁵ Nigeria, Child Rights Act, 2003, <https://www.refworld.org/legal/legislation/natlegbod/2003/en/105082>, section 212.

⁵¹⁶ CEDAW Committee, General Recommendation 38 (previously cited), paragraph 98 requires that duty bearers ensure “all women and girls who are victims of trafficking, without exception, are not subject to arrest, charge, detention, prosecution or penalty or are otherwise punished for... their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as victims of trafficking”; OHCHR, *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (previously cited) *Principle on Protection and Assistance*; Special Rapporteur on Trafficking in Persons *Report on the Implementation of the Non-Punishment Principle* (previously cited), para. 18.

⁵¹⁷ ICCPR, Article 9.1; ACHPR, Article 6.

⁵¹⁸ Nigeria, Constitution, 1999, <http://www.nhrc.gov.ng/files/constitution.pdf>, Article 35.1.

⁵¹⁹ Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited), pp. 36-37.

⁵²⁰ Amnesty International, *If You See It, You Will Cry* (previously cited); Amnesty International, *They Betrayed Us* (previously cited) p. 76; Amnesty International, *We Dried Our Tears* (previously cited), p. 51; Amnesty International, *My Heart is in Pain* (previously cited), p. 35.

See also documentation by other organizations, for example, HRW, “*They didn’t know if I was alive or dead*”: *Military detention of children for suspected Boko Haram involvement in Northeast Nigeria*, 10 September 2019, <https://www.hrw.org/report/2019/09/10/they-didnt-know-if-i-was-alive-or-dead/military-detention-children-suspected-boko>;

⁵²¹ Rome Statute, Article 7(1)(e). See also Amnesty International, *They Betrayed Us* (previously cited), p. 76.

⁵²² Interview in person with survivor “GN”, 12 July 2023, Maiduguri, Borno State.

⁵²³ Interviews conducted separately with three survivors, in July and October, in Maiduguri, Borno State.

⁵²⁴ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State.

⁵²⁵ Amnesty International, *We Dried Our Tears* (previously cited), pp. 50-51; Amnesty International, “Children and women face sexual violence in Borno prisons”, 29 April 2019, <https://www.amnesty.org/en/latest/press-release/2019/04/nigeria-children-and-women-face-sexual-violence-in-borno-prisons/>

⁵²⁶ Amnesty International, *Rape and Sexual Violence* (previously cited), pp. 20-21.

position of authority in these circumstances would always amount to rape or other forms of sexual violence. Amnesty International previously documented sexual violence committed by soldiers as well as other detainees against women and children held in Maiduguri Maximum Prison and Giwa Barracks.⁵²⁷

Although the experience was not universal, five interviewees also spoke about being insulted by soldiers at the “King’s House” in Gwoza, including calling them “Boko Haram wives” and accusing them of killing all the people in town.⁵²⁸ Rather than view them as abductees or CRSV survivors, soldiers also asked interviewees why they had stayed with Boko Haram until soldiers “rescued” them.⁵²⁹ EE told Amnesty International, “Soldiers asked how can I go to [the] bush and get married to a man in the bush... A soldier said he likes me, wants to marry me.”⁵³⁰

The beatings – inflicted with the purpose of punishment – constitute torture or other ill-treatment and are violations of Nigeria’s international legal obligations⁵³¹ and Nigeria’s constitution.⁵³² The insults, directed at girls when their liberty was deprived, may also constitute forms of ill-treatment. Torture as well as humiliating or degrading treatment committed in the context of a non-international armed conflict constitute war crimes.⁵³³ Amnesty International has previously documented beatings and other forms of physical violence amounting to torture and other ill-treatment in Giwa Barracks and in military barracks in LGAs across Borno State.⁵³⁴

5.2.2 DETAINED WITH CHILDREN AND GIVING BIRTH

Many girls and young women gave birth or raised children while in detention. At least seven interviewees told Amnesty International that they were held with their months-old babies, small children, or sisters younger than five years old.⁵³⁵ At least ten others told Amnesty International that they saw multiple young children, not part of their family, detained in the cell or room with them.⁵³⁶

BB was about 16 years old in 2020 when she was detained in Giwa Barracks while pregnant. After three months, she went into labour. “The soldiers came and took me to the health facility [in Maimalari Barracks] and I delivered there,” she told Amnesty International.⁵³⁷ She said she was discharged after two days and brought back to Giwa Barracks. “They gave me Pampers and clothes for the baby, but it was little,” she said.⁵³⁸ She stayed in Giwa Barracks with her newborn daughter for 40 days before soldiers released her.

GN, a young woman when she was unlawfully detained in Giwa Barracks in late 2021 or early 2022, also gave birth during her detention.⁵³⁹ Amnesty International has previously documented nine other cases of women who had given birth while in detention.⁵⁴⁰

5.2.3 INHUMANE DETENTION CONDITIONS

Although conditions in the military detention facilities have improved over the last decade, they often have been, and remain, dire, including for girls and young women.

⁵²⁷ Amnesty International, “Children and women face sexual violence in Borno prisons”, 29 April 2019, <https://www.amnesty.org/en/latest/press-release/2019/04/nigeria-children-and-women-face-sexual-violence-in-borno-prisons/>; Amnesty International, *We Dried Our Tears* (previously cited), pp. 50-51; Amnesty International, *They Betrayed Us* (previously cited), p. 72.

⁵²⁸ Interviews conducted separately with five survivors, July 2023, Maiduguri, Borno State.

⁵²⁹ Interviews conducted separately with two survivors, July 2023, Maiduguri, Borno State.

⁵³⁰ Interview in person with survivor “EE”, 15 July 2023, Maiduguri, Borno State.

⁵³¹ CAT, Article 1 and 2; CRC, Article 37(a); ICCPR, Article 7; ACHPR, Article 5; African Youth Charter, 2006, Article 18(2)(a). The prohibition of torture and ill-treatment is a rule of customary international law.

⁵³² Nigeria, Constitution, 1999, <http://www.nhrc.gov.ng/files/constitution.pdf>, Article 34(1)(a).

⁵³³ Rome Statute, Article (8)(2)(c)(i) and (ii).

⁵³⁴ Amnesty International, *They Betrayed Us* (previously cited) pp. 70-72; Amnesty International, *We Dried Our Tears* (previously cited), p. 48.

⁵³⁵ Interviews conducted separately with seven survivors in July and October 2023, Maiduguri, Borno State. For more information on detention of children including boys, see Amnesty International, *We Dried Our Tears* (previously cited).

⁵³⁶ Interviews conducted separately with seven survivors in July 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview in person with survivor “NC”, 1 January 2020, Michika, Adamawa State; Interview in person with survivor “AH”, 5 January 2020, Madagali, Adamawa State.

⁵³⁷ Interview in person with survivor “BB”, 1 October 2023, Maiduguri, Borno State.

⁵³⁸ Interview in person with survivor “BB”, 1 October 2023, Maiduguri, Borno State.

⁵³⁹ Interview in person with survivor “GN”, 12 July 2023, Maiduguri, Borno State.

⁵⁴⁰ Amnesty International, *They Betrayed Us* (previously cited). p. 12.

CONGESTED AND UNSANITARY CONDITIONS

Six girls and young women detained in Giwa Barracks between 2017 and 2020 described congestion in their cells.⁵⁴¹ “Some people, they couldn’t even lie down, they had to stand and later when someone stands up, you could lie down,” said **BZ**, who estimates she was detained in Giwa Barracks for almost four years between 2017 and 2020, when she was a teenager.⁵⁴²

Interviewees also described overcrowded conditions in detention facilities in garrison towns, such as Yola, Madagali, Gwoza and Bama. **BN**, who was detained in Madagali Barracks for around three weeks in 2022, when she was a young woman, said, “[It was] tight. There were so many of us.”⁵⁴³

Three interviewees held at the “Kings House” in Gwoza described overcrowded rooms, forcing some to sleep on the veranda on mats without protection from mosquitos,⁵⁴⁴ putting them and their children at risk of malaria and other diseases. Three other interviewees described unsanitary rooms riddled with parasites.⁵⁴⁵

Five interviewees who were detained in Giwa Barracks between 2017 and 2021 told Amnesty International that they either had to use a bucket as a toilet or only had one toilet in their cell and one young woman held there in 2019 said she did not have a toilet at all.⁵⁴⁶ Access to toilets has improved over time, from around 2017, with the Red Cross constructing at least most of the initial toilets in Giwa Barracks, according to people formerly detained. In May 2020, Amnesty International reported that the number of toilets per people in a cell remained unbearable, though there had been improvements in bathing, and detainees could clean themselves once a week, rather than every two months, as it had been in earlier years of the conflict.⁵⁴⁷

Similar conditions were described in detention facilities in garrison towns. **GC**, unlawfully detained in Mafa military barracks around 2021, said she did not access water to bath during the two weeks she was held.⁵⁴⁸ Three interviewees who were unlawfully held in military custody in other garrison towns said they had no access to a toilet and were either forced to use the floor or a plastic bag, or they had to share one toilet with dozens of detainees.⁵⁴⁹ **NV**, who was around 20 years old when she escaped Boko Haram after eight years of captivity and was unlawfully detained by the Nigerian military in Madagali barracks for around two months in 2021, said:

“As a toilet... they [the soldiers] gave us a plastic bag... After we used it, we would throw it away.”⁵⁵⁰

INADEQUATE FOOD AND WATER

Nine girls and young women interviewed by Amnesty International for this report described accessing inadequate food and water in detention facilities, including in Giwa Barracks as well as in garrison towns.⁵⁵¹ About accessing food in a military detention facility in Adamawa State in around 2019, when she was a teenager, **IB** said, “When you have money, [the soldiers give you food]. Otherwise, they will not provide food.”⁵⁵²

NV, who soldiers unlawfully detained in their barracks in Madagali for around two months when she was around 20, after she had escaped from around eight years of Boko Haram captivity, said:

“When they [the soldiers] brought food for us to eat... they gave us a portion in our hand and soup in one bowl for all of us to share... They would measure the quantity of water that they would distribute to all of us to drink.”⁵⁵³

⁵⁴¹ Interviews conducted separately in person with four survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview in person with survivor “NC”, 1 January 2020, Michika, Adamawa State.

⁵⁴² Interview in person with survivor “BZ”, 30 September 2023, Maiduguri, Borno State.

⁵⁴³ Interview in person with survivor “BN”, 9 July 2023, Maiduguri, Borno State.

⁵⁴⁴ Interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

⁵⁴⁵ Interviews conducted separately in person with two survivors, July and October 2023, Maiduguri, Borno State; Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁵⁴⁶ Interviews conducted separately in person with four survivors, July to October 2023, Maiduguri, Borno State; Interview in person with survivor “JB”, 5 January 2020, Madagali, Adamawa State.

⁵⁴⁷ Amnesty International, *We Dried Our Tears* (previously cited), p. 46.

⁵⁴⁸ Interview in person with survivor “GC”, 5 and 6 July 2023, Maiduguri, Borno State.

⁵⁴⁹ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State; Interview in person with survivor “AH”, 5 January 2020, Madagali, Adamawa State.

⁵⁵⁰ Interview in person with survivor “NV”, 9 July 2023, Maiduguri, Borno State.

⁵⁵¹ Interviews conducted separately in person with six survivors, July and September 2023, Maiduguri, Borno State; Interviews conducted separately in person with three survivors, 5 January 2020, Madagali, Adamawa State.

⁵⁵² Interview in person with survivor “IB”, 8 July 2023, Maiduguri, Borno State.

⁵⁵³ Interview in person with survivor “NV”, 9 July 2023, Maiduguri, Borno State.

Two interviewees who had been detained by soldiers in Bama and Mafa between 2017 and 2022 told Amnesty International that they were given raw food, in two cases by CJTF members, to cook for themselves and other detainees.⁵⁵⁴ **GC**, the young woman detained by the military in Mafa for two weeks in 2021 or 2022, said, “The food was too bad. [There were] insects in the maize flour, maybe it was expired.”⁵⁵⁵ **GC** also said she was given food only once or twice a day.⁵⁵⁶

BC, around 18 years old in 2018 when she was unlawfully detained in Giwa Barracks for around two months after escaping Boko Haram captivity, said soldiers measured the amount of water she was given to drink in waterbottle lids. She said she was given the daily equivalent of three lids in the morning, five in the afternoon and two in the evening.⁵⁵⁷



BC holding the lid of a bottle to show the amount of water she was given to drink in Giwa Barracks around 2018. Maiduguri, Borno State, July 2023 © Amnesty International

WITNESSING DEATHS OF CHILDREN IN CUSTODY

At least 10,000 detainees, many of whom were children, including babies, have died in military custody throughout the conflict.⁵⁵⁸ Amnesty International documented mass starvation in Giwa Barracks between 2011 and 2014, and reported that children and adults detained in 2015 and 2016 typically described being fed only two small meals and two to three cups of water.⁵⁵⁹ In 2017, this increased to three meals a day.

⁵⁵⁴ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State; Interview in person with survivor “GC”, 5 and 6 July 2023, Maiduguri, Borno State.

⁵⁵⁵ Interview in person with survivor “GC”, 5 and 6 July 2023, Maiduguri, Borno State.

⁵⁵⁶ Interview in person with survivor “GC”, 5 and 6 July 2023, Maiduguri, Borno State.

⁵⁵⁷ Interview in person with survivor “BC”, 10 July 2023, Maiduguri, Borno State, Nigeria.

⁵⁵⁸ Whilst many deaths in detention were those of children, there are no precise figures. For more on numbers of deaths documented in custody, see Amnesty International, *My Heart is in Pain* (previously cited), pp. 42-44; Amnesty International, *If You See It, You Will Cry* (previously cited), pp. 10-18; Amnesty International, *They Betrayed Us* (previously cited), p. 71; Amnesty International, *We Dried Our Tears* (previously cited), pp. 49-50. During this research, Amnesty International spoke with two women (**GF** and **CN**) who soldiers unlawfully detained for around two months in Giwa Barracks around 2015. Two of the four children that were detained with **CN** died from measles in military custody. **GF** told Amnesty International that she witnessed eight children, four of whom were born in military custody, die in custody. She estimated the oldest child to be seven years old. Interviews conducted separately in person with two survivors, 13 July 2023, Maiduguri, Borno State.

⁵⁵⁹ Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited).

Detainees said the provision of food and water improved when the Red Cross gained access to military detention facilities. Between mid-2018 and late 2019, access to water improved, possibly to the level required under international law.⁵⁶⁰ However, as demonstrated above, even by 2021, some detainees continued to report inadequate conditions.⁵⁶¹

Three girls and young women interviewed by Amnesty International for this report said they witnessed infants and children die in military custody, including from measles and starvation.⁵⁶²

BK, a girl detained in Giwa Barracks in 2021 or 2022 for about four months, told Amnesty International that one baby with whom she shared the cell died of hunger. “By then, the mother was breastfeeding, but there is no breastmilk. [The] mother is hungry too,” she recalled.⁵⁶³

NC, detained in Giwa Barracks in 2017 or 2018, said she “saw about six children die during my time there and their bodies were taken outside, put in black bags and put in an ambulance”.⁵⁶⁴

Many of the deaths in military custody amount to the war crimes of “violence to life and person, in particular murder of all kinds... cruel treatment and torture” as well as “committing outrages upon personal dignity”.⁵⁶⁵

Amnesty International previously documented inhumane detention conditions that for many, including children, resulted in their deaths. There have been improvements in recent years,⁵⁶⁶ especially in Giwa Barracks, but the continued overcrowding, unsanitary conditions, inadequate food and water, and lack of adequate access to toilets and other sanitation facilities still likely amounts to torture or other forms of ill-treatment in military detention facilities in Borno and Adamawa States.

⁵⁶⁰ Amnesty International, *We Dried Our Tears* (previously cited), pp. 47-49.

⁵⁶¹ Interview in person with survivor “BK”, 15 July, Maiduguri, Borno State.

⁵⁶² Interview conducted separately in person with two survivors, July 2023, Maiduguri, Borno State; Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁵⁶³ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State, Nigeria.

⁵⁶⁴ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State, Nigeria.

⁵⁶⁵ Rome Statute, Article 8.2(c)(i) and (ii).

⁵⁶⁶ Amnesty International, *We Dried Our Tears* (previously cited).

RIGHT TO HUMANE DETENTION CONDITIONS

Every person deprived of liberty has the right to be held in conditions that are consistent with human dignity. Torture and other ill-treatment are prohibited by key human rights instruments ratified by Nigeria including article 7 of the ICCPR, article 5 of the ACHPR and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). The prohibition of torture and other ill-treatment is also a *jus cogens* rule under customary international law, meaning the prohibition is non-derogable – it applies in all circumstances, including in situations of armed conflict and states of emergency. Customary international humanitarian law affords protections to persons deprived of their liberty akin to those in human rights law, including in non-international armed conflicts.⁵⁶⁷

States' obligations to treat detainees with humanity and to prevent and combat torture and other ill-treatment in places of detention are further developed in the 2015 ACHPR Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (the Luanda Guidelines),⁵⁶⁸ the 2000 ACHPR Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines),⁵⁶⁹ and the 1990 UN Basic Principles for the Treatment of Prisoners.⁵⁷⁰ Among many other rights, international law guarantees that people in detention have access to medical services, to adequate food and water, and to adequate conditions, including sanitation.⁵⁷¹

Girls deprived of liberty are also granted specific protection under international law, due to their gender and their age. Women and girls in custody must be held in separate accommodation from men, either in separate institutions or segregated within an institution, under the authority of women staff.⁵⁷² States should also provide for women's particular hygiene and health care needs, including pre-natal and post-natal care.⁵⁷³ The Maputo Protocol provides special protection to women in detention, including pregnant and nursing women, and obliges states to provide them "with an environment which is suitable to their condition and the right to be treated with dignity".⁵⁷⁴ In July 2023, the UN Human Rights Council called on states to take steps to protect mothers, pregnant women and girls and breastfeeding women in detention.⁵⁷⁵

When children are detained, the detaining authority must take special measures to protect them, including by providing of food, hygiene and health care appropriate for the child's age; ensuring the child can spend a large part of the day outdoors whenever possible; and ensuring the child can participate in educational and recreational activities.⁵⁷⁶ They should not be detained with adults unless it is in their best interest to do so or if the adults are part of the family unit.⁵⁷⁷

Nigeria's 2003 Child Rights Act, applicable in Borno State since January 2022, provides that child detainees must be given "care, protection and all necessary individual assistance, including social, educational, vocational, psychological, medical and physical".⁵⁷⁸

The acts and the poor conditions in military detention documented in the present report – in particular the beatings and inhumane conditions – and which build on previous documentation by Amnesty International of similar violations in military detention,⁵⁷⁹ amount to torture or other cruel, inhuman or degrading treatment. As they were inflicted as punishment in the context of the armed conflict, and the perpetrators were aware of this context, they also constitute war crimes.⁵⁸⁰

In addition, as these acts of torture may have been committed in the context of a widespread and systematic attack against a civilian population (see text box above on the unlawful detention of girls and young women), they may also amount to the crime against humanity of torture.⁵⁸¹

5.3 INTERIM CARE AND TRANSIT CENTRES

There are three facilities in Maiduguri where some girls and young women interviewed by Amnesty International spent time after they left Boko Haram. Bulumkutu Interim Care Centre was established in 2016

⁵⁶⁷ ICRC, Customary International Humanitarian Law, Rule 99, (deprivation of liberty).

⁵⁶⁸ ACHPR Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (the Luanda Guidelines), March 2015.

⁵⁶⁹ ACHPR Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines), December 2000.

⁵⁷⁰ UN Basic Principles for the Treatment of Prisoners, December 1990.

⁵⁷¹ Article 12.1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), grants everybody, including prisoners, the right to the "highest attainable standard of physical and mental health." The 1955 UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) contain a set of standards and principles that include the provision of food and healthcare. In

to provide interim care for women and children associated with Boko Haram. Shukuri Transit Centre aims to host those who completed the DDR programme in the Safe Corridor detention facility, as they prepared for their reintegration.⁵⁸² Hajj Transit Camp was established in 2021 as a facility for “surrendered individuals”.⁵⁸³

The Paris Principles, based on international law and standards applicable to the Nigerian government, set out best practices for transit and interim care centres specific for girls, including the need for safe and private accommodation. The Paris Principles state that, so as “to increase the likelihood of girls associated with armed forces or armed groups including those who are pregnant or girl mothers accessing release programmes and to ensure their needs are met”, such programmes should include:

“specific health services, including reproductive health care, separate washing and toilet facilities, adapted hygiene kits, and clean birthing kits; measures to ensure the safety and protection of girls in residential settings such as regulated access of male former combatants to the sites, proper lighting and regular surveillance and patrolling by security forces in which women are a majority wherever possible and in any event for girls’ areas; nutrition and health care for infants and young children where necessary and support to girl mothers to care for their children, where possible; education in parenting skills and mother and child health for girl mothers or pregnant girls... [and] education and skills training that is unrelated to girls’ reproductive status and made equally accessible to girls who are or are not pregnant or mothers.”⁵⁸⁴

Any stays in transit centres should be minimized, and the girls’ free and meaningful consent should be sought. The Paris Principles also call for interim care to “be for as short a period as possible” and “should be part of a community based programme to facilitate the return of children to their communities and to promote the protection of conflict affected children in general”.⁵⁸⁵

UNICEF provides technical and financial support to the Borno State Ministry of Women Affairs and Social Development to provide services to women and children in BICC, Hajj Transit Centre, Shukuri Transit Centre.⁵⁸⁶ These services include age and gender-specific temporary accommodation; the provision of food; medical services; psychosocial first aid and support; literacy and numeracy lessons; vocational training; recreation activities; and family tracing and reunification.⁵⁸⁷ IOM supports with shelters and WASH in Hajj Transit Centre and supports the clinic in Shukuri Transit Centre.⁵⁸⁸

Thirty-four interviewees, of whom at least 21 were girls, were brought, often by soldiers, from detention facilities or IDP camps to BICC, Shukuri Transit Centre or Hajj Transit Camp in Maiduguri. Of the survivors

addition, principle 24 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment adopted by the UN General Assembly in 1988 provides that medical care shall be provided to detainees whenever necessary.

⁵⁷² Guideline 36 of the Robben Island Guidelines; ICRC, Customary International Humanitarian Law, Rule 119.

⁵⁷³ United Nations Rules for the Treatment of Women Prisoners and Non-custodial measures for Women Offenders with their Commentary (The Bangkok Rules), A/RES/65/229, Rules 6(3) and 62.

⁵⁷⁴ Maputo Protocol, Article 24(b).

⁵⁷⁵ UN Human Rights Council (UNHRC), Resolution 53/27: *Accelerating efforts to eliminate all forms of violence against women and girls: preventing and responding to all forms of violence against women and girls in criminal justice detention*, 14 July 2023, A/HRC/RES/53/27.

⁵⁷⁶ ICRC, *Children associated with armed forces or armed groups* (previously cited), p. 8. African Youth Charter, 2006, Article 18(2)(d)(e); The Beijing Rules, Rule 13.5; UN Rules for the Protection of Juveniles Deprived of their Liberty, 14 December 1990, https://www.ohchr.org/sites/default/files/res45_113.pdf Rules 17(b), sections E and F.

⁵⁷⁷ CRC, Article 37(c); African Children’s Charter, Article 2(b); Nigerian Correctional Service Act, 2019, https://www.corrections.gov.ng/storage/report/NCoS_act_2019.pdf, section 35.

⁵⁷⁸ Nigeria, Child Rights Act, 2003, <https://www.refworld.org/legal/legislation/natlegbod/2003/en/105082>, section 212.

⁵⁷⁹ Amnesty International, *If You See It, You Will Cry* (previously cited); Amnesty International, *We Dried Our Tears* (previously cited).

⁵⁸⁰ Rome Statute, Article 8(2)(c)(i) and 8(2)(c)(ii): war crimes of torture, or alternatively, of outrages upon personal dignity.

⁵⁸¹ Rome Statute, Article 7.1(f).

⁵⁸² CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 34; UNDP, *The State of Play: Process and Procedures for Screening, Prosecution, Rehabilitation and Reintegration in the Lake Chad Basin Region*, 2023, https://www.undp.org/sites/g/files/zskgke326/files/2023-03/UNDP%20Ethiopia%20State%20of%20Play.%2056943_WEB.pdf, para. 313; ISS, “Understanding the dangerous journey from Boko Haram to rehabilitation”, 4 May 2020, <https://issafrica.org/iss-today/understanding-the-dangerous-journey-from-boko-haram-to-rehabilitation>

⁵⁸³ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 34; UNICEF, “A teacher with a heart”, 31 January 2023, <https://www.unicef.org/nigeria/stories/teacher-heart>

⁵⁸⁴ Paris Principles, paras. 7.24.1 – 7.24.5

⁵⁸⁵ Paris Principles, para. 7.55

⁵⁸⁶ UNICEF, “Their long road to freedom”, 30 September 2021, <https://www.unicef.org/nigeria/stories/their-long-road-freedom>; UNPBF, “Strengthening reconciliation and reintegration pathways for persons associated with non-state armed groups, and communities of reintegration, including women and children, in North of Nigeria” (previously cited), p. 33.

⁵⁸⁷ See also UNICEF, “A teacher with a heart”, 31 January 2023, <https://www.unicef.org/nigeria/stories/teacher-heart>; UNICEF, “Nigeria Humanitarian Situation Report No. 12”, December 2019, <https://www.unicef.org/media/80151/file/Nigeria-SitRep-December-2019.pdf>, p. 4. CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), pp. 36 and 38-39.

⁵⁸⁸ UNPBF, “Strengthening reconciliation and reintegration pathways for persons associated with non-state armed groups, and communities of reintegration, including women and children, in North of Nigeria” (previously cited), p.33.

who went to Hajj Transit Camp, most were brought there on transport arranged by the Boko Haram fighters whom they had been forced to marry when they were girls. Two spent time in more than one transit centre in Maiduguri. In all three facilities, girls, young women and their children were accommodated with surrendered Boko Haram fighters, reportedly including higher-ranking fighters.⁵⁸⁹ Holding girls and young women in the same facility with men heightens the risk of sexual violence, especially in Hajj Transit Camp, where toilets are unlit. This is counter to the Paris Principles, which stress the need for safe and private accommodation.

Human rights concerns in BICC include unlawful detention of women and children accompanying mothers above the age of 18 (who are in the custody of the mother and not the state), as well as inconsistent access to vocational training and psychosocial support (see 5.3.1). Other human rights concerns, primarily in Hajj Transit Camp, include access to adequate health care (including for children as well as pregnant girls and young women), education and adequate shelter.

At times during military handovers of survivors to civilian authorities, media reports show military and government officials parading “rescued” girls or young women and their children during press conferences, without protecting their identities.⁵⁹⁰ Such mediatisation, especially if the girls or young women and their children are identifiable by name or image, raises significant risks of stigma and violates their right to privacy as, especially for children, truly informed consent is not possible in the context of being in military custody, often after having recently escaped Boko Haram.

5.3.1 BULUMKUTU INTERIM CARE CENTRE

As of 2016, the Nigerian military generally hands children – whom they had unlawfully detained for prolonged periods of time, primarily in Giwa Barracks, or encountered during military operations – to the Borno State Ministry of Women’s Affairs and Social Development. Many are then placed in BICC,⁵⁹¹ including most of the girls and young women interviewed by Amnesty International who had been unlawfully detained in military custody.

In 2016, the Nigerian military released the first group of children. Since then, the State Ministry of Women Affairs and Social Development has been supported by UNICEF to manage reintegration of women and children associated with Boko Haram.⁵⁹²

Over the years, these efforts have been funded by several donors.⁵⁹³ According to UNICEF, the interim care services are offered for between one to four months as family tracing is in process.⁵⁹⁴

Amnesty International spoke with 12 girls and young women, of whom nine were girls when they were in BICC,⁵⁹⁵ who were in BICC for periods ranging from one month to five months,⁵⁹⁶ with an average of three to four months, between 2017 and early 2023. Most had been unlawfully detained in Giwa Barracks, including AT, who soldiers perceived to be associated with Boko Haram after she escaped ISWAP-held territory in

⁵⁸⁹ Interview in person with survivor “SE”, 4 October 2023, Maiduguri, Borno State.

⁵⁹⁰ AP, “Hundreds of hostages, mostly women and children, are rescued from Boko Haram extremists in Nigeria”, 21 May 2024, <https://apnews.com/article/nigeria-army-boko-haram-hostages-1db16255ae9ed4d4abd99bf35478cf9d>; The News Chronicle, “Nigerian Army Hands Another Rescued Chibok girl, Children to Borno Government”, 10 May 2024, <https://thenews-chronicle.com/nigerian-army-hands-another-rescued-chibok-girl-children-to-borno-government/>; HumAngle, “Nigerian Troops Receive Another Escaped Chibok School Girl”, 15 May 2023, <https://humanglemedia.com/nigerian-troops-receive-another-escaped-chibok-school-girl/>; HumAngle, “Chibok Girl Who Survived Multiple Forced Marriages Gives Birth Days After Rescue”, 5 May 2023, <https://humanglemedia.com/chibok-girl-who-survived-multiple-forced-marriages-gives-birth-days-after-rescue/>; AP, “Kidnapped Nigerian Girls Freed, Return to Chibok with Babies”, 5 May 2023; <https://apnews.com/article/boko-haram-chibok-nigeria-extremism-iswap-borno-kidnap-1dd99c17360b54afd8a9fa5ef14fab6f>; Africanews, “Nigeria’s Chibok girls: three women found years after their abduction”, 30 July 2022, <https://www.africanews.com/2022/07/30/nigerias-chibok-girls-three-women-found-years-after-their-abduction/>

⁵⁹¹ UNDP, *State of Play* (previously cited), p. 50.

⁵⁹² UNICEF, “Their long road to freedom”, 30 September 2021, <https://www.unicef.org/nigeria/stories/their-long-road-freedom>. See also, ISS, *Managing the journey out of violent extremism in the Lake Chad Basin*, 30 March 2021, <https://issafrica.org/research/west-africa-report/managing-the-journey-out-of-violent-extremism-in-the-lake-chad-basin>, p. 20.

⁵⁹³ UNICEF, “Their long road to freedom”, 30 September 2021, <https://www.unicef.org/nigeria/stories/their-long-road-freedom>;

UN, “Activities of Secretary-General in Nigeria, 3-4 May”, 11 May 2022, <https://press.un.org/en/2022/sgt3313.doc.htm>

⁵⁹⁴ UNICEF, “Their long road to freedom”, 30 September 2021, <https://www.unicef.org/nigeria/stories/their-long-road-freedom>; See also, ISS, *Managing the journey out of violent extremism in the Lake Chad Basin* (previously cited), p. 6.

⁵⁹⁵ Interviews conducted separately in person with ten survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview in person with survivor, “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁵⁹⁶ Three said that they were held in BICC for around one month. Interviews conducted separately in person with two survivors, October 2023; Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State. Survivor “GB” said she stayed in BICC for five months. Interview in person with survivor “GB”, 1 October 2023.

2020. She said, “I don’t know the reason [why I was in Bulumkutu]. All I know, I went to Giwa Barracks and then Bulumkutu.”⁵⁹⁷

UNLAWFUL DETENTION OF WOMEN

For women and for children accompanying mothers above the age of 18 who were or are not allowed to leave the facility, BICC is *de facto* a place of detention. For girls under the legal guardianship of the state, BICC risks becoming a place of detention if the period of time girls spend in the centre unduly delays family reunification. UN guidelines on interim care centres recommend they should only be for persons under 18, although “some flexibility can be considered, based on the best interests of the child”.⁵⁹⁸

Twelve survivors told Amnesty International that BICC is a closed facility. All girls and three of the four young women Amnesty International spoke with, including one whose perceived affiliation with Boko Haram was when she was an adult, said they were prohibited from leaving the centre, including to go out into the surrounding community.⁵⁹⁹ Two girls described police at the gate.⁶⁰⁰ In October 2023, Amnesty International researchers saw police stationed at the gate outside BICC. “We were not allowed [out during our time in BICC],” said **BZ**, who was held at BICC for four months, most likely in 2020. “The place was very big, and we didn’t even try to go out... They told us that we are not allowed [to go out].⁶⁰¹

Similarly, **GA**, a young woman who was held at BICC for around two months in early 2023, said, “They told us we were not allowed to leave [BICC]... They used to lock [the room] at night... They would open it at 6[am] because people would come to sweep then...by midnight, they would lock it up”.⁶⁰² Only **SE**, a young woman when she stayed in BICC for around three months in 2022, said she was ever able to leave the centre. She said her husband, a higher-ranking Boko Haram fighter, would arrange for her to be allowed to go in and out of the facility.⁶⁰³ **SE**’s experience appears to be an exception, based on Amnesty International’s interviews. **CN**, a woman in her twenties when soldiers perceived her to be associated with Boko Haram and unlawfully detained her in Giwa Barracks for several months before transferring her to BICC around 2016, told Amnesty International she was not allowed to leave the facility during the two months she was kept there.⁶⁰⁴ A researcher who examined BICC in December 2018 told Amnesty International that, at the time of the research, women were not allowed to leave the facility.⁶⁰⁵

Some of the girls and young women said they liked staying in BICC, especially – and unsurprisingly – compared to their prior time in Boko Haram captivity and in Giwa Barracks, as well as in the IDP camps where they were taken after BICC. However, the young women said they did not come voluntarily. **GN**, a young woman who had spent about a year in Giwa Barracks, said, “They just took us to the [Bulumkutu] rehabilitation centre”.⁶⁰⁶

None of the young women or girls who stayed in BICC could tell Amnesty International why they had been held in BICC, saying they were not provided any information, neither by the soldiers nor staff receiving them.⁶⁰⁷ “They just took us there and didn’t tell us anything. And then later they just took us to the [IDP] camp,” said **IK**, who would have been a young adolescent when she was in BICC after spending an estimated five and a half months detained in Giwa Barracks.⁶⁰⁸

In cases in which young women, like the three Amnesty International spoke with, are taken to BICC regardless of their preference, cannot exit the facility, and have no possibility of contesting the decision to take or hold them there for periods that last weeks and even months, BICC is *de facto* a detention centre.

The legal basis for the detention of individuals at BICC is unclear, and none of the young women (18 years of age and older) interviewed had the opportunity to challenge their detention. None of the young women

⁵⁹⁷ Interview in person with survivor “AT”, 1 October 2023, Maiduguri, Borno State.

⁵⁹⁸ UN, *Integrated DDR Standards* (previously cited), Annex C, p. 51.

⁵⁹⁹ Interviews conducted separately in person with nine survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview in person with survivor, “NC”, 1 January 2020, Michika LGA, Adamawa State. See also, United Nations Institute for Disarmament Research (UNIDIR), *Child Exits from Armed Groups in the Lake Chad Basin*, June 2023, https://unidir.org/wp-content/uploads/2023/09/UNIDIR_Child_Exits_from_Armed_Groups_in_Lake_Chad_Basin_MEAC_Findings_Report_31.pdf, p. 23.

⁶⁰⁰ Interviews conducted separately in person with two survivors, October, Maiduguri, Borno State.

⁶⁰¹ Interview in person with survivor “BZ”, 30 September 2023, Maiduguri, Borno State.

⁶⁰² Interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁶⁰³ Interview in person with survivor “SE”, 4 October 2023, Maiduguri, Borno State.

⁶⁰⁴ Interview in person with survivor “CN”, 13 July 2023, Maiduguri, Borno State.

⁶⁰⁵ Interview by voice call with researcher, 29 May 2024.

⁶⁰⁶ Interview in person with survivor “GN”, 12 July 2023, Maiduguri, Borno State.

⁶⁰⁷ Interviews conducted separately in person with 11 survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview in person with survivor, “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁶⁰⁸ Interview in person with survivor “IK”, 1 October 2023, Maiduguri, Borno State, Nigeria.

Amnesty International spoke with were charged, had access to a lawyer, or were brought before a competent court. At minimum for the young women interviewed for whom BICC was clearly a closed facility, as well as for other women who have been in the same situation at BICC, their detention violates fair trial rights enshrined in article 14 of the International Covenant on Civil and Political Rights and article 7 of the African Charter on Human and Peoples' Rights, and is therefore unlawful.⁶⁰⁹

Girls (under 18 years of age) who have exited Boko Haram and fall under the legal guardianship of the state may be transferred to an interim care centre like BICC if immediate family reunification or community-based interim care is not available.⁶¹⁰ To ensure interim care centres do not become inadvertent places of detention for children, UN guidelines and the Paris Principles stipulate that children should stay for the "shortest period necessary" and that this should be "weeks not months".⁶¹¹ The importance of children staying for the "shortest period necessary" was clear from the experience of, **AT**, who escaped in 2020 from living in ISWAP-controlled territory and then spent around one month in BICC in 2021. She told Amnesty International, "We are not allowed to leave. I wanted to leave because I wanted to go back to where my people are."⁶¹²

UN guidelines further recommend that girls receive education and other social cohesion activities outside of the centre and in their communities.⁶¹³ As described above, the girls said they were not allowed to exit the centre, including to undertake any activities in the community.

The Borno State authorities have legitimate reasons for operating BICC for girls and young women. The girls and young women have faced traumatic experiences during years of Boko Haram captivity and prolonged periods of unlawful military detention and are in need of the care, including family tracing, that is typically more accessible to them in BICC than elsewhere. For young women and children with mothers over 18, offering care and assistance must not be accompanied by deprivation of their liberty.⁶¹⁴ Authorities must ensure young women are able to access the services voluntarily and are permitted to go in and out of the facility. Alternatively, the young women should be informed of the reasons why they are held in BICC and given a chance to contest their detention. Girls under the legal guardianship of the state should only be held in BICC if family reunification or community-based care is unavailable and, even then, their stay in BICC should only be for the shortest period necessary.

ACCOMODATION AND CONDITIONS

Some interviewees described sleeping in a big room with between an estimated 31 to 50 children and women, each with their own mattress and mosquito nets.⁶¹⁵ Others described sleeping in smaller rooms holding five to eight people.⁶¹⁶

Whilst BICC was established exclusively for women and children, the 2021 influx of people leaving Boko Haram or Boko Haram-held territories meant that state authorities have placed men in the centre.⁶¹⁷ Three of the young women who spoke with Amnesty International were held in BICC with the Boko Haram fighters they had been forced to marry, or were transferred with men to BICC.⁶¹⁸ Interviewees said that men slept in different rooms than women and children,⁶¹⁹ but they were able to interact with each other.⁶²⁰

Of the two interviewees' "husbands" who had been Boko Haram fighters and who stayed in one of the three transit facilities, at least one was a higher-ranking fighter. He was housed in BICC, the facility with the best conditions of the three.⁶²¹

Three girls and young women Amnesty International spoke with were in BICC with young children or babies. **BB**, who had given birth during her detention in Giwa Barracks, was transferred to BICC with her two-month-

⁶⁰⁹ See textbox "Protection against the unlawful detention of girls and young women" in section 5.2 of this report.

⁶¹⁰ UN, *Integrated DDR Standards* (previously cited), p. 29.

⁶¹¹ UN, *Integrated DDR Standards* (previously cited), pp. 29 and 51 and Annex C; Paris Principles, para. 7.55.

⁶¹² Interview in person with survivor "AT", 1 October 2023, Maiduguri, Borno State.

⁶¹³ UN, *Integrated DDR Standards* (previously cited), p. 29.

⁶¹⁴ ICCPR, Article 9.

⁶¹⁵ Interviews conducted separately in person with two survivors, October 2023, Maiduguri, Borno State.

⁶¹⁶ Interviews conducted separately in person with three survivors, September and October 2023, Maiduguri, Borno State.

⁶¹⁷ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa's Growing Terrorism Challenge* (previously cited), p. 23. This is not the first time that Nigerian authorities have placed men in BICC. For instance, in October 2018, the military placed former Boko Haram fighters who had completed a demobilization program in BICC because their community had refused to accept them back. ICG, *Returning from the Land of Jihad* (previously cited), p. 8.

⁶¹⁸ Interviews conducted separately in person with three survivors, October 2023, Maiduguri, Borno State.

⁶¹⁹ Interviews conducted separately in person with two survivors, October 2023, Maiduguri, Borno State.

⁶²⁰ Interview in person with survivor "SE", 4 October 2023, Maiduguri, Borno State, Nigeria.

⁶²¹ Interview in person with survivor "SE", 4 October 2023, Maiduguri, Borno State, Nigeria.

old baby around early 2020. She said she was not given diapers for her baby.⁶²² **HV's** child was also not given diapers.⁶²³ **GB** said there was no extra care for her toddler son.⁶²⁴

Girls and young women said they had adequate access to food and were held in sanitary conditions. Interviewees told Amnesty International they were fed three times a day,⁶²⁵ and a few said they were given soap, detergent and “hygiene materials”.⁶²⁶ Some were given clothes, including underwear, and clothes for their children.⁶²⁷

GA and **HV** said that they were allowed to receive visitors on Saturday and Sunday.⁶²⁸

FREE MOVEMENT AND ACCESS TO SERVICES

Although they could not leave the facility, girls and young women held in BICC said they were able to freely move around the centre. **NC**, a teenager when she was in BICC around 2017, said, “Our daily activities were waking up, doing chores like dish washing, cleaning the house and fetching water, play, attend Qur’anic class, go for vocational training, lunch, prayer, go back to vocational training, Qur’anic class.”⁶²⁹ Another girl, **BB**, who stayed in BICC in 2020, said, “In the morning, when we woke up, we would take our bath and bathe our children. Then we would take our book and the woman would come and teach us, like ‘A, B, C, D’. And when we were done, we were done for the day and we were just there doing nothing.”⁶³⁰

According to UNICEF, “children, women, and adolescents at the Centre are... given access to early childhood development activities and formal education, with the support of the Borno State Universal Basic Education Board”.⁶³¹ As Amnesty International understands it, based on interviews with those who have been in BICC as well as others with relevant knowledge, in general young children are meant to be able to access early childhood education, those of primary school age and early adolescents can enrol in primary education, and children older than 14 are encouraged to attend vocational training.⁶³² Five girls went to school in BICC and three did not.⁶³³ For example, **FA**, around 18 when she spent around two months in BICC in late 2022 or early 2023, said, “They had classes for children but not for us.”⁶³⁴ Those who had access to education described basic classes on learning how to read and write in Kanuri, English and Hausa.⁶³⁵ **FF**, who stayed in BICC in 2017 when she was around 11 years old, said, in addition to English, she also attended classes on “basic technology, math, [and] science”.⁶³⁶

Seven interviewees said they received vocational training.⁶³⁷ After spending four years in Giwa Barracks, **BZ** was transferred in around 2020 to BICC, where she learned how to knit.⁶³⁸ **HV** learned how to make caps and said other skills training included tailoring and making hand fans.⁶³⁹ Reports indicate that financial support to help girls put their acquired skills to use has been limited.⁶⁴⁰

NC said, “I learned to knit sweatshirt and I made baby cap, shirt, trouser and socks.”⁶⁴¹ Other skills training available to children in BICC include shoemaking, poultry farming, and auto repair.⁶⁴²

Five interviewees said they did not receive training.⁶⁴³ In November 2020, **AE**, then around 16 years old, said: “They said they would teach us vocational training or tailoring but they gave us nothing. They offered a

⁶²² Interview in person with survivor “BB”, 1 October 2023, Maiduguri, Borno State, Nigeria.

⁶²³ Interview in person with survivor “HV”, 4 October 2023, Maiduguri, Borno State, Nigeria.

⁶²⁴ Interview in person with survivor “GB”, 1 October 2023, Maiduguri, Borno State, Nigeria. Paragraph 7.24.3 of the Paris Principles states that release programmes for children should include “nutrition and health care for infants and young children where necessary and support to girl mothers to care for their children, where possible.”

⁶²⁵ Interviews conducted separately in person with seven survivors, September and October 2023, Maiduguri, Borno State.

⁶²⁶ Interviews conducted separately in person with three survivors, September and October 2023, Maiduguri, Borno State.

⁶²⁷ Interviews conducted separately in person with two survivors, October 2023, Maiduguri, Borno State.

⁶²⁸ Interviews conducted separately in person with two survivors, October 2023, Maiduguri, Borno State.

⁶²⁹ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁶³⁰ Interview in person with survivor “BB”, 1 October 2023, Maiduguri, Borno State, Nigeria.

⁶³¹ UNICEF, “Their long road to freedom”, 30 September 2021, <https://www.unicef.org/nigeria/stories/their-long-road-freedom>

⁶³² Interviews conducted separately in person with eight survivors, September and October 2023, Maiduguri, Borno State.

⁶³³ Interviews conducted separately in person with eight survivors, October 2023, Maiduguri, Borno State.

⁶³⁴ Interview conducted with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁶³⁵ Interviews conducted separately in person with two survivors, October 2023, Maiduguri, Borno State.

⁶³⁶ Interview in person with survivor “FF”, 30 September 2023, Maiduguri, Borno State, Nigeria.

⁶³⁷ Interviews conducted separately in person with six survivors, September and October 2023, Maiduguri, Borno State.; Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁶³⁸ Interview in person with survivor “BZ”, 30 September 2023, Maiduguri, Borno State.

⁶³⁹ Interview in person with survivor “HV”, 4 October 2023, Maiduguri, Borno State.

⁶⁴⁰ ISS, “Female Boko Haram members need tailor-made rehabilitation”, 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>

⁶⁴¹ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁶⁴² UNICEF, “Their long road to freedom”, 30 September 2021, <https://www.unicef.org/nigeria/stories/their-long-road-freedom>; UN, “Activities of Secretary-General in Nigeria, 3-4 May”, 11 May 2022, <https://press.un.org/en/2022/sgt3313.doc.htm>

⁶⁴³ Interviews conducted separately in person with four survivors, July and October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020.

schoolbag and that was it. Not even psychosocial [counselling].”⁶⁴⁴ Three interviewees said that people, including foreigners and UNICEF staff, had asked them which skills they wanted to learn but did not return before the girls were released and that they did not receive vocational skills training.⁶⁴⁵ “They promised we’d learn [a skill], but never came,” said GN, who had been abducted by Boko Haram at a very young age and spent around two months in BICC in 2021 or 2022.⁶⁴⁶

Girls and young women held in BICC have access to medical services, though Amnesty International was not able to determine if they were adequate, especially given the needs of many girls and younger woman after escaping Boko Haram and often after periods in military detention. “When we arrived, they took us to the clinic and checked us,” GA said.⁶⁴⁷ She said her two-year-old son was not given any vaccines for children, whereas BB said her two-month-old baby was given vaccines.⁶⁴⁸

Few girls and young women interviewed by Amnesty International received psychosocial counselling. NC, who said she did receive some such support around 2018, described: “[They] told me to forget everything and not allow it [to] bother me.”⁶⁴⁹ This is consistent with findings by another organization who spoke with different women who had spent time in Bulumkutu before 2020.⁶⁵⁰ Other girls and young women said they were asked questions about their time with Boko Haram, their “husbands” and their relations,⁶⁵¹ but not about their feelings.⁶⁵² Not all girls were asked questions about their time with Boko Haram.⁶⁵³

FAMILY TRACING, REUNIFICATION AND RELEASE

The Borno State Ministry of Women’s Affairs and Social Development, supported by UNICEF, works to trace and reunite girls and young women in BICC with their family.

Seven interviewees told Amnesty International about these family tracing and reunification efforts in BICC.⁶⁵⁴ “They just asked us where they could find our relatives, we told them they should take us to the camp in Gomburu-Ngala and they took us there,” said IK, a teenager who stayed in BICC for around two and a half months in 2021.⁶⁵⁵ GA, a teenager who was in BICC for two months in late 2022 or early 2023, told Amnesty International about being reunited with her mother: “When they [staff in BICC] gave me the phone, they said it was my mother... When we identified ourselves, we started crying on the phone. We couldn’t even talk. So, they collected the phone from me and talked to my mother and told her where I am.”⁶⁵⁶ GA was reunited with her mother and little brother in Yola.

According to UNICEF, children whose relatives cannot be traced are placed in “most appropriate alternative care”.⁶⁵⁷ AE, held in BICC before 2021, said: “They said they want our parents. I said I didn’t have any. So then they searched in Kofa camp.”⁶⁵⁸ She was handed over to a male relative of her mother in Dalori 2 Camp in Kofa village in Konduga LGA.

However, EFF, who was around 10 years old when she was separated from her family as she fled Boko Haram in 2017, said: “They told me I should calm down and that by God’s grace, they would find my family for me. It was later on after I left Bulumkutu that I had found my family. It was not at Bulumkutu that they tracked down my family for me.”⁶⁵⁹ When asked how she was released from BICC, she said:

“They just allowed me to go... I heard that my mother was living in Adamawa, so I decided to go there... They gave me money and I used it for the transportation and left. They asked me to go with one of the staff [members]. He didn’t take me to Adamawa, he took me to the [bus] park and I took the bus from there to Adamawa and started searching for her... I didn’t know where she was... I stayed in

⁶⁴⁴ Interview by voice call with survivor “AE”, 25 November 2020.

⁶⁴⁵ Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State.

⁶⁴⁶ Interview in person with survivor “GN”, 12 July 2023, Maiduguri, Borno State.

⁶⁴⁷ Interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁶⁴⁸ Interview in person with survivor “BB”, 1 October 2023, Maiduguri, Borno State.

⁶⁴⁹ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁶⁵⁰ ISS, “Female Boko Haram members need tailor-made rehabilitation”, 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>

⁶⁵¹ Interviews conducted separately in person with two survivors, October 2023, Maiduguri, Borno State.

⁶⁵² Interview in person with survivor “HV”, 4 October 2023, Maiduguri, Borno State.

⁶⁵³ Interviews conducted in person with three survivors, October 2023, Maiduguri, Borno State.

⁶⁵⁴ Interviews conducted in person with five survivors, September and October 2023, Maiduguri, Borno State; Interview by voice call with survivor “AE”, 25 November 2020; Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State.

⁶⁵⁵ Interview in person with survivor “IK”, 1 October 2023, Maiduguri, Borno State.

⁶⁵⁶ Interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁶⁵⁷ UNICEF, “More than 300 persons, including 223 children, released from administrative custody for their alleged association with armed groups in north-east Nigeria”, 4 March 2020, <https://www.unicef.org/nigeria/press-releases/more-300-persons-including-223-children-released-administrative-custody-their>; See also, UNICEF, “Nigeria: Situation Report”, 18 August 2023, <https://www.unicef.org/media/144096/file/Nigeria-Humanitarian-SitRep-Mid-Year-2023.pdf>, p. 3.

⁶⁵⁸ Interview by voice call with survivor “AE”, 25 November 2020.

⁶⁵⁹ Interview in person with survivor “FF”, 30 September 2023, Maiduguri, Borno State.

Adamawa for a while with some people I didn't know and then later I saw my brother in Adamawa and asked him where my mother was.”⁶⁶⁰

She was most likely around 11 years old at the time.

5.3.2 HAJJ TRANSIT CAMP

In 2021, the Borno State government transformed Hajj camp, which had previously hosted Muslims making the pilgrimage to Mecca, into a facility for “surrendered individuals”.⁶⁶¹ The opaque screening process makes it unclear who exactly has been transferred to Hajj Transit Camp. According to media, the population, at least in 2021, included Boko Haram commanders.⁶⁶²

According to UNICEF, there were, as of January 2023, over 16,000 people in the camp, among them 4,539 women and 7,110 children.⁶⁶³ The women and children are family members of the Boko Haram fighters. Some may have willingly married the fighters, but others were forced to, including all but one of the girls and young women Amnesty International spoke with who stayed in Hajj Transit Camp; the other girl, whose Boko Haram “husband” had been killed in fighting, was living with a surrogate father who had been a fighter. These women and children have lived in the highly congested camp together with the former Boko Haram fighters,⁶⁶⁴ raising fundamental human rights concerns, including for children, and fears among people living around the camp.⁶⁶⁵ The State Ministry of Women Affairs and Social Development manages Hajj Transit Camp.⁶⁶⁶

Interviewees told Amnesty International that women and girls are allowed to leave Hajj Transit Camp. Three interviewees said “surrendered” fighters, at least those who are considered lower risk, could leave the facility.⁶⁶⁷ IOM provides basic humanitarian shelter in Hajj Transit Camp. UNICEF runs a clinic, provides children with basic numeracy and literary skills, and constructed a “safe space” for children.⁶⁶⁸

Amnesty International spoke with 16 girls and young women who stayed in the camp, including as recent as early 2024.⁶⁶⁹ Of those, at least seven were girls when they were in Hajj Transit Camp.⁶⁷⁰ One young woman who had been in Hajj Transit Camp said she was perceived to be associated with Boko Haram, despite that she and her husband (not a Boko Haram member) had fled an impending Boko Haram attack on their village.⁶⁷¹ Interviewees stayed in Hajj Transit Camp for between a few days to around 12 months, most in 2021 and 2022.

The shelters have been inadequate. Almost all interviewees described living in small tents with the men they had been forced to marry when associated with Boko Haram; some of these tents were shared with others, only separated by a piece of cloth. **GS**, who said she stayed in Hajj Transit Camp for a year around 2021, told Amnesty International: “The tent that we stayed in, is old... If we talked to them to repair, [they said] no. [They] came and checked, but never repaired it... During [the] rainy season, [we] had to sometimes cover [the] tent with [our] clothes and [a] bowl.”⁶⁷² **GR**, another survivor who stayed at the camp around 2021, agreed. “There is no good shelter. [We] make the shelter on our own,” she said.⁶⁷³

⁶⁶⁰ Interview in person with survivor “FF”, 30 September 2023, Maiduguri, Borno State.

⁶⁶¹ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 34;

UNICEF, “A teacher with a heart”, 31 January 2023, <https://www.unicef.org/nigeria/stories/teacher-heart>

⁶⁶² In November 2021, the New York Times reported on the presence of Boko Haram commanders in Hajj Transit Camp. New York Times, “Thousands of Boko Haram Members Surrendered. They moved in next door”, 2 November 2021, <https://www.nytimes.com/2021/09/23/world/africa/boko-haram-surrender.html>

⁶⁶³ UNICEF, “A teacher with a heart”, 31 January 2023, <https://www.unicef.org/nigeria/stories/teacher-heart>. According to a staff member of an international actor, as of March 2024, the transit centres were not as full as they were at the end of 2022 and beginning of 2023.

Interview by voice call with staff from an international actor, 19 March 2024.

⁶⁶⁴ Interview in person with senior humanitarian worker, 20 July 2023, Abuja, Federal Capital Territory; Interviews conducted separately with survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call, 23 April 2024.

⁶⁶⁵ New York Times, “Thousands of Boko Haram Members Surrendered. They Moved in Next Door.”, 23 September 2021,

<https://www.nytimes.com/2021/09/23/world/africa/boko-haram-surrender.html>

⁶⁶⁶ Interview by voice call with UN staff member, 25 March 2024.

⁶⁶⁷ Interview in person with senior humanitarian worker, 20 July 2023, Abuja, Federal Capital Territory; Interview by voice call with UN staff member, 25 March 2024; Interview by voice call with staff members representative of an international actor, 19 March 2024.

⁶⁶⁸ Interview in person with NGO staff member, 11 July 2023, Maiduguri, Borno State; UNICEF, “A teacher with a heart”, 31 January 2023, <https://www.unicef.org/nigeria/stories/teacher-heart>

⁶⁶⁹ Interviews conducted separately in person with 15 survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “DD”, 23 April 2024.

⁶⁷⁰ Interviews conducted separately in person with 6 survivors, July to October 2023, Maiduguri, Borno State; Interview by voice call with survivor “DD”, 23 April 2024.

⁶⁷¹ Interview in person with survivor “VV”, 14 July 2023, Maiduguri, Borno State.

⁶⁷² Interview in person with survivor “GS” 12 July 2023, Maiduguri, Borno State.

⁶⁷³ Interview in person with survivor “GR”, 7 July 2023, Maiduguri, Borno State.

Interviewees described unsanitary conditions, including unlit toilets. “The hygiene there is not good,” said **GJ**.⁶⁷⁴ She and other women started cleaning the toilets without being paid for their work. “[The] toilet in [Hajj] camp, they don’t wash it... Sometimes we don’t even use it,” said **GS**.⁶⁷⁵

Interviewees told Amnesty International that at the camp there are three clinics.⁶⁷⁶ **GS** said she miscarried during her time in Hajj Transit Camp. She became pregnant again, this time with twins, and said one of the babies died during delivery. Describing the delivery in the camp, she said: “[There was] no treatment after [I] gave birth to two babies. [It was] very terrible to me. I suffered a lot in [the] hospital. [There were] no drugs.”⁶⁷⁷ She told Amnesty International she contracted cholera during her time in the camp, where there was an outbreak in September 2022.⁶⁷⁸ The 10-month-old daughter of **YA**, a young woman who stayed in Hajj camp for around five months, as well as the older brother of **GD**, both died as a result of the cholera outbreak.⁶⁷⁹

Three interviewees gave birth in Hajj Transit Camp.⁶⁸⁰ **GC** delivered in her tent and said: “[The] labour became difficult. I went into the room and started asking for help. I had delivered when people came.”⁶⁸¹ **GJ**, who also gave birth in her tent, said she had to pay for medical service to attend to her.⁶⁸² **AH** was admitted in the clinic, where she gave birth to her baby girl.⁶⁸³

Girls and young women interviewed by Amnesty International also said that their access to food was insufficient. They said camp officials gave them raw food materials, including rice, bags of maize, bottles of cooking oil, and sachets of Maggi and salt.⁶⁸⁴ Some said they were given food items monthly,⁶⁸⁵ while others said they often had to wait longer. “Sometimes the food is delayed... Sometimes the food is not enough,” said **GJ**.⁶⁸⁶ **GS** said she had to make do for almost two months with food rations meant to last one month, while also describing challenges finding adequate water for cooking: “If [you don’t have] money, [you] cannot buy water for cooking. If we ask for water, they say it’s not available within the camp.”⁶⁸⁷

Six interviewees told Amnesty International that camp officials gave them monthly – at times delayed – stipends of typically 5,000 naira (around US\$ 10-15 at the relevant time) and their “husbands” stipends of 10,000 naira (around US\$ 20-25 at the relevant time) to buy charcoal and food.⁶⁸⁸

Two interviewees had a child who went to school in the camp.⁶⁸⁹ UNICEF reported that, as of November 2021, over 2,600 children at Hajj Transit Camp have been provided with literacy and numeracy skills in temporary learning spaces.⁶⁹⁰ Nine interviewees told Amnesty International that they were not offered any reintegration support or access to education, vocational training or psychosocial services.⁶⁹¹ Instead, almost all interviewees, except one who said she received vocational training in Hajj Transit Camp in early 2024,⁶⁹² described being idle all day and not having anything to do aside from cooking. When **BK**, who was a young teenager when she spent around one month in Hajj Transit Camp with her aunt in mid-2022, was asked what she did during the day, she said: “Nothing. We are just seated... They are concerned more about the men, but women, [there is] no concern on them.”⁶⁹³

5.3.3 SHUKURI TRANSIT CENTRE

Shukuri Transit Centre was opened in 2019 in a former juvenile centre in Maiduguri,⁶⁹⁴ with the aim to host those who completed the DDR programme in the Safe Corridor detention facility, as they prepared for their

⁶⁷⁴ Interview in person with survivor “GJ”, 7 July 2023, Maiduguri, Borno State.

⁶⁷⁵ Interview in person with survivor “GS”, 12 July 2023, Maiduguri, Borno State.

⁶⁷⁶ Interview in person with survivor “GJ”, 7 July 2023, Maiduguri, Borno State.

⁶⁷⁷ Interview in person with survivor “GS”, 12 July 2023, Maiduguri, Borno State.

⁶⁷⁸ Interview in person with survivor “GS”, 12 July 2023, Maiduguri, Borno State.

⁶⁷⁹ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁶⁸⁰ Interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

⁶⁸¹ Interview in person with survivor “GC”, 5 and 6 July 2023, Maiduguri, Borno State.

⁶⁸² Interview in person with survivor “GJ”, 7 July 2023, Maiduguri, Borno State.

⁶⁸³ Interview in person with survivor “AH”, 11 July 2023, Maiduguri, Borno State.

⁶⁸⁴ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁶⁸⁵ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁶⁸⁶ Interview in person with survivor “GJ”, 7 July 2023, Maiduguri, Borno State.

⁶⁸⁷ Interview in person with survivor “GS”, 12 July 2023, Maiduguri, Borno State.

⁶⁸⁸ Interviews conducted separately in person with six survivors, July 2023, Maiduguri, Borno State.

⁶⁸⁹ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁶⁹⁰ UNICEF, “A teacher with a heart”, 31 January 2023, <https://www.unicef.org/nigeria/stories/teacher-heart>

⁶⁹¹ Interviews conducted separately in person with nine survivors, July 2023, Maiduguri, Borno State.

⁶⁹² Interview by voice call with survivor “DD”, 23 April 2024.

⁶⁹³ Interview in person with survivor “BK”, 15 July, Maiduguri, Borno State.

⁶⁹⁴ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa’s Growing Terrorism Challenge* (previously cited), p. 34.

reintegration.⁶⁹⁵ The centre is managed by the Borno State Women's Affairs Commission and supported by IOM.⁶⁹⁶

Whilst Shukuri Transit Centre was intended to host only men, Amnesty International spoke with six interviewees, of whom at least five were girls at the time, who stayed there for periods between one and five months.⁶⁹⁷ Three interviewees said they were allowed to leave the centre, but not at first. "We were not allowed to move out of the camp. But there was a time when the men started to argue with the camp officials, and they decided to allow only the women to go out and buy what we need and come back," **HN**, a young teenager when she was at Shukuri in 2022, told Amnesty International.⁶⁹⁸

Three interviewees told Amnesty International that they stayed in a large room with many people, including Boko Haram fighters.⁶⁹⁹ "The room was big, but we had to partition the space to be able to stay there... We divided the room in between different families, every family had its own site within, we put mat and tarpaulin to divide it and other people were staying in the room," said **BT**, who was around 17 years old when she stayed in the centre in 2022.⁷⁰⁰ **ZC**, a teenager when she stayed in Shukuri around 2020 or 2021, said there were "separate places for everybody to sleep" and that she shared a room with her "husband".⁷⁰¹

Three interviewees said they were fed three times a day, had enough access to water to bathe and that the centre had medical services.⁷⁰² None of the interviewees accessed education, psychosocial services or vocational training during their time in Shukuri Transit Centre. Asked to describe her daily life in the centre, **HN** said: "Mostly, we didn't do anything. They took down our names and said they would give us some skill acquisition training, but they never did that."⁷⁰³

5.4 BROUGHT TO IDP CAMPS

Nigerian soldiers and CJTF members, sometimes in collaboration with state authorities, typically took girls and young women to IDP camps eventually, after they encountered them at checkpoints, or after detention, or following time in one of the three transit centres in Maiduguri (see graphic in section 5.1). Almost all girls and young women who spoke with Amnesty International passed through and/or lived in IDP camps in Maiduguri, Bama, Konduga, Yola, Gwoza, Gomburu Ngala, and Damboa in Borno State.

Many of the over two million people who remain internally displaced as of December 2023⁷⁰⁴ live in overcrowded formal and informal IDP camps and settlements across north-east Nigeria that are stretched beyond their capacity.⁷⁰⁵ The stigma that some girls and young women perceived to be associated with Boko Haram experience can make their lives in IDP camps different to those of other IDPs. A human rights defender with years of experience working with girls and women associated with Boko Haram told Amnesty International that, in the earlier years of the conflict, sections in IDP camps where people resided who had spent time with Boko Haram were unofficially referred to as "Sambisa Forest".⁷⁰⁶

IW, a teenager who was abducted and forcibly married by ISWAP, told Amnesty International that CJTF members told people in the community that she had been with Boko Haram. "Some people are saying [Boko Haram wife], some are not saying it... The CJTF that took us from [the Boko Haram village] and brought us [to the IDP camp in Damboa], they are the ones who informed the others in the camp [that we had been with Boko Haram]."⁷⁰⁷

⁶⁹⁵ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa's Growing Terrorism Challenge* (previously cited), p. 34; UNDP, *The State of Play* (previously cited), para. 313; ISS, "Understanding the dangerous journey from Boko Haram to rehabilitation", 4 May 2020, <https://issafrica.org/iss-today/understanding-the-dangerous-journey-from-boko-haram-to-rehabilitation>

⁶⁹⁶ CCCPA, *Advancing Holistic and Comprehensive Efforts to Confront Africa's Growing Terrorism Challenge* (previously cited), p. 38.

⁶⁹⁷ Interviews conducted separately in person with six survivors, September and October 2023, Maiduguri, Borno State.

⁶⁹⁸ Interview in person with survivor "HN", 30 September 2023, Maiduguri, Borno State.

⁶⁹⁹ Interviews conducted separately in person with three survivors, 30 September 2023, Maiduguri, Borno State.

⁷⁰⁰ Interview in person with survivor "BT", 30 September 2023, Maiduguri, Borno State.

⁷⁰¹ Interview in person with survivor "ZC", 30 September 2023, Maiduguri, Borno State.

⁷⁰² Interviews conducted separately in person with three survivors, 30 September 2023, Maiduguri, Borno State.

⁷⁰³ Interview in person with survivor "HN", 30 September 2023, Maiduguri, Borno State

⁷⁰⁴ In December 2023, IOM recorded 1.09 million displaced persons. IOM, "Displacement Tracking Matrix, Nigeria", <https://dtm.iom.int/nigeria> (accessed on 31 May 2024).

⁷⁰⁵ HRW, *Those Who Returned Are Suffering* (previously cited); Amnesty International, *They betrayed us* (previously cited).

⁷⁰⁶ Interview in person with Nigerian human rights defender, 19 July 2023, Maiduguri, Borno State.

⁷⁰⁷ Interview in person with survivor "IW", 13 July 2023, Maiduguri, Borno State.

Camp residents struggle to access adequate food,⁷⁰⁸ adequate shelter, adequate healthcare, and education.⁷⁰⁹ **VZ**, whose leg Boko Haram cut off when she was a teenager and who now lives in Muna Garage camp, said, “I am staying with my sister. They usually give me food once a day. So, it’s not easy for me and I don’t have my own place. Any support I could get would be useful for me.”⁷¹⁰ A hospital in Maiduguri had provided her one crutch and a prosthesis. She has not accessed any other support.⁷¹¹

In many camps, organizations have documented cases of rape and sexual exploitation of women and girls.⁷¹² According to the girls and young women interviewed, not all camps where they had lived had safe spaces for children.⁷¹³

Although a detailed examination of the conditions of IDP camps is beyond the scope of this report, and something that Amnesty International has documented in detail previously, some of the women and girls from an IDP camp in Ngala, for example, said they did not have shelter for several days to months after arriving there.⁷¹⁴ **BB**, around 19 years old, said, “When they took us to Arabic Camp [in Ngala], initially we didn’t even have a tent, they kept us under a tree. We stayed under a tree for a while until we got a tent... We stayed for almost four months before we got a tent... We stayed in the open.”⁷¹⁵

Three interviewees told Amnesty International that conditions were better in Boko Haram-controlled areas than in the IDP camps.⁷¹⁶ “The place in Yola was not nice; it was dirty and smelling. The bush is even better,” **AV** said.⁷¹⁷ **IK**, a teenager who was forcibly married to an ISWAP farmer, said: “Our stay in Zannari was far better than our stay in the camp now... When we came here, we don’t farm and don’t get food when it’s distributed.”⁷¹⁸ She and her “husband” now live in Arabic Camp in Ngala LGA.

SE, a girl when her Boko Haram relatives forcibly married her to a senior Boko Haram fighter and who now lives with him in Muna Garage camp, said she never experienced hunger during her time in Boko Haram, but does now. She said she receives a bag of corn as her monthly food ration.⁷¹⁹

At least three interviewees told Amnesty International that, in IDP camps in Bama and Gwoza, girls and women with husbands were given a shelter together and girls and women who arrived without a husband were accommodated together under one big tent.⁷²⁰

Some girls and young women formerly associated with Boko Haram said stigma affected their access to food and water (for more on stigma, see section 6.1, including the experience of **ZC**). **IG**, who escaped from Boko Haram in April 2023 when she was around 14 years old and, at the time of the interview, was living in an informal IDP settlement in Maiduguri, said: “Because we have scarcity of water, so if you go to fetch water, a lot of people are fighting [over the water]. From there, you start hearing people say, ‘See her, Boko Haram member, Boko Haram member.’ They start calling me names.”⁷²¹ In 2019, the International Crisis Group reported that boreholes are locations where women associated with Boko Haram experience verbal abuse, which prompted some to fetch water at times they would normally not.⁷²²

⁷⁰⁸ 4.4 million people in northeast Nigeria are food insecure. World Food Programme, “Nigeria”, <https://www.wfp.org/countries/nigeria> (accessed on 1 June 2024) <https://www.wfp.org/countries/nigeria>. At least 17 girls and young women described receiving insufficient food rations, weeks-long delays in getting their food rations cards, eating once a day or not accessing food for up to three days, depending on other IDPs for food, and having to search for food outside of the IDP camps. Interviews conducted separately in person with 17 survivors, July and October 2023, Maiduguri, Borno State. **O**

⁷⁰⁹ For a more detailed examination, see Amnesty International, *My Heart is in Pain* (previously cited); Amnesty International, *We Dried Our Tears* (previously cited); HRW, *Those Who Returned Are Suffering* (previously cited); Amnesty International, *They betrayed us* (previously cited).

⁷¹⁰ Interview in person with survivor “VZ”, 4 October 2023, Maiduguri, Borno State.

⁷¹¹ Interview in person with survivor “VZ”, 4 October 2023, Maiduguri, Borno State.

⁷¹² See, for example, HRW, *Those Who Returned Are Suffering* (previously cited); Amnesty International, *They betrayed us* (previously cited).

⁷¹³ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁷¹⁴ Interviews conducted separately in person with three survivors, October 2023, Maiduguri, Borno State.

⁷¹⁵ Interview in person with survivor “BB”, 4 October 2023, Maiduguri, Borno State.

⁷¹⁶ Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State.

⁷¹⁷ Interview in person with survivor “AV”, 9 July 2023, Maiduguri, Borno State.

⁷¹⁸ Interview in person with survivor “IK”, 1 October 2023, Maiduguri, Borno State.

⁷¹⁹ Interview in person with survivor “SE”, 4 October 2023, Maiduguri, Borno State.

⁷²⁰ Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State.

⁷²¹ Interview in person with survivor “IG”, 17 July 2023, Maiduguri, Borno State.

⁷²² ICG, *Returning from the Land of Jihad* (previously cited) p. 16.

6. LIFE AFTER BOKO HARAM

“I want to forget that I once lived with Boko Haram. I want to come out of this camp and start all over again.”

EE, survivor, 15 July 2023, Maiduguri, Borno State, Nigeria⁷²³

Once girls and young women are out of Boko Haram territory, military detention, and/or transit centres that at least in some cases may amount to detention, they face survival and (re)building their lives in communities or IDP camps amidst a dire humanitarian situation and an ongoing armed conflict that, as of April 2024, has placed an estimated 8.3 million people in need of assistance.⁷²⁴

Girls and young women are at risk of becoming invisible to service providers amid the enormous needs of displaced populations and host communities. The crimes they survived during years spent in Boko Haram captivity and, for some, in military detention, as well as the stigma associated with Boko Haram has given rise to legal, health, livelihood and educational needs distinct from those who have otherwise been affected by the conflict and equally struggle to have their basic needs met.

Due to the ongoing conflict, humanitarian actors are only able to operate in garrison towns and their immediate surroundings controlled by the government.⁷²⁵ Boko Haram continues to attack villages, aid workers and civilian vehicles⁷²⁶ – acts which may amount to war crimes.⁷²⁷ The Nigerian military has itself restricted humanitarian access,⁷²⁸ also prohibited under international humanitarian law,⁷²⁹ as well as one of the six grave violations against children identified by the UN Security Council. The restrictions imposed on humanitarian actors and access by the Borno State authorities (described in section 1.3) further aggravate this already dire humanitarian situation and may further complicate girls’ and young women’s access to support.

⁷²³ Interview in person with survivor “EE”, 15 July 2023, Maiduguri, Borno State.

⁷²⁴ UNOCHA, “Nigeria Situation Report”, 4 April 2024, <https://reports.unocha.org/en/country/nigeria/>

⁷²⁵ UNOCHA, *Humanitarian response plan Nigeria* (previously cited), p. 11.

⁷²⁶ UN News, “Northeast Nigeria violence forces 65,000 to flee, humanitarians targeted by armed groups,” 16 April 2021, <https://news.un.org/en/story/2021/04/1089892>; France24, “Jihadists in northeast Nigeria execute five abducted humanitarian workers”, 22 July 2020, <https://www.france24.com/en/20200722-jihadists-northeastern-nigeria-execute-abducted-humanitarian-workers-islamic-state>; HRW, “Attacks on Aid Workers in Northeastern Nigeria”, 23 January 2020, <https://www.hrw.org/news/2020/01/23/attacks-aid-workers-northeastern-nigeria>

⁷²⁷ The 1949 Geneva Conventions and 1977 Protocols I and II protect humanitarian workers in armed conflict. In 2003, the UN Security Council passed resolution 1502, condemning attacks on humanitarian workers and calling on states to ensure perpetrators of crimes against humanitarian workers are held to account. See also, UNSC, Resolution 1503 (2003), adopted on 26 August 2003, S/RES/1502.

⁷²⁸ Amnesty International, *We Dried Our Tears* (previously cited), p. 16.

⁷²⁹ ICRC, Customary International Humanitarian Law, Rule 55 (access for Humanitarian Relief to Civilians in Need) and Rule 56 (Freedom of Movement of Humanitarian Relief Personnel).

Interviewees expected and requested government support, but instead felt neglected.⁷³⁰ “Most people in [the] government don’t care about us. We need support,” said AV.⁷³¹ She returned from Boko Haram in 2021 when she was around 15 years old, and now lives with her grandmother in Madagali LGA, Adamawa State.

6.1 STIGMA

“People see us as sinners when we were taken as young girls. But people also call us repentants because we have left the bush.”

YA, survivor, 6 July 2023, Maiduguri, Borno State, Nigeria⁷³²

Stigma, including towards their children, is one of the greatest barriers to reintegration for girls and young women associated with Boko Haram.⁷³³ Many interviewees told Amnesty International that community members, and at times soldiers, insulted them as “Boko Haram wives” or “sons and daughters of Boko Haram” and said people looked at them suspiciously, were afraid they would kill them or infect them with diseases, and did not want to interact with them.⁷³⁴ Past research found that girls and young women associated with Boko Haram, and their children, have been referred to as “Sambisa women”, “Boko Haram blood”, and “Annoba” (epidemics).⁷³⁵

Over the last few years, reports indicate that, whilst still prevalent, the stigma of being perceived as once part of Boko Haram has decreased due to continued outreach,⁷³⁶ Boko Haram’s reduced use of female suicide bombers, the high numbers of women and girls returning, and the passage of time.⁷³⁷ However, “a lot of community sensitization still needs to be done to enhance understanding about the girls’ victim status. [You need to] prepare communities,” said a Nigerian human rights defender.⁷³⁸

At least twelve interviewees said they experienced stigma,⁷³⁹ whereas at least 17 did not.⁷⁴⁰ Three girls and their children born to their Boko Haram “husbands” also said they were rejected by family members.⁷⁴¹ Amnesty International did not document a difference in prevalence of stigma and the year interviewees returned from Boko Haram. Interviewees who experienced stigma described feeling ostracised and viewed with suspicion and fear, causing some to move to another community or to withdraw, often negatively impacting their mental health and access to food and water.

ZC, around 19 years old, who lives in an IDP camp with her (formerly) Boko Haram “husband”, said:

“[The host community] always abuse us. They don’t give us anything. We always feel we are a burden to them. They always come to collect our [ration card] number, [say] that they will give us food and [then] whenever they go, they just collect food and forget about us... We are always being isolated... They

⁷³⁰ Interviews conducted separately in person with survivors, July to October 2023, Maiduguri, Borno State.

⁷³¹ Interview in person with survivor “AV”, 9 July 2023, Maiduguri, Borno State.

⁷³² Interview in person with survivor “YA”, 5 July 2023, Maiduguri, Borno State.

⁷³³ UNICEF and International Alert, *‘Bad blood’: Perceptions of children born of conflict-related sexual violence and women and girls associated with Boko Haram in northeast Nigeria*, February 2016, <https://www.international-alert.org/publications/bad-blood/https://www.international-alert.org/app/uploads/2021/08/Nigeria-Bad-Blood-EN-2016.pdf>; ICG, *Returning from the Land of Jihad* (previously cited).

⁷³⁴ For instance, interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

⁷³⁵ Interview in person with Nigerian human rights defender, 19 July 2023, Maiduguri, Borno State. See also, UNICEF and International Alert, *Bad blood* (previously cited), pp. 14-15. That perception study found that communities feared girls and women returning from Boko Haram captivity, in part grounded in group’s use of girls and women as suicide bombers in large-scale attacks against the civilian population in north-east Nigeria.

⁷³⁶ Save the Children and KIT, *Assessing the responses to the needs of survivors of sexual violence in humanitarian settings* (previously cited), pp. 43 and 66-67; Interview in person with Nigerian human rights defender, 19 July 2023, Maiduguri, Borno State.

⁷³⁷ ICG, *Returning from the Land of Jihad* (previously cited), pp. 2 and 15.

⁷³⁸ Interview in person with human rights defender, 18 July 2023, Maiduguri, Borno State.

⁷³⁹ Interviews conducted separately in person with 12 survivors, July – October 2023, Maiduguri, Borno State.

⁷⁴⁰ Interviews conducted separately in person with 15 survivors, July – October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State.

⁷⁴¹ Interviews conducted separately in person with three survivors, July – October 2023, Maiduguri, Borno State.

used to say all sorts of things: we are the ones who kill their people. They don't want to give us food and [say] that it is better for them to pour [the food out]."⁷⁴²

NV a young woman who escaped from Boko Haram about two years ago and was reunited with her mother, said: "People are always calling us Boko Haram, that we know how to kill [and that we] shouldn't be mingling."⁷⁴³

Another girl, **BN**, was abandoned by her uncle, after he collected her and her mother from military custody in Madagali and took them back to their village. **BN** said:

"My mother's brother took us to their village to go and stay with their relatives but when we reached there... her brother did not turn back to take care of us. He just left us there. The people of the community kept insulting us that we are sons and daughters of Boko Haram every day.

My mother said she can't take the insults, so she decided we should leave. My mother decided to take us to another village where nobody knows us... because our mother's relatives kept insulting us... [saying] maybe one day we might kill them. Even our father's relatives refused us... So we just decided to stay in that village where nobody know us because the stigma from our father's family and our mothers' family is too much for us. We cannot handle it."⁷⁴⁴

Interviewees said community members knew they were associated with Boko Haram because of the clothes they were wearing,⁷⁴⁵ the fact they were dropped off by soldiers,⁷⁴⁶ and that members of the CJTF had told the community.⁷⁴⁷ The military has at times sought media publicity when handing young women and their children over to state authorities, increasing the risk of stigma.⁷⁴⁸

"People used to insult me, I don't want to go out", said **AV**, a 17-year-old who was abducted by Boko Haram when she was in second grade of primary school. "They [tell us] that we are wives of Boko Haram and [they do not] mingle with us, [saying] one day we'll kill them, or bring diseases. It doesn't make me feel good."⁷⁴⁹ She said community members knew she had been with Boko Haram because she was brought back to her village in Madagali LGA by soldiers around 2021. In January 2020, Amnesty International documented that, in 2018, a girl asked soldiers to not bring her directly to an IDP camp in Maiduguri for fear of stigma. The soldiers honoured her request.⁷⁵⁰ Asking girls' and young women's preferences and centring their agency should always be a principle guiding soldiers' interaction with Boko Haram survivors.

Amnesty International documented one instance in which stigma was specific to the girl's religion. About coming home after escaping from Boko Haram in mid-2023, **NM** said: "The Christian side said they will not take me because I've become Muslim. And the Muslim side said they will not take me because I stayed at the bush."⁷⁵¹

Children born from sexual violence are also at risk of stigma, rejection, abandonment, discrimination, and violence. In 2015, NGOs witnessed cases of infanticide because mothers felt their babies stood no chance at social acceptance resulting from the stigma.⁷⁵² The UNICEF and International Alert study in 2016 showed that community members believed children with a biological Boko Haram father carried his violent characteristics and would become the next generation of fighters, referring to them as "bad blood".⁷⁵³

An assessment of current perceptions goes beyond the scope of this report, but a human rights defender told Amnesty International that the problem persists and that children born from sexual violence by Boko

⁷⁴² Interview in person with survivor "ZC", 30 September 2023, Maiduguri, Borno State.

⁷⁴³ Interview in person with survivor "NV", 9 July 2023, Maiduguri, Borno State.

⁷⁴⁴ Interview in person with survivor "BN", 9 July 2023, Maiduguri, Borno State.

⁷⁴⁵ Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁷⁴⁶ Interview in person with survivor "AV", 9 July 2023, Maiduguri, Borno State.

⁷⁴⁷ Interview in person with survivor "IW", 13 July 2023, Maiduguri, Borno State.

⁷⁴⁸ HumAngle, "Chibok Girl Regains Freedom With Children, Says She Left 6 Other Captives Behind", 10 May 2024, <https://humanglemedia.com/chibok-girl-rescued-with-children-says-she-left-6-others-behind/>; HumAngle, "Nigerian Troops Receive Another Escaped Chibok School Girl", 15 May 2023, <https://humanglemedia.com/nigerian-troops-receive-another-escaped-chibok-school-girl/>

⁷⁴⁹ Interview in person with survivor "AV", 9 July 2023, Maiduguri, Borno State.

⁷⁵⁰ Interview in person with survivor "EC", 22 January 2020, Maiduguri, Borno State.

⁷⁵¹ Interview in person with survivor "NM", 1 October 2023, Maiduguri, Borno State.

⁷⁵² ICG, *Returning from the Land of Jihad* (previously cited).

⁷⁵³ UNICEF and International Alert, *Bad blood* (previously cited), pp. 9 and 15.

In February 2024, UNODC reported that some young women who gave birth to children born of sexual violence were told they had carried "the spawn of a terrorist". UNODC, *Targeted by Terrorists: Child Recruitment, Exploitation and Reintegration in Indonesia, Iraq and Nigeria*, February 2024, https://www.unodc.org/documents/justice-and-prison-reform/STRIVEReports/Child_recruitment_exploitation_and_reintegration_in_Indonesia_Iraq_and_Nigeria_pp_web.pdf, p. 120.

Haram are considered a taboo and illegitimate, referring to them as “invisible children”.⁷⁵⁴ GR, who gave birth to two children as the result of sexual violence by her Boko Haram “husband”, said: “They address [my children] as Boko Haram children... It makes me feel sad. We are all the same. Why are they accusing us?”⁷⁵⁵

The continued stigma undoubtedly complicates girls’ and young women’s reintegration, and very likely has an impact on the children’s enjoyment of their human rights.

The stigma that is still associated with Boko Haram likely forms a significant obstacle to reporting, preventing survivors from accessing critical services and seeking justice.

6.2 IMPACT ON HUMAN RIGHTS

“Sometimes I dream about the corpses that I saw or the stoning of the women that I saw. Once I open my eyes, I can’t go back to sleep again.”

GH, survivor, 16 July 2023, Maiduguri, Borno State⁷⁵⁶

Girls not associated, or perceived to be associated, with Boko Haram but nevertheless affected by the conflict in north-east Nigeria overwhelmingly struggle to have their human rights met. Girls associated with Boko Haram often experience another layer of vulnerability and difficulty resulting from their time in Boko Haram captivity, the stigma that can be connected to it, and, for some, the lingering harm of violations while in military detention.

6.2.1 RIGHT TO LEGAL SERVICES, EFFECTIVE REMEDY AND ACCESS TO JUSTICE

LEGAL NEEDS

Forced marriages to Boko Haram members can negatively impact girls’ and young women’s eligibility and ability to marry in part because they may not be considered divorced and a second marriage would be considered bigamy, risking pushing some into transactional sex.⁷⁵⁷

Amnesty International spoke with two young women who had been forcibly married by Boko Haram and who, after exiting the group, said they were brought before a sharia court after they refused to return to their Boko Haram “husband”.⁷⁵⁸ Neither had legal representation. GN told Amnesty International that she escaped from Boko Haram and remarried in Maiduguri. She said her Boko Haram “husband” called her to join him when he came to Maiduguri, but she refused, and he took her to a sharia court. She explained:

“We went to court for the first time. They asked me to go back to my first husband. I said no. [The] court said I had to pay 100,000 naira [US\$220 at the time]... My [new] husband said we don’t have such kind of money.”⁷⁵⁹

At the time of the publication, GN was still paying the amount in instalments.

GA, forcibly married twice, had a similar story. She told Amnesty International that she was knitting and selling caps to earn the 55,000 naira (US\$120 at the time) the court had ordered her to pay her Boko

⁷⁵⁴ Interview in person with Nigerian human rights defender, 18 July 2023, Maiduguri, Borno State.

⁷⁵⁵ Interview in person with survivor “GR”, 7 July 2023, Maiduguri, Borno State.

⁷⁵⁶ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

⁷⁵⁷ Save the Children and KIT, *Assessing the responses to the needs of survivors of sexual violence in humanitarian settings* (previously cited), p. 44; ICG, *Returning from the Land of Jihad* (previously cited), p. 17.

⁷⁵⁸ Amnesty International did not confirm the nature of the courts these women were brought before, and whether they were sharia courts.

⁷⁵⁹ Interview in person with survivor “GN”, 12 July 2023, Maiduguri, Borno State.

Haram “husband”.⁷⁶⁰ By late 2023, she was able to obtain a divorce after receiving assistance to help pay off the court-ordered amount.

What several girls told Amnesty International seems to reflect a wider issue, especially after the large-scale defection of Boko Haram fighters from 2021. A senior humanitarian worker in north-east Nigeria told Amnesty International that, in September 2022, protection partners observed an increase in requests for legal support for girls and women to divorce Boko Haram fighters; that girls and women had to pay back the “dowry” money to their “husbands” as part of community settlement agreements; and that girls and women were under significant psychological and emotional distress when unexpectedly encountering their Boko Haram “husbands”.⁷⁶¹

The Nigerian authorities need to swiftly ensure that girls and young women who have escaped Boko Haram have access to fair divorce proceedings, with access to legal representation; this is particularly urgent given that many of these girls and young women are survivors of abduction and sexual violence by these “husbands”. When proceedings occur before sharia or other community courts, the Nigerian authorities must likewise ensure they are conducted in line with international human rights law and – where it concerns girls – in the best interest of the child.⁷⁶²

Like many people in north-east Nigeria,⁷⁶³ most of the interviewees, and almost all of the children born during the girls’ time with Boko Haram, did not have basic identity and civil documents such as birth certificates or national identification documents.⁷⁶⁴

Birth certificates establish a child’s existence under law. According to UNDP and UNICEF, not having identification documents can negatively impact girls’ and young women’s as well as their children’s ability to claim other rights and protections, and limits access to basic services.⁷⁶⁵ Without a legal identity, individuals are unable to prove who they are, putting them at risk of marginalisation, exclusion, and administrative and legal invisibility. It not only limits their access to public goods and social services, such as education, but also secure jobs, vote when they are of voting age, get insurance, open a bank account, register a Sim card, and other needs required to participate in society and build a life. Birth certificates also prove legal recognition of family ties necessary to acquire inheritance or land.⁷⁶⁶

All people have a right to a legal identity enshrined in the ACHPR, the CRC and the African Children’s Charter, and set out in the Universal Declaration of Human Rights.⁷⁶⁷

NO ACCOUNTABILITY OR REPARATIONS

Since 2021 and 2022, the VAPP Act is applicable in Adamawa and Borno and States, respectively. Section 27 of the Act endows the High Court with exclusive jurisdiction over rape cases.⁷⁶⁸ None of the girls and young women with whom Amnesty International spoke brought complaints for sexual violence before the High Courts in Borno or Adamawa States. Amnesty International and other civil society groups have in the

⁷⁶⁰ Interview in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁷⁶¹ Interview by voice call with senior humanitarian worker, 15 May 2024.

⁷⁶² CEDAW, General Recommendation 33: Women’s access to justice, 3 August 2015, UN Doc. CEDAW/C/GC/33, Parts B and D; CRC, General Comment 14: Right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1), 29 May 2013, UN Doc. CRC/C/GC/14/

⁷⁶³ According to UNICEF, 57% of children under five were registered in 2022 and 2023 in Nigeria. UNICEF reported a large variation between states, ranging from 27 to 92%, but did not publicly report on statistics per state. Children in rural areas are less likely to be registered. UNICEF, “Country office annual report Nigeria 2022”, Undated, <https://www.unicef.org/media/142201/file/Nigeria-2022-COAR.pdf>, p. 1; UNICEF, “Country office annual report Nigeria 2023”, Undated, <https://www.unicef.org/reports/country-regional-divisional-annual-reports-2023/Nigeria>, p. 1. The Nigerian National Bureau of Statistics reported that, in 2018 and 2019, Borno State recorded the highest number of “registered live births”. National Bureau of Statistics, “Demographic Statistics Bulletin”, 2020, on file with Amnesty International, pp. iii and 7. In November 2023, the Nigerian government launched the Electronic Civil Registration and Vital Statistics System (e-CRVS) that aims to digitize Nigeria’s civil registration system. UNICEF, “Nigeria sets new standard in civil registration with launch of innovative e-CRVS system”, 8 November 2023, <https://www.unicef.org/nigeria/press-releases/nigeria-sets-new-standard-civil-registration-launch-innovative-e-crvs-system>

Birth registration services are integrated into immunization of children under one year old. UNICEF, “Digitalisation improves birth registration in Nigeria”, <https://www.unicef.org/nigeria/stories/digitalisation-improves-birth-registration-nigeria>

⁷⁶⁴ Interviews conducted separately in person with survivors, July 2023, Maiduguri, Borno State.

⁷⁶⁵ UNDP and UNICEF, “United Nations Legal Identity Agenda (2020 – 2030)”, 2019, <https://www.id4africa.com/2019/almanac/UNDP-UNICEF-Kristen-Wenz-Cornelius-Williams-Niall-McCann.pdf>

⁷⁶⁶ UNDP and UNICEF, “United Nations Legal Identity Agenda (2020 – 2030)”, 2019, <https://www.id4africa.com/2019/almanac/UNDP-UNICEF-Kristen-Wenz-Cornelius-Williams-Niall-McCann.pdf>

⁷⁶⁷ CRC, Articles 7 and 8; ACRWC, Article 6; ACHPR, Article 5; and Universal Declaration of Human Rights, Article 6.

⁷⁶⁸ Nigeria, VAPP Act, 2015 section 27.

past documented the numerous barriers encountered by women to access justice, including those specific to their gender and specific to sexual violence survivors.⁷⁶⁹

When Amnesty International asked interviewees what justice meant for them, answers included revenge;⁷⁷⁰ the execution of perpetrators;⁷⁷¹ a matter left in the hands of God;⁷⁷² and forgiveness and reconciliation.⁷⁷³ AV, forcibly married twice by Boko Haram, said justice to her meant “to have my dignity back”.⁷⁷⁴ Many girls and young women, such as VB, who was abducted by Boko Haram when she was around 11 years old, imprisoned thrice by Boko Haram fighters and forcibly married before she escaped and was subsequently detained by Nigerian soldiers, expressed elements of reciprocal justice: “Justice to us is what we have gone through, they must go through... What they have done should be done to them.”⁷⁷⁵

Others expressed disbelief that Boko Haram suspects of crimes under international law could be arrested, because perpetrators had already died, would not be able to be identified⁷⁷⁶, or would be inaccessible to the state authorities.⁷⁷⁷ “How will you encounter these people [alleged Boko Haram perpetrators]? They have gone far,” said IG, a 14-year-old girl.⁷⁷⁸

These views do not, in any way, negate the government’s international legal obligation to investigate and prosecute crimes under international law. Some of these views also contravene international law and policies of organizations like Amnesty International, for example in the endorsement of punishment such as the death penalty.⁷⁷⁹ Amnesty International opposes the death penalty in all cases and considers that it is a violation of the right to life and the right to freedom from torture and other ill-treatment. However, understanding these views serves to inform engagement with girls and young women in conversations about accountability and to ensure their meaningful participation in any future accountability proceedings.

In violation of international⁷⁸⁰ and national law,⁷⁸¹ Nigerian federal and state judicial authorities continue to fail to investigate and prosecute crimes committed in relation to the conflict, leaving justice and remedies for survivors elusive.⁷⁸² From interviews with Nigerian human rights defenders, UN staff and diplomatic

⁷⁶⁹ Barriers to justice for women in Nigeria include inadequate legal protections; cultural and traditional restrictions; limited financial resources and availability of legal aid; low awareness of rights; and lack of knowledge of judicial procedures. See, Olaitan Olusegun and Olatunji Oyelade, “Access to justice for Nigerian women: A veritable tool to achieving sustainable development”, 17 September 2021, International Journal of Discrimination and the Law, Volume 22, issue 1, <https://journals.sagepub.com/doi/10.1177/13582291211043418>, pp. 4-29. Barriers specific to sexual violence include stigmatization and victim-blaming; gender stereotypes and rape myths; unprofessional attitudes of law enforcement towards survivors; settlement of rape cases outside the criminal justice system; conditions of police stations unfriendly to survivors; and poor accessibility for women with disabilities. Survivors’ access was also impeded by logistical costs; gaps in training of law enforcement officers; a lack of victim protection mechanisms; a lack of medical, legal and psychosocial support for survivors; and lengthy legal processes. Amnesty International, *Nigeria: A harrowing journey* (previously cited), pp. 17-36.

⁷⁷⁰ For instance, interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State. Interviews conducted separately in person with survivors, July to October 2023, Maiduguri, Borno State.

⁷⁷¹ For instance, interview in person with survivor “CB”, 9 July 2023, Maiduguri, Borno State. Interviews conducted separately in person with survivors, July to October 2023, Maiduguri, Borno State.

⁷⁷² Interviews conducted separately in person with three survivors, July and October 2023, Maiduguri, Borno State.

⁷⁷³ For instance, interview in person with survivor “AT”, 1 October 2023, Maiduguri, Borno State; Interviews conducted separately in person with survivors, July to October 2023, Maiduguri, Borno State.

⁷⁷⁴ Interview in person with survivor “AV”, 9 July 2023, Maiduguri, Borno State.

⁷⁷⁵ Interview in person with survivor “VB”, 16 July 2023, Maiduguri, Borno State.

⁷⁷⁶ Interview in person with survivor “NM”, 1 October 2023, Maiduguri, Borno State.

⁷⁷⁷ Interview in person with survivor “IG”, 17 July 2023, Maiduguri, Borno State.

⁷⁷⁸ Interview in person with survivor “IG”, 17 July 2023, Maiduguri, Borno State.

⁷⁷⁹ Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to execute the prisoner. The organization considers the death penalty – the premeditated and cold-blooded killing of a human being by the state in the name of justice – as the most fundamental denial of human rights. It violates the right to life as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

⁷⁸⁰ Article 3 of the 2005 UN 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 reminds States that they have the obligation to “investigate violations effectively, promptly, thoroughly and impartially” and in its article 4 that, where there is sufficient evidence that a violation constitutes a crime against international law, such as a war crime, the State has “the duty to submit to prosecution the person allegedly responsible for the violations”. UN General Assembly (UNGA), Resolution 60/147: 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, adopted on 21 March 2006, UN Doc. A/RES/60/147. Other articles of the resolution are relevant too. See, for instance, article 11 on victims’ right to remedy, including “equal and effective access to justice” and “adequate, effective and prompt reparation”. The ACHPR further provides for the right to justice in Articles 3, 4, 5, 6 and 7.

⁷⁸¹ The Child Rights Act that the Borno State government domesticated on 10 January 2022 contains provisions on accountability for abduction, exploitation and other forms of violence against children. Nigeria, Child Rights Act, 2003, <https://www.refworld.org/legal/legislation/natlegbod/2003/en/105082>, Articles 27, 32 and 33.

⁷⁸² Amnesty International, *Willingly unable* (previously cited).

community members, it was clear that the Borno State authorities have no intention of prosecuting crimes against children – or any others for that matter – committed in relation to the conflict.⁷⁸³ To the best of Amnesty International’s knowledge, there have also been no, or almost no, judicial investigations or proceedings at the federal level with regards to these crimes. When asked about the ICC’s delays in opening an investigation, a Nigerian human rights activist said: “The ICC is not serious about Nigeria [as a situation before the court], and the ICC is not an issue for the Nigerian government.”⁷⁸⁴

Under international law, Nigerian authorities are also required to provide victims of crimes under international law with prompt, effective and adequate reparations, including measures of restitution, compensation, rehabilitation, satisfaction and/or guarantees of non-repetition.⁷⁸⁵ None of the CRSV survivors interviewed by Amnesty International has reported being provided with reparations.⁷⁸⁶ Despite some rehabilitation measures taken, such as vocational training, which may qualify as reparation in certain circumstances, Amnesty International neither found any indication that these measures would have been designed for the purpose of addressing the prejudice suffered by these girls and women, nor that they were understood as such by those who benefited from them.

In addition to providing accessible services for CRSV survivors, states must establish mechanisms for effective reparation. These reparations should be transformative and “aspire, to the extent possible, to subvert, instead of reinforce, pre-existing structural inequality that may be at the root causes of the violence”.⁷⁸⁷ The reparations must be proportional to the seriousness of the violation and injury suffered,⁷⁸⁸ and CEDAW recommends that priority in reparation schemes be given “to the agency, wishes, decisions, safety, dignity and integrity of victims/survivors”.⁷⁸⁹ CEDAW also recommends that State Parties, like Nigeria, establish specific funds for reparations or include them in the budgets of existing funds, for instance in judicial or non-judicial mechanisms designed to address the legacy of past crimes under international law.⁷⁹⁰

Whilst civil society actors have started gauging perceptions of conflict-affected communities on the preconditions for a transitional justice and reconciliation programme in north-east Nigeria,⁷⁹¹ the Nigerian government has yet to address the legacy of large-scale crimes committed in relation to the conflict.

6.2.2 RIGHT TO HEALTH

Years of sexual violence, being subjected to punishment, and living in poor conditions in Boko Haram captivity and, for some, prolonged periods in military detention, can have far reaching, profound and unique impact on girls’ and young women’s physical, mental, and sexual and reproductive health, including the development of disabilities or the impact on pre-existing ones, years after their return. Under the CRC, the Nigerian government must “take all appropriate measures to promote [their] physical and psychological recovery and social reintegration,”⁷⁹² but it has largely failed to do so.

PHYSICAL, SEXUAL AND REPRODUCTIVE HEALTH

Girls’ time in prolonged Boko Haram captivity exposed them to physical injuries, including from military attacks and Boko Haram punishment, that often went untreated. Specific to their use as “wives” are the physical injuries resulting from years of being subjected to sexual violence and often multiple miscarriages and childbirths when they were still children themselves. For instance, **GS** told Amnesty International that her “uterus did not go back to normal” after ISWAP fighters raped her.⁷⁹³

⁷⁸³ Interview by voice call with Nigerian human rights activist, 29 May 2024; Interview by voice call with UN staff member, 13 November 2023; Interview in person with member of the diplomatic community, 19 July 2023, Abuja, Federal Capital Territory; Interview in person with Nigerian civil society member, 4 July 2023, Maiduguri, Borno State. Amnesty International has previously examined the Nigerian government’s failure to investigate and prosecute individuals responsible for crimes under international law committed by all parties to the conflict. See Amnesty International, *Willingly unable* (previously cited).

⁷⁸⁴ Interview by voice call with Nigerian human rights activist, 29 May 2024.

⁷⁸⁵ The 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 (Basic Principles) recognize five forms of reparation: restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition.

⁷⁸⁶ For more guidance on reparation regarding CRSV, see also Part 5 of the ACHPR, The Guidelines on Combating Sexual Violence and its Consequences in Africa and ACHPR Resolution 111 (previously cited).

⁷⁸⁷ UN Special Rapporteur on violence against women, its causes and consequences, Report, 23 April 2010, A/HRC/14/22, para. 31. See also, UNSG, Guidance Note: *Reparations for Conflict-Related Sexual Violence*, June 2014,

<https://www.ohchr.org/sites/default/files/Documents/Press/GuidanceNoteReparationsJune-2014.pdf>, p. 8. See also, CEDAW, General recommendation 35 (previously cited).

⁷⁸⁸ ACHPR, The Guidelines on Combating Sexual Violence and its Consequences in Africa, para. 53.

⁷⁸⁹ CEDAW, General recommendation 35 (previously cited), para 33(b).

⁷⁹⁰ CEDAW, General recommendation 35 (previously cited), para 33(b).

⁷⁹¹ AFPD, *Making Healing Work* (previously cited).

⁷⁹² CRC, Article 39.

⁷⁹³ Interview in person with survivor “GS”, 12 July 2023, Maiduguri, Borno State.

That these acts took place when they were so young puts them at heightened risk of physical injuries, including obstetric fistula, genital and extra-genital injuries and scarring and sterility.⁷⁹⁴ Except for one,⁷⁹⁵ all interviewees Amnesty International asked whether their “husbands” used condoms said they did not, putting them at risk of sexually transmitted infections (STIs), including HIV.⁷⁹⁶ Girls and young women associated with Boko Haram from early childhood would also have been deprived of knowledge about sexual and reproductive health rights and products.

VZ, forcibly married by her parents to a farmer in ISWAP, told Amnesty International that, when she was a girl, she and her “husband” walked into a Boko Haram ambush. Boko Haram killed her “husband” and broke her leg “for running away to Mafa and going to live with the other people who are non-believers... When they hit my leg with the gun, the bone broke and they pulled away where they broke [it] and threw it away and said to die with my husband, and they left me there.”⁷⁹⁷ Community members found her the next morning and took her to her uncle’s house, who brought her to the hospital where she was fitted with a prosthetic leg and given one crutch. She has not received any further support.

ZB, who was abducted by Boko Haram when she was around 12 years old, was injured during a military attack in 2016. Her burn injuries, which extend over her chest, back, arms and hand, are left untreated.⁷⁹⁸ **GH**’s visual impairment that she developed during her time with Boko Haram also remains untreated.⁷⁹⁹

Aside from girls and young women who were able to access medical services in Bulumkutu Interim Care Centre, only a few of the interviewees Amnesty International spoke with received medical treatment after leaving Boko Haram-held territory.

MENTAL HEALTH

Girls’ and young women’s subjection to sexual violence, including forced marriage, and giving birth to and caring for children born from sexual violence, may result in mental health challenges that are different to boys’ experience.⁸⁰⁰ Amnesty International documented symptoms of distress among interviewees, including nightmares, fear, and anxiety, including about family members who are missing or still detained.⁸⁰¹ Separating children from their families and communities at critical stages in their emotional and cognitive development can lead to serious developmental deficits.⁸⁰²

EF, who was abducted by Boko Haram when she was around 10 years old and escaped before they could forcibly marry her, said: “Since I came back home, I didn’t go out so that Boko Haram would not take me again”.⁸⁰³ **GH**, now in her early twenties, and who spent around a decade in Boko Haram captivity during which she was forced to watch punishments, said: “Sometimes I dream about the corpses that I saw or the stoning of the women that I saw. Once I open my eyes, I can’t go back to sleep again.”⁸⁰⁴

NV was forcibly married into Boko Haram and estimates she spent eight years in captivity. She said: “Sometimes [I] dream of Boko Haram, our stay in the bush, the way they slaughter people, fix bombs, tie and flog us, the punishment... or if I sit, I’m usually thinking about it.”⁸⁰⁵

Few of the girls and young women Amnesty International interviewed received psychosocial support to address the trauma they experienced. One of the few who received some support, **KJ**, a 15-year-old who was abducted and forcibly married at around age 11, said that in Yola IDP camp:

“Some people... would come to talk to us. They advised us to forget about what happened to us and what we went through at the hands of Boko Haram. They said we should not think or focus on the

⁷⁹⁴ Oluwasomidoyin Olukemi Bello and others, “Nigeria, a high burden state of obstetric fistula: a contextual analysis of key drivers” (previously cited); Elena Rubini and others, “Negative consequences of conflict-related sexual violence on survivors: a systematic review of qualitative evidence”, 27 October 2023, International Journal for Equity in Health, 22, article number 227, <https://equityhealth.biomedcentral.com/articles/10.1186/s12939-023-02038-7>; ICRC, “Five things to know about sexual violence in conflict zones”, 17 June 2022, <https://www.icrc.org/en/document/five-things-know-about-sexual-violence-conflict-zones>

⁷⁹⁵ Interview in person with survivor “EE”, 15 July 2023, Maiduguri, Borno State.

⁷⁹⁶ Interviews conducted separately in person with nine survivors, July and October 2023, Maiduguri, Borno State.

⁷⁹⁷ Interview in person with survivor “VZ”, 4 October 2023, Maiduguri, Borno State.

⁷⁹⁸ Interview in person with survivor “ZB”, 14 July 2023, Maiduguri, Borno State.

⁷⁹⁹ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

⁸⁰⁰ The Alliance, *Girls Associated with Armed Forces and Armed Groups* (previously cited), p. 10.

⁸⁰¹ For instance, interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

⁸⁰² Office of the SRSG-CAAC, *The Gender Dimensions of Grave Violations Against Children in Armed Conflict*, May 2022, https://childrenandarmedconflict.un.org/wp-content/uploads/2022/05/UN_Gender-Dimensions-Grave-Violations-Against-Children-WEB-2.pdfhttps://childrenandarmedconflict.un.org/wp-content/uploads/2022/05/UN_Gender-Dimensions-Grave-Violations-Against-Children-WEB-2.pdf, p. 16.

⁸⁰³ Interview in person with survivor “EF”, 4 January 2020, Michika, Adamawa State.

⁸⁰⁴ Interview in person with survivor “GH”, 16 July 2023, Maiduguri, Borno State.

⁸⁰⁵ Interview in person with survivor “NV”, 9 July 2023, Maiduguri, Borno State.

experience, saying it would pass. They advised us to mingle with people back at home to enable us [to] forget and encouraged us to report people stigmatising us.”⁸⁰⁶

Despite the need, availability and accessibility of mental health and psychosocial support services (MHPSS) throughout north-east Nigeria is extremely limited.⁸⁰⁷ There are insufficient MHPSS tailored to the specific mental health needs for girls associated with Boko Haram. In January 2020, Amnesty International spoke with **EC**, a young woman whom Boko Haram had attempted to use as a suicide bomber. She said that she accessed counselling services through a programme dedicated to people associated with Boko Haram run by INGO International Alert in Bakassi IDP camp in Maiduguri. She became a leader in the programme and supported others who returned from captivity by Boko Haram.⁸⁰⁸ The programme, which was implemented in several locations in Borno State, stopped in 2022 due to a lack of funding.⁸⁰⁹ The Borno State government closed Bakassi IDP camp on 30 November 2021.⁸¹⁰

It is best practice for girls, and their children, to have access to a voluntary medical assessment immediately after they leave an armed group and access to health services, including specialised services and medical care required for sexual violence survivors, should be available to them after reintegration with their families or communities.⁸¹¹ This includes access to a layered approach from basic services to specialized mental health care.⁸¹² These services should be tailored to their age and gender as well as consider cultural factors, gender norms and discrimination. Studies and lessons learned from civil society and UN actors experienced in supporting girls formerly associated with armed groups show that group approaches to reintegration and peer mentors, like **EC**, are effective ways for girls to reintegrate.⁸¹³ Speaking with other girls who endured similar experiences can help girls bond, express their feelings, and enhance their sense of belonging.⁸¹⁴

States have an obligation to ensure that health care facilities, goods, and services, whether public or private, are available, accessible, affordable, acceptable and of good quality for all persons.⁸¹⁵ Children have the right to physical and mental development.⁸¹⁶ The right to health – including mental as well as sexual and reproductive health,⁸¹⁷ which are integral parts of the right to health – is enshrined in numerous human rights instruments to which Nigeria is a party.⁸¹⁸

In 2001, Nigeria signed the Abuja Declaration in which African governments pledged to commit at least 15 percent of their annual budgets to the health sector.⁸¹⁹ To date, the Nigerian government has yet to live up to this political commitment.⁸²⁰

⁸⁰⁶ Interview in person with survivor “KJ”, 4 January 2020, Michika LGA, Adamawa State.

⁸⁰⁷ IOM, “Mental health and psychosocial support”, February 2021, <https://nigeria.iom.int/sites/g/files/tmzbd11856/files/documents/er-mhps-factsheet.pdf>

⁸⁰⁸ Interview in person with survivor “EC”, 22 January 2020, Maiduguri, Borno State.

⁸⁰⁹ Interview by voice call with the country director of International Alert Nigeria, 13 May 2024.

⁸¹⁰ HumAngle, “Borno’s IDPs Stranded, Scared To Return Home After Camp Closure”, 26 December 2021, <https://humanglemedia.com/bornos-idps-stranded-scared-to-return-home-after-camp-closure/>

⁸¹¹ The Alliance, *Girls Associated with Armed Forces and Armed Groups* (previously cited), p. 37.

⁸¹² The 2007 Inter-Agency Steering Committee guidelines on the provision of mental health and psychosocial support in emergency settings, such as northeast Nigeria, recommend the availability of a layered system of complementary support to meet the needs of different groups. Responses include support to family and community support structures such as discussion groups, child-friendly spaces, and cultural and recreational activities; more focused and individualized or family interventions by trained service providers including primary health care workers; and additional psychological and psychiatric support. For more, see IASC, *Guidelines on Mental Health and Psychosocial Support in Emergency Settings* (previously cited), pp. 11-13.

⁸¹³ UNIDIR, *Forum du désarmement*, 2011, <https://unidir.org/files/publication/pdfs/les-enfants-dans-les-conflits-en-474.pdf>, pp. 37 - 49; The Alliance, *Girls Associated with Armed Forces and Armed Groups* (previously cited).

⁸¹⁴ The Alliance, *Girls Associated with Armed Forces and Armed Groups* (previously cited), pp. 38-39.

⁸¹⁵ Committee on Economic, Social and Cultural Rights (CESCR), General Comment 14: Highest attainable standards of health (art. 12), 11 August 2000, E/C.12/2000/4, para. 12.

⁸¹⁶ CRC, General Comment 15: Right of the child to the enjoyment of the highest attainable standard of health (art. 24), 17 April 2013, CRC/C/GC/15.

⁸¹⁷ See also CESCR, General Comment 22: Right to sexual and reproductive health (art. 12), 2 May 2016, E/C.12/GC/22 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/089/32/PDF/G1608932.pdf?OpenElement>; CESCR, General Comment 14 (previously cited).

⁸¹⁸ See ICESCR, Article 12; CRC, Articles 23 and 24; CEDAW, Article 12; ACHPR, Article 16(1); Maputo Protocol, Article 14 and Convention on the Rights of Persons with Disabilities (CRPD), Article 25. Nigeria ratified the CRPD in 2010. UNOHCHR, “Status of Ratification Interactive Dashboard”, <https://indicators.ohchr.org/> (accessed 2 June 2024).

⁸¹⁹ Abuja Declaration on HIV/AIDS, Tuberculosis and other related infectious diseases, April 2001, OAU/SPS/ABUJA/3, para. 26.

⁸²⁰ Centre for Social Justice, “Review of the 2024 Federal Health Budget Proposal”, Undated, <https://csj-ng.org/publication/review-of-the-2024-federal-health-budget-proposal/#:~:text=In%20the%202024%20Federal%20Health,of%20the%20proposed%20budget%20expenditure>; The development Research and Projects Centre (dRPC), “PAS Analysed the proposed 2023 health budget”, 7 October 2022, <https://drpcngr.org/pas-analysed-the-proposed-2023-health-budget/>; The Guardian, “2023 proposed national budget for health not sufficient to improve sector”, 3 November 2022, <https://guardian.ng/features/2023-proposed-national-budget-for-health-not-sufficient-to-improve-sector/>; Pulse Nigeria, “Analysis of the 2021 proposed Health budget”, 1 December 2020, <https://www.pulse.ng/news/local/analysis-of-the-2021-proposed-health-budget/gfek6ve>

Even in times of armed conflict, states are, at minimum, obliged to comply with core obligations of the right to health that are non-derogable.⁸²¹ Where armed conflict put pressure on financial resources, states are still “required to ensure the availability, accessibility and acceptability of good quality health facilities, goods and services, especially to groups rendered vulnerable by conflict”.⁸²²

6.2.3 LIVELIHOOD AND THE RIGHT TO EDUCATION

Without access to educational, vocational and livelihood opportunities, girls’ and young women’s options are restricted, and they become at risk of (re-)recruitment into Boko Haram.⁸²³ Access to these services is therefore not only important to fulfil children’s rights, but also a critical component of strategies to prevent (re-)recruitment as well as to support reintegration.⁸²⁴ Two of the girls Amnesty International spoke with returned to Boko Haram weeks after the interview. According to their fathers, the lack of food and general support were reasons for their return.⁸²⁵

LIVELIHOOD

All interviewees said they struggled to survive. Some cope by knitting and selling traditional caps and undertaking casual labour,⁸²⁶ including washing other people’s clothes.⁸²⁷ Others are dependent on relatives, host community members or humanitarian actors.⁸²⁸

YA, a 20-year-old who spent almost a decade with Boko Haram after she was forcibly married to one of their members, said, “[We] don’t know what to do.”⁸²⁹ She and her “husband” are relying on their parents, and she said she has not been able to access vocational training or any other form of support. Financial dependency can generate feelings of desperation. “We’ve come back home. My husband is jobless, I’m jobless. I don’t know what to do,” said **YA**.⁸³⁰ She had recently returned to her community.

However, due to family separation and stigma associated with Boko Haram, not all interviewees were able to depend on relatives. For instance, **BN** told Amnesty International that she and her mother were rejected by her father’s relatives. She witnessed Boko Haram kill her father before they abducted her and her mother.⁸³¹

SD told Amnesty International that, after she escaped, her mother’s new husband rejected her because of her association with Boko Haram: “My mother said I should look for my father’s relatives in Madagali.”⁸³² She said she could not find her father’s relatives and that her mother “said I couldn’t come to stay in her place. I’ve been calling my mother, but she doesn’t pick my call.”⁸³³ One interviewee also told Amnesty International that the man she married after leaving Boko Haram rejected the child she had given birth to when she was with Boko Haram.⁸³⁴

Girls and young women who escaped, some with their children born from sexual violence, and who are unable to be reunited with relatives, are often put in the position to be the breadwinner for the family. If they fail to find work, at times perhaps affected by the stigma of being associated with Boko Haram, their lack of economic opportunities can lead girls and young women to stay in abusive “marriages” or seek out new

⁸²¹ These are: (a) The obligation of States to ensure equitable distribution and access to health facilities, goods and services on a non-discriminatory basis, especially for vulnerable or marginalized groups; (b) The obligation to provide essential medicines; (c) The obligation to formulate a national health plan or policy in a transparent and participatory way, taking into consideration the special needs of vulnerable populations.” UN High Commissioner for Human Rights, Report, 19 May 2015, E/2015/59, para. 35. See also, CESCR, General Comment 14 (previously cited).

⁸²² UN High Commissioner for Human Rights, Report (previously cited), para. 36. See also, UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Report: *Violence and its impact on the right to health*, 14 April 2022, A/HRC/50/28, paras. 63-64, 87, 91-92.

⁸²³ Office of the SRSG-CAAC, *The Gender Dimensions of Grave Violations Against Children in Armed Conflict* (previously cited), p. 16.

⁸²⁴ The Alliance, *Girls Associated with Armed Forces and Armed Groups* (previously cited).

⁸²⁵ Interview by voice call with “IW”s, 30 and 31 January 2024; Interview by voice call with “VV”’s father, 1 and 15 February 2024.

⁸²⁶ Interviews conducted separately in person with eight survivors, July - October 2023, Maiduguri, Borno State.

⁸²⁷ Interview in person with survivor “NV”, 9 July 2023, Maiduguri, Borno State.

⁸²⁸ For instance, interview in person with survivor “YA”, 5 July 2023, Maiduguri, Borno State; Interview conducted in person with survivor “JB”, 5 January 2020, Madagali, Adamawa State; Interview conducted in person with survivor “TT”, 4 January 2020, Michika, Adamawa State.

⁸²⁹ Interview in person with survivor “YA”, 5 July 2023, Maiduguri, Borno State.

⁸³⁰ Interview in person with survivor “YA”, 5 July 2023, Maiduguri, Borno State.

⁸³¹ Interview in person with survivor “BN”, 9 July 2023, Maiduguri, Borno State.

⁸³² Interview in person with survivor “SD”, 30 September 2023, Maiduguri, Borno State.

⁸³³ Interview in person with survivor “SD”, 30 September 2023, Maiduguri, Borno State.

⁸³⁴ Interview in person with survivor “JG”, 16 July 2023, Maiduguri, Borno State.

marriages for survival. For instance, **BB**, in her early twenties when she escaped from Boko Haram in 2021, married because “nobody will take care of me... He showed interest in me. I decided to marry him.”⁸³⁵

Of those who did not stay in BICC, only one young woman and one girl received vocational training.⁸³⁶ However, the vocational training that girls received was limited to stereotyped gender roles such as cap knitting, sewing, and tailoring. In addition to offering a wider range of non-traditional vocations it is important that vocational trainings are combined with strengthening, or providing, business skills whilst being adapted to meet the specific needs of trainees in the war-affected economy.⁸³⁷

EDUCATION

Children’s access to education in north-east Nigeria is heavily restricted by logistical and security factors.⁸³⁸ Girls’ access to education is further challenged by socio-cultural norms and practices.⁸³⁹ Girls and young women who have left Boko Haram face additional challenges impacting their access to education. Many were abducted from their schools or communities,⁸⁴⁰ and all missed out on years of school during their captivity and were told repeatedly that government education was forbidden. This means many girls and young women return when they are older than the mandatory minimum age of up to 14 for attending school, without ever having started primary school and/or with being many years behind.

Some interviewees expressed their belief that their chance to attend school had passed, saying they were too old or did not have an interest in accessing government education, preferring to only attend *Islamiyya*.⁸⁴¹ **ED**, who was forced to marry a Boko Haram member when she and her family lived under their control, said: “I would like to go to school, although I think it is late.”⁸⁴² “I don’t feel like going to school, and there’s no reason for it,” said **JB**, whose education was interrupted when Boko Haram attacked her village when she was in grade four of her primary education.⁸⁴³

Years of sexual violence and forced pregnancy by Boko Haram also impacts girls’ and young women’s ability and desire to attend school. Three of the interviewees who returned with children born from sexual violence in Boko Haram did not see themselves accessing education but did want their children to go to a government school.⁸⁴⁴

Only three interviewees accessed education since their return from Boko Haram and, for one, her release from detention.⁸⁴⁵ All were younger than 18. A lack of financial means was the most frequently cited reason for not accessing education,⁸⁴⁶ including for interviewees’ children.⁸⁴⁷ “If not for this crisis, I would be in university now, but look at me, I can’t go back to school because there are no means,” **EI** said. **EI**’s high school education was disrupted when Boko Haram abducted her around 2015.⁸⁴⁸ Although primary and

⁸³⁵ Interview in person with survivor “BB”, 10 July 2023, Maiduguri, Borno State.

⁸³⁶ Interview in person with survivor “EE”, 15 July 2023, Maiduguri, Borno State; Interview by voice call with survivor “DD”, 23 April 2024.

⁸³⁷ ISS, “Female Boko Haram members need tailor-made rehabilitation”, 27 January 2020, <https://issafrica.org/iss-today/female-boko-haram-members-need-tailor-made-rehabilitation>; Interview by voice call with Executive Director of a Nigerian mental health organization, 16 February 2024.

⁸³⁸ These include school buildings still in need of rehabilitation and reconstruction after Boko Haram attacks; a lack of schools in their area; ongoing insecurity; living circumstances that force them to spend their time looking for food and ways to survive rather than attend school; and financial barriers. Although primary and junior secondary education in Nigeria is free there are accompanying costs such as uniforms, school materials, and transport. Nigeria, Compulsory, Free Universal Basic Education Act, 2004, <https://www.unesco.org/education/edurights/media/docs/7bdbc8b2a9a9188909f3ed44baf5392c3b68f844.pdf>, section 3. See also Nigeria’s 2003 Child Rights Act which guarantees the right to “free, compulsory and universal basic education”. For more on the impact of the conflict in northeast Nigeria on education, see Amnesty International, *We Dried Our Tears* (previously cited), pp. 72-85.

⁸³⁹ According to UNICEF, only 47.7 percent of girls in northeast Nigeria regularly attend primary school. UNICEF Nigeria, “Education”, <https://www.unicef.org/nigeria/education> (accessed in October 2023 and on 2 June 2024).

⁸⁴⁰ For instance, in April 2014, JAS abducted 276 female students, of whom 110 were girls, from a government school in Chibok, Borno State. UNSG, Report: *Report of the Secretary-General on children and armed conflict in Nigeria*, 10 April 2017, UN Doc. S/2017/304, para. 71. In February 2018, Boko Haram abducted 110 girls from a government school in Dapchi, Yobe State. UNSG, Report: *Children and armed conflict*, 20 June 2019, A/73/907-S/2019/509 https://www.securitycouncilreport.org/atf/cf/165BF9CF9B-6D27-4E9C-8CD3-CF6E4FF96FF9/s_2019_509.pdf, para. 212.

⁸⁴¹ Interviews conducted separately in person with four survivors, July 2023, Maiduguri, Borno State; Interview in person with survivor “ED”, 5 January 2020, Madagali LGA, Adamawa State.

⁸⁴² Interview in person with survivor “ED”, 5 January 2020, Madagali LGA, Adamawa State.

⁸⁴³ Interview in person with survivor “JB”, 5 January 2020, Madagali, Adamawa State.

⁸⁴⁴ Interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

⁸⁴⁵ Interview in person with survivor “BK”, 15 July 2023, Maiduguri, Borno State; Interview conducted in person with survivor “SZ”, 30 December 2019, Michika, Adamawa State; Interview conducted in person with survivor “CY”, 6 January 2020, Madagali, Adamawa State.

⁸⁴⁶ Interview in person with survivor “NC”, 1 January 2020, Michika LGA, Adamawa State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State. Interviews conducted separately in person with four survivors, July 2023, Maiduguri, Borno State.

⁸⁴⁷ Interviews conducted separately in person with three survivors, July 2023, Maiduguri, Borno State.

⁸⁴⁸ Interview in person with survivor “EI”, 6 January 2020, Madagali, Adamawa State.

junior secondary education in Nigeria is free,⁸⁴⁹ there are accompanying costs such as uniforms, school materials, and transport.⁸⁵⁰

Two interviewees did not access schools because there was no school in the area where they lived or because their living circumstances forced them to spend their time looking for food and ways to survive rather than attend school.⁸⁵¹ “[We] usually go out to farm to get money. Yes [I want to go to school], but we have to farm,” said 16-year-old **NC**, who was incorrectly perceived to be part of Boko Haram, and whose grandmother had arranged her marriage when she was around 14 years old.⁸⁵²

As well as improving their life chances education can help mitigate the devastating impact on the mental health of girls associated with armed groups, regain their perceived lost social value, break social isolation, help build self-worth and support them to return to a life outside of the armed group.⁸⁵³ However, it is also important that education is tailored to the specific needs of each young person. In this respect, special attention needs to be paid to girls born into the armed group and to facilitate access to education for girls with a disability.

The CESCR recognizes education as both a human right and an indispensable means of realizing other rights.⁸⁵⁴

In addition to provisions in the 2003 Nigerian Child Rights Act and 2004 Free Universal Basic Education Act, Nigeria’s international legal obligations under the CRC, ICESCR, and ACRWC, require the government to ensure primary education is free, accessible, and compulsory for all children.⁸⁵⁵ International law also requires that Nigeria provides secondary education that is accessible and available, with progress made toward ensuring it is free.⁸⁵⁶ The Maputo Protocol furthermore provides for non-discrimination against women and protects girls’ fundamental right to education.⁸⁵⁷

Boko Haram attacks on education and the humanitarian situation present challenges to the Nigerian government’s ability to respect, protect and fulfil the right to education. However, in times of armed conflict core obligations to deliver education for all without discrimination still exist.⁸⁵⁸ In this regard the Nigerian authorities must take comprehensive measures to protect schools, children, teachers, and other related civilians from attack and measures to prevent third parties from interfering with children’s right to education.⁸⁵⁹ Where conflict strains resources, states are still required to ensure “the availability, accessibility and acceptability of good quality education facilities, goods and services, especially to groups rendered

⁸⁴⁹ Nigeria, Compulsory, Free Universal Basic Education Act, 2004, <https://www.unesco.org/education/edurights/media/docs/7bd8c8b2a9a188909f3ed44baf5392c3b68f844.pdf>, section 3. See also Nigeria’s 2003 Child Rights Act which guarantees the right to “free, compulsory and universal basic education”. Nigeria, Child Rights Act, 2003, <https://www.refworld.org/legal/legislation/natlegbod/2003/en/105082>, Article 15(1).

⁸⁵⁰ UNESCO, “Nigeria: Improving free quality basic education on a tight budget”, 9 December 2021, <https://dakar.iiep.unesco.org/en/news/nigeria-improving-free-quality-basic-education-tight-budget>

⁸⁵¹ Interview in person with survivor “ZN”, 6 July 2023, Maiduguri, Borno State. For more, see Amnesty International, *We Dried Our Tears* (previously cited), p. 79-82.

⁸⁵² Interview in person with survivor “NC”, 13 July 2023, Maiduguri, Borno State.

⁸⁵³ The Alliance, *Girls Associated with Armed Forces and Armed Groups* (previously cited), p. 33.

⁸⁵⁴ CESCR, General Comment 13: Right to Education (Art. 13), 8 December 1999, E/C.12/1999/10.

⁸⁵⁵ CRC, Article 28; ICESCR, Article 13; ACRWC, Article 11, provides for “free and compulsory basic education” and also the need to take specific measures for “female, gifted and disadvantaged children to ensure equal access to education”. See also the African Youth Charter, 2006, Articles 13(4)(a) and 13(4)(b).

⁸⁵⁶ CRC, Article 28; ACERWC, Art. 11; ICESCR, Art. 13. See also CESCR, General Comment 13 (previously cited); African Youth Charter, 2006, Article 13(4)(b).

⁸⁵⁷ Maputo Protocol, Article 12.

⁸⁵⁸ These core obligations include “access to public educational institutions and programmes on a non-discriminatory basis, conformity of education to the objectives of the full development of the human personality and a sense of its dignity. It also includes free and compulsory primary education, the adoption and implementation of a national educational strategy which includes provision for secondary, higher and fundamental education, and free choice of education without interference from the State or third parties, subject to conformity with “minimum educational standards.” UN High Commissioner for Human Rights, Report (previously cited), para. 53. See also, Geneva Academy of International Humanitarian Law and Human Rights (Geneva Academy), *United Nations Human Rights Mechanisms and the Right to Education in Insecurity and Armed Conflict*, 2013, <https://www.geneva-academy.ch/research/our-clusters/past-projects/detail/24-protection-of-education-in-armed-conflict>; British Institute of International and Comparative Law (BIICL), *Protecting Education in Insecurity and Armed Conflict: An International Law Handbook (Second Edition)*, 27 January 2020, <https://www.biicl.org/publications/protecting-education-in-insecurity-and-armed-conflict-an-international-law-handbook-second-edition>

⁸⁵⁹ UN High Commissioner for Human Rights, Report (previously cited). See also, Geneva Academy, *United Nations Human Rights Mechanisms and the Right to Education in Insecurity and Armed Conflict* (previously cited); BIICL, *Protecting Education in Insecurity and Armed Conflict* (previously cited); UNSC, Resolution 2601 (2021), adopted on 29 October 2021, S/RES/2601.

vulnerable by conflict”.⁸⁶⁰ Whilst recognising the challenge of implementing this in practice, guidance exists on how to achieve this, including based on examples from a range of conflict situations.⁸⁶¹

6.3 FAMILY REUNIFICATION

Conflict-induced displacement, Boko Haram abductions and forced marriages, and the military’s unlawful detention of individuals perceived to be Boko Haram⁸⁶² have torn families apart. 18+ girls and young women told Amnesty International that family members were still missing at the time of the interview.⁸⁶³

NI was abducted by Boko Haram with her mother, sister and girl cousin, after fighters killed her father and brother. She said Boko Haram then separated her from her mother: “Boko Haram selected girls in the bush and we don’t know what they did with our mothers.”⁸⁶⁴ She escaped around May 2023 and was living with her aunt at the time of the interview, still unaware of where her mother was, or if she was still alive. BZ, who soldiers perceived to be associated with Boko Haram and detained her and her father in Giwa Barracks, said she last saw her father in Giwa Barracks around 2020.⁸⁶⁵

The Nigerian military, Borno State authorities, camp officials and international actors work to reunify girls and young women with their families. Many girls and young women Amnesty International spoke with had been reunited with relatives.⁸⁶⁶ GA, who was forcibly married twice to Boko Haram fighters and exited through the *Sulhu* programme when she was around 18 years old, said:

“When they [BICC staff] gave me the phone, they said it was my mother. I started talking to her. My mother asked, ‘Who am I talking to?’ I told her it was me... When we identified ourselves, we started crying on the phone. We couldn’t even talk. They collected the phone from me and talked to my mother and told her where I am... From there she came [with my brother to visit me in BICC]... We cried a lot.”⁸⁶⁷

After the visit, her mother went back to her town and fell ill. GA’s brother came to BICC and told the personnel about their mother’s condition, after which they released GA to be reunited with her family.⁸⁶⁸

For others, the happiness of being reunited with family members was also a painful experience when they learned about the death of relatives. “[My brothers] were caught and shot while trying to run away from [my village in Michika LGA] when Boko Haram attacked. I heard the news from people when I returned to the village,” said TT.⁸⁶⁹

Not all adolescents may wish to live as part of a family, especially when their immediate relatives cannot be found. In such cases, supervised and supported independent living arrangements in a community setting may be an acceptable alternative.⁸⁷⁰ For instance, AE, a teenager when camp officials looked for relatives with whom to reunite her, said: “They found someone who knew my parents – relative of my mother, so they handed me to him... The man is supporting his wife – I can see his attitude towards me changing as she

⁸⁶⁰ UN High Commissioner for Human Rights, Report (previously cited), para. 54.

⁸⁶¹ For more guidance, see The Right to Education Initiative, *Monitoring Education Under Attack*, 2021, www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE_Monitoring%20Education%20Under%20Attack_Monitoring%20Guide_September2021_EN.pdf; UN Special Rapporteur on the right to education, Report: *Right to education in emergency situations*, 20 May 2008, A/HRC/8/10; CRC, “The Right of the Child to Education in Emergency Situations”, 19 September 2008, https://archive.crin.org/sites/default/files/images/docs/08_Ad_hoc_group.pdf; BIICL, *Protecting Education in Insecurity and Armed Conflict* (previously cited).

⁸⁶² Amnesty International has documented widespread and systematic enforced disappearances by the Nigerian military that may amount to crimes against humanity. It has also document widespread unlawful deprivation of liberty. See Amnesty International, *Stars on Their Shoulders. Blood on Their Hands* (previously cited); Amnesty International, *Welcome to hell fire* (previously cited); Amnesty International, *If You See It, You Will Cry* (previously cited); and Amnesty International, *They Betrayed Us* (previously cited).

⁸⁶³ Interviews conducted separately in person with 17 survivors, July - October 2023, Maiduguri, Borno State; Interview conducted in person with survivor “SZ”, 30 December 2019, Michika, Adamawa State.

⁸⁶⁴ Interview conducted in person with survivor “NI”, 15 July 2023, Maiduguri, Borno State.

⁸⁶⁵ Interview conducted in person with survivor “BZ”, 30 September 2023, Maiduguri, Borno State.

⁸⁶⁶ For instance, interviews conducted separately in person with four survivors, July - October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Michika, Adamawa State; Interviews conducted separately in person with three survivors, January 2020, Madagali, Adamawa State; Interview conducted in person with survivor “SZ”, 30 December 2019, Michika, Adamawa State.

⁸⁶⁷ Interview conducted in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁸⁶⁸ Interview conducted in person with survivor “GA”, 3 October 2023, Maiduguri, Borno State.

⁸⁶⁹ Interview in person with survivor “TT”, 4 January 2020, Michika LGA, Adamawa State.

⁸⁷⁰ Paris Principles, para. 7.45. For more, see the 2009 UN Guidelines for the Alternative Care of Children.

complains about me. I want to live on my own and go to school. I would rather get food on my own, to give me some independence, and then I could just live near them.”⁸⁷¹

International humanitarian law provides that parties to a conflict must facilitate the reunion of families dispersed as a result of armed conflict.⁸⁷² International human rights standards also provide for family reunification after internal displacements.⁸⁷³ As with all actions concerning children, decisions related to family reunifications must be guided by the best interests of the child.⁸⁷⁴

The Paris Principles prescribe that children should be returned to, or placed in, a supportive and protective environment as soon as possible after their exit from an armed group.⁸⁷⁵ They furthermore stress the importance of assessing the capacity of the communities and families to absorb the child, as they too will have likely been negatively affected by the conflict. It is important that authorities prepare families and communities for the return of children associated with armed groups.⁸⁷⁶ Where it is not possible to reunite children associated with armed groups with their own families, best standards advise alternative family-based care arrangements.⁸⁷⁷

6.4 PRIORITIES AND ASPIRATIONS

“I want to start my life afresh. [There are] so many things I need, I don’t know where to start.”

SB, survivor who spent around ten years in Boko Haram captivity, 15 July 2023, Maiduguri, Borno State

Amnesty International asked the survivors to share their aspirations and their needs. These answers informed the recommendations of this report.

After years of oppression by Boko Haram and dependence on their “husbands”, subsequent deprivation of their liberty by the Nigerian military, and lingering stigma, many interviewees said they wanted their freedom most of all. They expressed a desire to take care of themselves and become financially independent, including to be able to enrol their children in school and support their families in times of sickness and poverty.⁸⁷⁸ These girls and young women identified vocational training, doing business, and the capital required as means to achieve that and thus their priority.

GW, a teenager living with her parents in Bama, said: “I want to be independent. I want to do something on my own. I don’t want to go to people’s farm before getting something to eat. That’s my wish.”⁸⁷⁹

NM was Christian when she was abducted as a girl, tried resisting forced conversion by Boko Haram, was forcibly married, and subjected to years of sexual violence. She managed to escape but was rejected by her Christian and Muslim relatives and now struggles to survive. “I just want to be someone who is able to depend on myself,” she said. “I want to get somewhere where I would stay and take care of myself.”⁸⁸⁰

Many interviewees also identified access to education as their top priority.⁸⁸¹ Eight interviewees said they wanted to study to become doctors, nurses, an English teacher, a mathematician, a lawyer, and a NGO

⁸⁷¹ Interview by voice call with survivor “AE”, 25 November 2020.

⁸⁷² Article 4(3)(b) of Additional Protocol II provides that “all appropriate steps shall be taken to facilitate the reunion of families temporarily separated”. Respect for family life has become a norm of customary international law. ICRC, Customary International Humanitarian Law, Rule 105.

⁸⁷³ UN Guiding Principles on Internal Displacement, Principle 17(3).

⁸⁷⁴ The “best interest of the child” principle is enshrined in the CRC, Article 3(1).

⁸⁷⁵ Paris Principles, para. 7.45.

⁸⁷⁶ Paris Principles, paras. 7.37 and 7.41.

⁸⁷⁷ Paris Principles, para. 7.45.

⁸⁷⁸ For instance, interviews conducted separately in person with 15 survivors, July – October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Michika, Adamawa State. Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State.

⁸⁷⁹ Interview in person with survivor “GW”, 30 September 2023, Maiduguri, Borno State.

⁸⁸⁰ Interview in person with survivor “NM”, 1 October 2023, Maiduguri, Borno State.

⁸⁸¹ Interviews conducted separately in person with 14 survivors, July - October 2023, Maiduguri, Borno State; Interviews conducted separately in person with two survivors, January 2020, Madagali, Adamawa State; Interview conducted in person with survivor “NC”, 1 January 2020, Michika, Adamawa State.

worker.⁸⁸² **SZ**, abducted and forced into domestic servitude for Boko Haram when she was a girl, said: “The biggest help for me right now would be guarantee about my education because I want to be a doctor when I grow up.”⁸⁸³ **EE**, who was abducted when she was a girl, said: “I want to forget that I once lived with Boko Haram. I want to come out from this camp and start all over again.”⁸⁸⁴ She said she wanted to study to become an English teacher. **FF**, whose father was killed by Boko Haram and who was arbitrarily arrested by Nigerian soldiers as she was fleeing and detained in Giwa Barracks, wants to become a lawyer.⁸⁸⁵

For other interviewees, a focus on immediate needs still prevailed. Some interviewees identified access to food as a priority.⁸⁸⁶ Others wanted treatment for medical problems,⁸⁸⁷ and some interviewees prioritized security so that they could return to their areas of origin and farm.⁸⁸⁸ **IJ** and nine other girls and young women wanted help finding their missing relatives, including those still reportedly unlawfully held in military custody.⁸⁸⁹

⁸⁸² Interviews conducted separately in person with five survivors, July - October 2023, Maiduguri, Borno State; Interview conducted in person with survivor “CY”, 6 January 2020, Madagali, Adamawa State; Interview conducted in person with survivor “KJ”, 4 January 2020, Michika, Adamawa State; Interview conducted in person with survivor “SZ”, 30 December 2019, Michika, Adamawa State.

⁸⁸³ Interview in person with survivor “SZ”, 30 December 2019, Michika LGA, Adamawa State.

⁸⁸⁴ Interview in person with survivor “EE”, 15 July 2023, Maiduguri, Borno State.

⁸⁸⁵ Interview in person with survivor “FF”, 30 September 2023, Maiduguri, Borno State.

⁸⁸⁶ Interviews conducted separately in person with five survivors, July - October 2023, Maiduguri, Borno State.

⁸⁸⁷ Interview by voice call with survivor “II”, 25 April 2024; Interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State; Interview conducted in person with survivor “JB”, 5 January 2020, Madagali, Adamawa State.

⁸⁸⁸ For instance, interviews conducted separately in person with two survivors, July 2023, Maiduguri, Borno State.

⁸⁸⁹ Interview by voice call with survivor “IJ”, 24 April 2024; Interview conducted in person with survivor “IB”, 8 July 2023, Maiduguri, Borno State; Interviews conducted separately in person with eight survivors, July - October 2023, Maiduguri, Borno State.

GV'S EXPERIENCE



"Before the crisis, I was living with my auntie [in Gwoza, Borno State] because my parents were dead... My mother died when I was little. My father was killed by Boko Haram. I saw them kill him in front of me. It was a Friday.

One day, [when I was 12 years old in 2014], I came from the [secondary] school. Boko Haram had already attacked our village. They just pushed the door and came into our house... Their face was covered with a black veil... My auntie asked me to go into the room. They said they would take me with them... They said they wanted to get married to me... I refused to go with them... They said if I would not get married to them, I would be punished, or they would kill me. So I agreed to get married to them... They took me with them... My auntie was

crying.

My three younger brothers, our neighbour and two other children were also taken to the bush, [to Boko Haram-held territory]. [For] more than one week, we were walking barefoot... I would put my youngest brother on my back. [He was so young], he was unable to walk. [When I got tired], I would give him to my other brother... The [Boko Haram fighter] who took us would usually go and look for food. He would just cook baobab leaves if he could not find anything... We slept under trees.

They took us to a village in the bush. I got separated from my two brothers. Since then, I have not heard from them. My youngest brother, I took him with me. We are still together.

They put us inside a metal structure and they locked us up. They got me married at that place. Then we had to stay with my 'husband' in his house. After I got married, within two days, he came to me at night. And then I told him no, not to do [it]. And then he showed me a knife and asked for my brother to stay outside. I put a piece of cloth for my brother outside and then laid him down. And then [my 'husband'] did it inside the room... He told me he would slaughter me [if I refused], so I agree[d]. After some time, I got pregnant... My daughter died when she was seven months old due to vomiting and diarrhea.

I used to do house chores... There was a time when I told him I could not cook; I was not feeling well, and he slapped me once... I was not allowed to visit any house unless my neighbour [a woman, went with me].

My 'husband' usually asked one of the guards to lock us up when he was not around. When my 'husband' was back, he would open the room and we got fresh air outside. If [Boko Haram] called him [to fight], he would lock us up again. If we refused, he would show us his gun and we would go in.

One day [my 'husband' and other fighters] went out to the bush [to fight]. They stayed away for almost two months. Then people came to me and they said my 'husband' had died. After my 'husband' died, [Boko Haram members] informed me that I would be getting married soon. I told them no, I don't want to get married. They went and after two days they came back. I still insisted and told them that I didn't want to marry. They said if I would not get married, they would kill me. Then I told them, okay, let them kill me and then they left. They did not come back again.

My three co-wives and I decided to migrate to another [Boko Haram-held] location. We stayed there and there was suffering and hunger. We kept on migrating from one [Boko Haram-held] location to another. Then finally we decided just to escape from the bush.

I was going to run when I saw a woman. She told me that I should come and sleep at her place. When the woman hid us in her place, after the men left for war, I took my brother and went into the bush. I saw a dark tree and decided to keep my brother there. Then I went back to check that nobody was coming, so we could rest for a while. Then we continued. We rested for a while and then in the evening, we started the journey again. I passed from village to village until I met soldiers.

The soldiers took us with them, and they brought us to the King's House [a closed camp in Gwoza guarded by the military] and left us there for one week. No, [I did not access a lawyer or a court.] [The soldiers] just kept on insulting us, they kept on insulting us. My auntie got the information that we were there and decided to pick me up.

I have now been staying with my auntie [for about a year]. I am not going to school because my auntie has no money to enroll me. I have not received any support."

RECOMMENDATIONS

This report documents the experience of girls associated, or perceived to be associated, with Boko Haram, and the abuses and violations of international humanitarian law and international human rights law they endured by Boko Haram, as well as by the Nigerian authorities, including the military. It highlights the unique challenges for reintegrating into Nigerian society faced by girls and young women who have survived abduction and conscription; forced marriage; sexual violence; forced pregnancy; enslavement; trafficking; torture; and unlawful detention; as well as the stigma associated with Boko Haram. As such, Amnesty International asked interviewees what changes they wished to see. They offered recommendations to the Government of Nigeria, UN and INGOs, including:

- Ensure livelihood support, including vocational training and capital to start their own business and to be able to trade;
- Ensure access to government education, including for their children;
- Ensure access to food;
- Ensure medical treatment;
- Guarantee a secure living environment.

In addition to the recommendations identified above by the girls and young women, Amnesty International has the following recommendations for all parties to the conflict in north-east Nigeria, government authorities, and regional and international actors.

TO BOKO HARAM (JAS, JAS FACTIONS AND ISWAP)

- Immediately renounce and end abductions of civilians, including children, and the use, conscription and enlistment of children under the age of 18;
- Immediately release all those who have been abducted, including those taken as girls, in cooperation with the UN and other international organizations. Ensure, in general, that anyone wishing to leave Boko Haram-held territory can do so, without fear of punishment by the group;
- Immediately renounce and end all forms of gender-based violence including forced marriages, rape and sexual slavery;
- Immediately renounce and end enslavement, imprisonment, punishment through beatings and floggings, and forcing individuals, including girls, to watch punishment, and all other forms of torture and other ill-treatment committed against girls;
- Immediately end punishment of women and girls for actions related to family planning, including taking the contraceptive pill;
- Ensure the full respect of rules of international humanitarian law and, where violations of such rules are committed, ensure that those suspected of war crimes, crimes against humanity or other grave violations are referred to the competent authorities to be investigated and prosecuted in fair trials.

TO NIGERIAN AUTHORITIES

TO DEFENCE AND SECURITY FORCES

- Ensure the effective implementation of the September 2022 Handover Protocol for Children Encountered in the Course of Armed Conflict in Nigeria and the Lake Chad Basin Region (handover protocol) by continuing to raise awareness within the defence and security forces about the protocol and of the need to promptly hand over children, including girls, associated with Boko Haram in military detention to Nigerian civilian authorities or child protection actors. Continue to allow the UN unrestricted and unannounced access to monitor all detention facilities where children may be held, and extend this access to other relevant international and Nigerian organizations;
- Make publicly available the 2022 handover protocol, including in Kanuri and Hausa and in formats suitable for children and for persons who cannot read. Raise awareness about the protocol among the general public, civil society and children and young adults formerly associated with Boko Haram;
- Ensure the meaningful participation and consultation of children and young adults, including girls and young women, formerly associated with Boko Haram in the implementation and monitoring of the 2022 handover protocol;
- Ensure that no one is subjected to arbitrary arrest or detention and immediately inform all detainees of the reasons for their arrest or detention and provide them with full information about their rights;
- Release all individuals unlawfully detained in military detention unless they are reasonably suspected of committing crimes under international law or serious crimes under domestic law that are consistent with international human rights law. For such individuals, transfer them to competent civilian authorities to be tried in compliance with the right to a fair trial, without resorting to the death penalty;
- Ensure all places of detention without exception can be visited regularly and through unannounced visits by the National Human Rights Commission as well as other independent monitors from non-governmental organizations and UN agencies;
- Create more transparency and clarity regarding the screening process by adopting consistent standards that are in line with Nigeria's international human rights obligations, take into account the best interests of the child and are gender sensitive. Ensure, per the terms of the September 2022 handover protocol, that Nigerian security agencies limit the questions they ask children exiting Boko Haram and other groups to their name, age, home origin, and information needed to establish their health and family status;
- Ensure that in locations where many young women arrive in government-held territories, such as major checkpoints and screening sites, the military works closely with female civilians specialised in screening women, including who were girls when associated with non-state armed groups. Ensure, where possible, those involved in screening are fluent in Hausa and Kanuri. Ensure also, in line with anti-trafficking and human rights law and standards, the identification and referral of trafficking victims by multi-disciplinary teams which should not be exclusively led by security forces or law enforcement, and should include professionals with specific expertise on identifying and assisting trafficking victims;
- Per the terms of the September 2022 handover protocol, ensure that girls, and children more generally, are not exposed to the media. When seeking media engagement in relation to girls associated with Boko Haram, refrain from sharing identifying information about the girl's release in and with the media;
- Ensure the full respect of rules of international humanitarian law and, where violations of such rules are committed, ensure that those suspected of war crimes, crimes against humanity or other grave violations are referred to the competent authorities to be investigated and prosecuted in fair trials before competent courts and without recourse to the death penalty.

TO THE PRESIDENT AND THE GOVERNMENT OF NIGERIA

REINTEGRATION SERVICES

- Endorse the Paris Commitments to Protect Children Unlawfully Recruited or Used by Armed Forces or Armed Groups (“The Paris Commitments”) and The Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (“the Paris Principles”);
- Engage communities early and substantively before further designing reintegration plans and programmes. Recognize that active community engagement is essential and takes time, as it needs to include all communities, including those displaced and in the host community;
- Ensure participatory discussions and actively seek children’s, including girls’, perspectives to inform programmes designed for their reintegration, as is called for in UN Security Council Resolution 1325. This engagement must be gender inclusive in a way that avoids tokenistic participation of girls and women;
- Develop and strengthen programmes, including at schools, aimed at eradicating stigma and discrimination against girls associated with Boko Haram and at breaking cycles of victimization and disempowerment of young women and girls, including for example through public education campaigns and training programmes;
- Expand existing or, as needed, establish additional services to include holistic reintegration programmes that integrate services for children associated with Boko Haram, considering the distinct experiences and needs of girls and that include optional access to human rights education, including rights to freedom of movement; health, including sexual and reproductive health and psychosocial services; and vocational training or other forms of livelihood support;
- Consider using group approaches to reintegrating girls and young women into communities, supported by peer mentors.

HEALTH

- In line with best practices, ensure that girls and young women, and their children, have access to a voluntary medical assessment immediately after they leave Boko Haram and make available access to health services, including specialised services and medical care required for sexual violence survivors, after reintegration with their families or communities. These services should be tailored to their age and gender as well as consider cultural factors, gender norms and discrimination;
- Ensure that all girls and young women associated with Boko Haram, including survivors of sexual violence, can access comprehensive and confidential health care services, including sexual and reproductive health services and information as required, including emergency contraception, HIV counselling, testing and post-exposure prophylaxis, safe and legal abortion, and maternal health support;
- Ensure that health services are part of a comprehensive multisectoral response that addresses the holistic needs of survivors of violence and their families, including the referral to specialized services and multisectoral services, including financial and legal support, safe accommodation, and accountability and redress;
- Establish safe houses where girls formerly associated with Boko Haram can voluntarily seek shelter and protection and from where they can access psychosocial, medical and legal services, should they wish to do so;
- Extend psychosocial support to girls’ relatives and caretakers;
- Progressively allocate at least 15 percent of the national budget to health, as committed to in the Abuja Declaration.

EDUCATION AND VOCATIONAL TRAINING

- Ensure, to the maximum extent feasible, that schools across the states and in IDP camps are open and safe places to learn, that sufficiently trained teachers are deployed and that those teachers are supported, including through providing better security, to maximize their attendance. As part of ensuring that schools are open and accessible across the states, prioritize the reconstruction and rehabilitation of schools that have been destroyed or damaged;
- Eliminate all costs and fees associated with primary education including, with support from international donors, for uniform fees, materials and transportation, through providing needed

transport directly or through covering costs. Eliminate, to the maximum extent feasible, and with support from international donors, the costs associated with secondary education;

- Make accessible accelerated learning programmes for children, including girls associated with Boko Haram, including catch-up classes and basic literacy and numeracy classes and raise awareness about the existence and value of these programmes;
- Ensure the efficacy of vocational trainings so that the trainings generate income and help the girls and young women become financially self-sufficient in the long run;
- Design vocational training programmes in a participatory manner, including, where possible, in line with the priorities identified by girls and young women. Address pre-existing discrimination and gender stereotypes by making accessible to girls and young women skills training that challenge stereotypical gender norms, including the skills trainings available to boys. Make accessible information about these skills trainings, including associated risks, to enable girls and young women to make an informed decision about which skill trainings they would like to pursue. When offering skills training that do not confirm to stereotypical gender norms, take a gender-transformative approach in the community to prevent doing harm or putting the girl or young woman at increased risk of stigmatisation, especially when girls earning money could affect power dynamics and heighten risks of domestic violence. Specific measures should be taken to enable girls with a disability or with children to access vocational trainings;
- Adapt vocational training, as much as possible, to local economies to enable girls and young women to positively contribute to and benefit from these economies while ensuring conflict-affected communities also benefit to avoid perceptions of disproportionate advantage.

LEGAL SERVICES

- Ensure that children, including children of CRSV survivors, are able to have their births registered and to access education, and ensure special measures are taken to ensure female-headed households have access to livelihood opportunities;
- Make available legal services to girls and young women in need of them. Ensure civil documents can be issued for people living in IDP camps and raise awareness about the importance of civil documentation.

ADDRESSING ROOT CAUSES AND THE LEGACY OF VIOLATIONS

- Publicly acknowledge that the Nigerian military has committed crimes under international law and other human rights violations against girls and women in the north-east conflict, and the Nigerian state has failed to protect them from crimes under international law by Boko Haram;
- Ensure the meaningful participation and consultation of survivors of the conflict in north-east Nigeria, including girls and women in general and girls and young women associated with Boko Haram specifically, and of civil society, with the view to informing a holistic approach to fulfilling their rights to truth, justice and reparations as enshrined in international human rights law;
- Ensure judicial institutions are independent, impartial, provide minimum fair trial guarantees and have appropriate means to address the legacy of violations in north-east Nigeria through investigating and prosecuting crimes under international law and other violations. Ensure that Nigeria's legal framework provides for the prosecution of war crimes, crimes against humanity and genocide, as defined under the Rome Statute;
- Establish a victim and witness protection programme and ensure the meaningful design, participation and consultation of survivors in the creation of such a programme;
- Take all appropriate measures to guarantee the non-repetition of crimes committed in the context of the conflict in north-east Nigeria, including, where appropriate, reforms of judicial and/or security institutions;
- Establish a gender transformative reparations programme, in consultation with civil society and communities affected by the conflict in the north-east, with special consideration given to the violations faced by children, including the distinct violations experienced by girls, among other groups. Seek and implement expert advice to maximize the impact of reparations on both girls and boys as well as to design and distribute reparations so as to be accessible, including for children with disabilities;

- Establish a framework of cooperation with the Office of the UN's Special Representative of the Secretary-General on Sexual Violence in Conflict and seek their technical assistance to support the legislature in ensuring the existence of a legal framework that enables prosecution of CRSV as crimes under international law; to support the relevant judicial authorities to ensure accountability for CRSV; to ensure a survivor centred response by relevant authorities, in collaboration with civil society; to support the Nigerian military to enhance their responses to CRSV, including conducting human rights compliant screening, especially with a view to identifying victims of trafficking; and to support government authorities to strengthen pathways of support for CRSV survivors, including girls and young women associated with Boko Haram;
- Take appropriate measures to combat gender discrimination including through, but not limited to, supporting girls' and women's economic and social empowerment and public and political participation.

HUMAN RIGHTS MECHANISMS

- Submit to the UN Committee on the Rights of the Child, with no further delay, Nigeria's state period reports on how Nigeria is implementing the provisions of the Convention on the Rights of the Child and its optional protocol on the involvement of children in armed conflict;
- Submit to the UN Committee on the Elimination of Discrimination Against Women, with no further delay, Nigeria's state period report on how Nigeria is implementing the provisions of the Convention on the Elimination of Discrimination Against Women;
- Submit to the African Committee of Experts on the Rights and Welfare of the Child, with no further delay, Nigeria's state periodic reports on how Nigeria is implementing the provisions of the African Charter on the Rights and Welfare of the Child;
- Invite the Special Rapporteur on Trafficking in Persons, especially Women and Children, to conduct a country visit, and facilitate, with no further delay, visits by other UN Special Procedures, among them the Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Working Group on Discrimination against Women and Girls, and the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism.

TO BORNO AND ADAMAWA STATE GOVERNMENTS

- In relation to the state authorities' role in screening individuals leaving Boko Haram and/or Boko Haram-controlled territory, create more transparency and clarity regarding the screening process by adopting consistent standards that are in line with Nigeria's international human rights obligations, take into account the best interests of the child and are gender sensitive and in line with anti-trafficking obligations;
- Ensure that young women exiting Boko Haram can access services offered at BICC voluntarily and are permitted to go in and out of the facility. Alternatively, ensure that young women's detention is lawful and their fair trial rights are respected, including access to a lawyer and an opportunity to challenge their detention before a competent court. Ensure that girls at BICC are there for the shortest time required to reunite them with their relatives or arrange alternative care;
- Ensure that all male detainees are transferred from BICC under conditions that meet international human rights and humanitarian law;
- Design and offer accelerated learning programs for girls over 14 years old in Bulumkutu Interim Care Centre, Hajj Transit Camp and Shukuri Transit Centre;
- Monitor and provide, as necessary, follow-up support to girls and young women who have left BICC and live in communities;
- Ensure that girls and young women associated with Boko Haram are given a meaningful informed choice on whether or not they wish to be reunited with their "husbands" in Hajj Transit Camp and Shukuri Transit Centre, including by ensuring they are offered a safe alternative;
- Allow for the safe, dignified, informed and voluntary returns of IDPs, in compliance with international norms. Lift all operational restrictions imposed on humanitarian actors and ensure unfettered and unrestricted access to humanitarian and development organizations working in Borno State, helping

to improve overall conditions for displaced communities, lessening the need for families to rely on children, including young children and girls, for livelihood support;

- When seeking media engagement in relation to girls associated with Boko Haram, ensure the girls, and where possible their parents, relatives or guardians, consent to the interview. If informed consent is obtained, a representative with the requisite child protection expertise should conduct a risk assessment, and assess the best interests of the child. Refrain, unless in the best interests of the child, from sharing information about the child's release in and with the media and refrain from taking and publishing photos showing the girl's face to prevent stigmatization and to safeguard privacy rights.

TO JUDICIAL AUTHORITIES

- Initiate prompt, independent and impartial investigations into allegations of crimes under international law and other violations of human rights committed by Boko Haram, including related to the war crimes of conscription and use of children under 15, rape, sexual violence, forced pregnancy, and torture, as well as the crimes against humanity of enslavement, torture, rape, sexual slavery, and forced pregnancy and forced marriage as other inhumane acts. Charge cases of conflict-related sexual violence also as torture and war crimes when relevant and, where there is enough evidence, prosecute those suspected of criminal responsibility for crimes under international law in fair trials without recourse to the death penalty before competent civilian courts;
- Initiate prompt, independent and impartial investigations into allegations of crimes under international law and other violations of human rights committed by the Nigerian military, including imprisonment, unlawful deaths in custody, and torture and other ill-treatment, and, where there is enough evidence, prosecute those suspected of criminal responsibility in fair trials without recourse to the death penalty before civilian competent courts;
- Provide for meaningful participation of victims in judicial proceedings through ensuring that hearings are open to the public, courts are accessible, victims have the opportunity to request for reparations and any other relevant measure;
- In line with anti-trafficking standards and human rights, ensure no one is charged, prosecuted or convicted for acts that they were compelled to do as a "direct result" of being trafficked;
- Ensure that no one is subjected to arbitrary arrest or detention and immediately inform all detainees of the reasons for their arrest or detention and provide them with full information about their rights, including their rights to have a lawyer, to challenge their detention, to immediately be presented to a judge, to be tried within a reasonable time, and all other fair trial rights;
- Ensure all places of detention without exception can be visited regularly and through unannounced visits by the National Human Rights Commission as well as other independent monitors from non-governmental organizations and UN agencies.

TO THE UNITED NATIONS

TO THE UNITED NATIONS IN NIGERIA

- Use the UN's good offices to encourage the government of Nigeria to endorse the Paris Commitments and the Paris Principles;
- Support the Government of Nigeria to disseminate the 2022 handover protocol to civil society as well as children and young adults formerly associated with Boko Haram, including in accessible formats, and actively support their meaningful participation in its monitoring and implementation;
- Work with the Borno State Ministry of Women Affairs and Social Development, in particular given UNICEF's support to operate BICC, to ensure that young women exiting Boko Haram can access services offered at BICC voluntarily and are permitted to go in and out of the facility. Alternatively, ensure that young women's detention is lawful and their fair trial rights are respected, including access to a lawyer and an opportunity to challenge their detention before a competent court. Ensure that girls at BICC are there for the shortest time required to reunite them with their relatives or arrange alternative care;

- Engage the Borno State government to ensure that girls and young women are given a meaningful informed choice as to whether or not they wish to be reunited with their “husbands” in Hajj Transit Camp and Shukuri Transit Centre, and offer them a safe alternative;
- Engage the Borno State government to ensure that all male detainees are transferred from BICC under conditions that meet international human rights and humanitarian law;
- Engage the Borno State government to ensure that the “Borno Model” is in line with international human rights obligations and standards, including a robust criminal accountability component safeguarded by due process rights and without recourse to the death penalty;
- Ensure any UN support to the Borno State government is in line with international human rights obligations, the Paris Principles and the UN Guidance Note on Transitional Justice: A Strategic Tool for People, Prevention, and Peace;
- Engage the military and the Borno State government to support the authorities to create more transparency and clarity regarding the screening process by supporting the adoption of consistent standards that are in line with Nigeria’s international human rights obligations, and which take into account the best interests of the child and are gender sensitive;
- Support the Nigerian government to expand existing or, as needed, establish additional services to include holistic reintegration programmes that integrate services for children associated with Boko Haram, considering the distinct experiences and needs of girls and that include optional access to human rights education, including rights to freedom of movement; health, including sexual and reproductive health right and psychosocial services; and vocational training;
- Engage the Nigerian military to implement the September 2022 handover protocol, including by continuing to conduct regular and unannounced visits to potential sites of detention including but not limited to Giwa Barracks, military barracks in garrison towns, and transit and reception centres under military control, to ensure no children who have exited Boko Haram are in the custody of military and security forces;
- As part of the implementation of the September 2022 handover protocol, and in collaboration with the Nigerian government, clarify the pathways for girls, including those who are married, to access services and receive support for family tracing and reunification once they are in the custody of civilian authorities or child protection actors;
- Engage the Nigerian judicial authorities to initiate prompt, independent and impartial investigations into allegations of crimes under international law and other violations of human rights committed by both Boko Haram and the Nigerian military and, where there is enough evidence, prosecute those suspected of criminal responsibility in fair trials without recourse to the death penalty before competent civilian courts.

TO THE SECURITY COUNCIL WORKING GROUP ON CHILDREN AND ARMED CONFLICT

Further to the Security Council Working Group on Children and Armed Conflict’s visit to Nigeria in 2023, and as part of efforts to ensure the effective implementation of previous conclusions adopted by the Working Group on Children and Armed Conflict in Nigeria, continue engagement with the Nigerian government, calling on them to endorse the Paris Commitments and the Paris Principles and, with the support of the UN and donors, to:

- Evaluate and continue to strengthen the implementation of the September 2022 handover protocol, including by:
 - Raising further awareness within the Nigerian defence and security forces of the need to hand over children to civilian authorities or child protection actors; and
 - Continuing to allow the UN unrestricted and unannounced access to monitor all detention facilities where children may be held and by extending this access to other relevant international and Nigerian organizations;
- Expand or establish services to include holistic reintegration programmes with gender-sensitive services for children associated with Boko Haram-affiliated and splinter groups. This should include safe alternatives for girls and young women who do not wish to be reunited or remain with their “husbands” who are affiliated with Boko Haram-affiliated and splinter groups, and which the girls and young women can access on a voluntary basis;
- Strengthen efforts to pursue accountability for those responsible for crimes under international law

committed in relation to the conflict in north-east Nigeria, especially as they relate to children.

TO THE UN SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR CHILDREN AND ARMED CONFLICT

- As part of ongoing advocacy with the Nigerian government on children affected by armed conflict, call on the Nigerian government to endorse the Paris Commitments and the Paris Principles and, with the support of the UN and donors, to:
 - Evaluate and continue to strengthen the implementation of the September 2022 handover protocol, including by:
 - Raising further awareness within the Nigerian defence and security forces of the need to hand over children to civilian authorities or child protection actors; and
 - Continuing to allow the UN unrestricted and unannounced access to monitor all detention facilities where children may be held and by extending this access to other relevant international and Nigerian organizations;
 - Expand or establish services to include holistic reintegration programmes with gender-sensitive services for children associated with Boko Haram-affiliated and splinter groups. This should include safe alternatives for girls and young women who do not wish to be reunited or remain with their “husbands” who are affiliated with Boko Haram-affiliated or splinter groups, and which the girls and young women can access on a voluntary basis;
 - Strengthen efforts to pursue accountability for those responsible for crimes under international law committed in relation to the conflict in north-east Nigeria, especially as they relate to children.
- Continue efforts to engage with all listed parties to develop, sign and implement action plans to end and prevent all grave violations against children, and continue monitoring of the Civilian Joint Task Force to ensure sustained gains from the completion of the 2017 action plan;
- Draw attention to the unique challenges faced by GAAFAG globally and the need to strengthen reintegration programming support in particular for girls who are often victims of abductions, forced marriage, sexual violence and other crimes under international law.

TO THE UN SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON SEXUAL VIOLENCE IN CONFLICT

- Establish a functioning MARA for north-east Nigeria and the wider Lake Chad Basin region by deploying a Women’s Protection Advisor in Nigeria to strengthen the documentation of incidents of CRSV and to identify all parties credibly suspected of committing patterns of rape or other forms of sexual violence;
- Increase engagement with the Nigerian authorities and provide specific guidance, in private and public advocacy, regarding the situation of girls and young women who may have been trafficked by Boko Haram for the purpose of forced marriage, sexual slavery, or other forms of conflict-related sexual violence, including those who are held in Hajj Transit Camp and Shukuri Transit Centre and who are reunited with their Boko Haram “husbands”;
- With the Team of Experts on the Rule of Law and Sexual Violence in Conflict, provide technical expertise to support the legislature in ensuring the existence of a legal framework that enables prosecution of CRSV as crimes under international law; to support the relevant judicial authorities to ensure accountability for CRSV; to work closely with the relevant authorities to ensure a survivor centred response, in collaboration with civil society; to support the Nigerian military to conduct human rights compliant screening, especially with a view to identifying victims of trafficking; and to support government authorities to strengthen pathways of support for CRSV survivors, including girls and young women associated with Boko Haram.

TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL

- Take steps to address this human rights situation including by ensuring follow-up to its resolution *Promoting and protecting the human rights of women and girls in conflict and post-conflict situations on the occasion of the twentieth anniversary of Security Council resolution 1325 (2000)* (A/HRC/RES/45/28) and the OHCHR report *Current state of play of the mainstreaming of the human*

rights of women and girls in conflict and post-conflict situations in the work of the Human Rights Council (A/HRC/48/32) and its related recommendations;

- Address gaps in the mainstreaming of human rights of women and girls in conflict and post-conflict situations in the work of the HRC, per resolution A/HRC/RES/45/28 and report A/HRC/48/32.

TO THE AFRICAN UNION

TO THE AFRICAN UNION PEACE AND SECURITY COUNCIL

- Consider the situation of girls and young women formerly associated with Boko Haram during its annual session on the theme of children affected by armed conflicts in Africa;
- Request the Africa Platform on Children Affected by Armed Conflicts and the Special Envoy of the African Union Commission on Women, Peace, and Security to conduct missions or visits to Nigeria to assess the government's efforts to fulfil the human rights of girls and young women formerly associated with Boko Haram.

TO THE AFRICA PLATFORM ON CHILDREN AFFECTED BY ARMED CONFLICTS:

- Conduct a mission to Nigeria to assess the government's efforts to fulfil the human rights of girls and young women formerly associated with Boko Haram with a focus on reintegration services, including the "Borno Model", and the extent to which they are in line with international human rights obligations and standards;
- Use its good offices to encourage the government of Nigeria to endorse the Paris Commitments and the Paris Principles.

TO THE AU SPECIAL ENVOY ON WOMEN, PEACE, AND SECURITY

- Conduct a visit to Nigeria to assess the situation of girls and young women formerly associated with Boko Haram and issue a public statement containing the findings of the visit and recommendations to the relevant actors, including the government of Nigeria.

TO THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS:

- Through the Special Rapporteur on the Rights of Women in Africa and the Country Rapporteur for Nigeria, issue a public statement or resolution condemning the lack of reintegration services available for girls and young women formerly associated with Boko Haram and the government's lack of response to addressing it. The statement or resolution should also highlight the root causes of crimes against girls specifically and violence against women more broadly in Nigeria, the role of impunity in the prevalence of continued crimes under international law and violence against women;
- Assess the government's efforts to fulfil the human rights of girls and young women associated with Boko Haram when reviewing Nigeria's state party report submitted to it under the African Charter on Human and Peoples' Rights and its Protocol on the Rights of Women in Africa.

TO THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD

- Conduct a fact-finding mission to Nigeria to assess the nature and scope of the violations and abuses against girls and young women associated with Boko Haram and the specific needs they, and their children born of sexual violence, have, and offer the government recommendations to respond to these needs;
- Call on the government of Nigeria to endorse the Paris Commitments and the Paris Principles;
- Assess the government's efforts to fulfil the human rights of girls associated with Boko Haram when reviewing Nigeria's state periodic report submitted to it under the African Charter on the Rights and Welfare of the Child.

TO THE OFFICE OF THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT

- Immediately open a full investigation into crimes under international law committed by all parties during the conflict in north-east Nigeria;
- Pay particular attention, in the context of any future investigation, to crimes committed by both sides of the conflict against and affecting children, in line with the Office’s 2023 policy on children and 2023 policy on gender-based crimes.

TO INTERNATIONAL PARTNERS

- Urge the Nigerian government to endorse the Paris Commitments and the Paris Principles;
- Engage the Nigerian government to ensure that the “Borno Model” is in line with international human rights obligations and standards, including a robust criminal accountability component safeguarded by due process rights and without recourse to the death penalty, and that it adequately responds to the human rights, needs and aspirations of girls and young women associated with Boko Haram;
- Engage the Nigerian government to ensure tangible progress by the Nigerian authorities, including the military, in respecting due process of those deprived of their liberty;
- Urge the Nigerian government to ensure the competent authorities create more transparency and clarity regarding the screening process by encouraging the adoption of consistent standards that are in line with Nigeria’s international human rights obligations, and which take into account the best interests of the child and are gender sensitive;
- Demand that all male detainees are transferred from BICC under conditions that meet international human rights and humanitarian law;
- Engage the Nigerian government to ensure that girls and young women associated with Boko Haram are given a meaningful informed choice in whether or not they wish to be reunited with their “husbands” in Hajj Transit Camp and Shukuri Transit Centre, and offer them a safe alternative;
- Provide adequate and sustained funding to enable actors to mainstream gender-sensitive and child-friendly reintegration support, beyond BICC, for girls and young women associated with Boko Haram that is in line with international standards and international human rights law and the girls’ and young women’s needs and aspirations;
- Provide adequate and sustained funding to civil society actors to support girls and young women associated with Boko Haram;
- Urge the Nigerian judicial authorities to initiate prompt, independent and impartial investigations into allegations of crimes under international law and other violations of human rights committed by both Boko Haram and the Nigerian military and, where there is enough evidence, to prosecute those suspected of criminal responsibility in fair trials without recourse to the death penalty before competent civilian courts.

ANNEX

HQ DLS/A/G1/300/51



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Asokoro - Abuja.
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Email: hqdlisa18@gmail.com

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22 April 2024

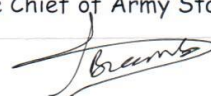
Attention: Isa Sanusi

**RE: OPPORTUNITY TO RESPOND TO AMNESTY INTERNATIONAL'S
PRELIMINARY FINDINGS ON VIOLATIONS AND ABUSES AGAINST
GIRLS ASSOCIATED, OR PERCEIVED TO BE ASSOCIATED WITH BOKO
HARAM IN BORNO AND ADAMAWA STATES**

1. I am directed to acknowledge receipt of your letter dated 4 April 2024 with Reference No. AIN/0082/101/24 on the above subject matter. This is in addition to notifying you that regards have been accorded to your letter despite the evident inaccuracies contained therein against the Nigerian Army (NA).
2. Please note that the NA consistently operates within the parameters of the Rule of law. For emphasis, the NA places great importance on the dignity and sanctity of human life during its operations, with particular attention given to safeguarding the vulnerable individuals affected by insurgency in the North East of Nigeria. Contrary to your allegations, the NA does not engage in such acts. Arrested suspected terrorists are subjected to due process of law by the Federal Government of Nigeria, facilitated through the office of the Attorney General of the Federation. They are afforded their rights to legal representation both prior to and during their trial in courts of competent jurisdiction.
3. It is appalling to the NA that despite a well calibrated and efficient military justice system, Amnesty International will rely on unsubstantiated allegations emanating from intrinsically unreliable sources to target the NA of implementing a state policy against civilians. This is very weighty

allegations that require credible evidence more than what has been offered in Amnesty International report including the 2015 report "Stars on their Shoulders blood on their hands". The NA once again emphasis its positive credential in upholding human rights and international and humanitarian rights in all its operations and will continue to do its utmost to uphold same where actionable evidence exist. The NA will not be stampeded into action consequent upon evidence merely targeted to incite.

4. Please accept the esteemed regards of the Chief of Army Staff.



D BIAMBO
Lieutenant Colonel
for Chief of Army Staff

Copy to:
Office of the Chief of Army Staff

**AMNESTY INTERNATIONAL
IS A GLOBAL MOVEMENT
FOR HUMAN RIGHTS.
WHEN INJUSTICE HAPPENS
TO ONE PERSON, IT
MATTERS TO US ALL.**

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“HELP US BUILD OUR LIVES”

GIRL SURVIVORS OF BOKO HARAM AND MILITARY ABUSES IN NORTH-EAST NIGERIA

After surviving years of abuse by Boko Haram and by Nigerian forces, reintegration support and justice remain elusive for girls associated, or perceived to be associated, with Boko Haram.

Based primarily on 126 interviews, of which 76 were with girls and young women who were girls when they suffered Boko Haram abuses, this report examines violations of international humanitarian law and human rights abuses committed by Boko Haram, as well as violations by the Nigerian authorities, during the armed conflict in north-east Nigeria. The report also details their unique reintegration needs and their aspirations to rebuild their lives.

Boko Haram has used girls as “wives”, forcibly marrying them and subjecting them to years of domestic servitude, sexual violence, forced pregnancy, and trafficking. Interviewees gave birth to children resulting from sexual violence, many when they were still children themselves. Boko Haram also used girls as suicide bombers. Their crimes under international law have been met with near total impunity.

Girls and young women braved the risk of death and punishment to escape. Once free from Boko Haram, the Nigerian military unlawfully detained many girls and young women, often in inhumane conditions. Some girls and young women have been stigmatized by communities and Nigerian forces. Girls and young women returned with health, education, and legal needs unique to their time in Boko Haram that are left unfulfilled by the Nigerian government.