

Boko Haram and Nigeria: what next?

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Who kills who? The body-count of a dirty war

Around Lake Chad, the fight against terrorism has become bogged down in a dirty war where all parties to the conflict have committed atrocities and massive human rights violations, not only the insurgents, but also the military, the police, the gendarmeries of French-speaking countries and militias that are mainly active in Nigeria and Cameroon. It is therefore necessary to move beyond one-sided narratives that blame the jihadists alone for the hostilities. The media often cite rounded figures for the number of victims, suggesting that they were all killed by the insurgents. Researchers who do not attempt to cross-check data also agree with this, even if it means rewriting history. One of them claims, for example, that Boko Haram killed 700 people during the uprising of Mohamed Yusuf's followers in July 2009.¹ However, the majority of the 1,000 victims recorded at the time were in fact eliminated by the police and the army, according to a Borno State committee of inquiry whose conclusions were never published.²

Available data confirm the trend more generally, at least in cases of clashes where the responsibility of perpetrators could be established. Relying on a research project which records violent deaths documented by reports from the Nigerian press and human rights organizations, a body-count summarized in Figure 1 thus shows that, in Nigeria, more than 55% of the victims of the conflict were killed by government forces, including militias, between 2007 and 2019.³ The most deadly periods of repression were observed during the uprising of Mohamed Yusuf's followers in 2009, then during the proclamation of a state of emergency in 2013. Since 2016, moreover, government forces have never stopped killing more people than the insurgents.

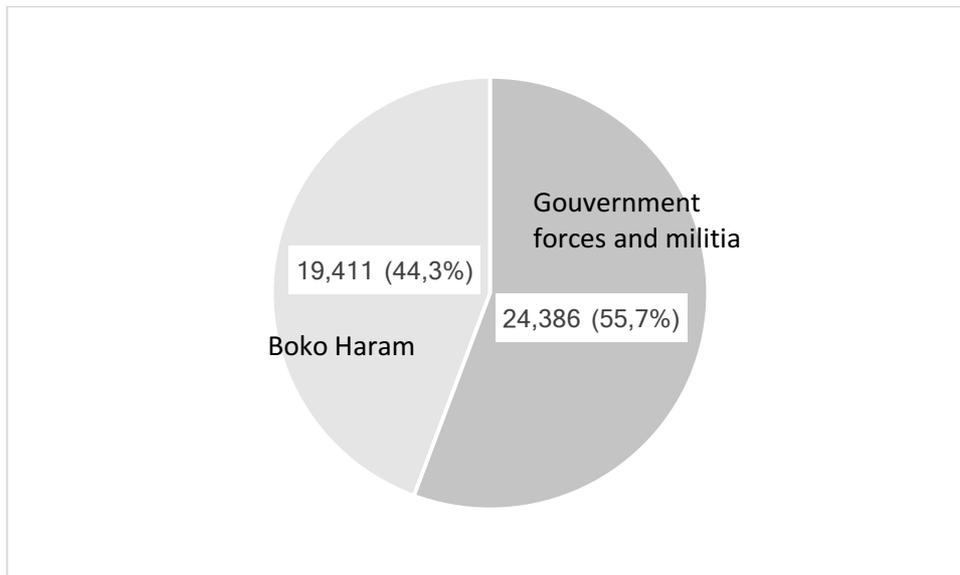
¹ Eltantawi, Sarah [2017], *Shari'ah on trial : Northern Nigeria's Islamic revolution*, Berkeley, University of California Press, p.32.

² Galtimari, Usman Gaji (ed.) [oct. 2009], *Report of the administrative committee of inquiry into the Boko Haram insurgency in Borno State*, Maiduguri, Borno State, 5 vol. The author has a copy of the report.

³ The NigeriaWatch project started in 2006 and publishes its sources for each lethal incident to allow verification on a case-by-case basis. It is continuously updated by Nigerian researchers at the University of Ibadan and has the most complete and oldest information on Nigeria. Its methodology and data can be accessed at: <http://www.nigeriawatch.org/index.php?html=4>

Figure 1

The Boko Haram conflict in Nigeria (2007-2019): the proportions of people killed by government forces or insurgents in clashes where perpetrators could be identified⁴



It should also be noted that the number of victims attributed to Boko Haram may be overestimated, as jihadists are often accused of any kind of homicide, including killings resulting from theft or personal issues. Local perceptions confirm the difficulty in identifying the perpetrators of violence. According to a survey conducted in 2018 among 1,200 residents of 12 local government areas in the states most affected by the conflict, i.e. Adamawa, Borno and Yobe, nearly a third of respondents said they were unable to identify those responsible for attacks on their community. Half believed that Boko Haram combatants did perpetrate the killings, but the other half mentioned "state actors", "officials", "vigilantes" and "local leaders", presumably in reference to their militias.⁵

These results are not very surprising. Victimization surveys among survivors of armed conflicts often reveal contradictions in the identification of perpetrators.⁶ Government forces, on the other hand, have superior firepower, particularly in the air. In general, therefore, they tend to kill more than the insurgents they fight in asymmetric wars. In addition, their reactions are often disproportionate when they lose men and are tempted to take revenge on civilians accused of supporting the rebels.⁷

⁴ The graph was designed by Elodie Barbe with Andrainolo Ravalihasy at CEPED (Centre Population et Développement), University of Paris Descartes. Data cover the period from 1 January 2007 to 31 December 2019.

⁵ Hassan, Idayat & Justin Tyvoll [2018], *After Boko Haram: Prospects for Transitional Justice in NorthEast Nigeria*, Abuja, Center for Democracy and development, p.13.

⁶ Pérouse de Montclos, Marc-Antoine, Elizabeth Minor & Samrat Sinha (ed.), *Violence, statistics, and the politics of accounting for the dead*, Dordrecht, Springer, 2016, 140p.

⁷ Historically, this was already the case during the colonial era. In 1906, for instance, the British Army returned in force to a rebel area, Satiru, after losing three white officers and 27 African soldiers. It killed some 2,000 Mahdist militants, while native auxiliaries deported women and children to Sokoto to be enslaved. See Ayuba, Jonathan Mamu [2019], *Boko Haram and the Jihadi Tradition in Northern Nigeria*, Ibadan, Kraft Books, p.11 ; Lovejoy, Paul & Hogendorn, Jan [1990], « Revolutionary Mahdism and Resistance to Colonial Rule in the Sokoto Caliphate, 1905-6 », *Journal of African History* vol.31, n°2, pp.217-44. Other examples include the British in

In the case of north-eastern Nigeria, geographical, cultural and political reasons certainly make it difficult to identify victims. Due to lack of access, the media and, in many cases, humanitarian organizations can hardly cover incidents in the rural areas of Adamawa, Borno and Yobe. Moreover, Muslim funeral rites mean that victims have to be buried very quickly, leaving little time for investigation in a country which, in any case, has no civil registrar. Religious norms also prohibit the excavation of bodies for forensic examinations. Finally, the government does not publish data. The figures released during press conferences are far too vague to be verified, dated and located, let alone identify the victims.

At the end of the Biafra War in 1970, the government had already chosen to promote reconciliation and reconstruction without publishing an official list of the dead. To avoid reopening the wounds of the past, there was no cemetery or memorial. Today, the authorities also do not intend to set up an official inquiry that would, for example, be empowered to locate mass graves, dig up corpses and commission autopsies to establish the responsibilities of the parties to the conflict on the basis of forensic medical data. For propaganda purposes, they seek instead to deny the cases of civilians killed by the security forces. In the same vein, they try to minimize the number of military personnel killed by the insurgents so as not to demoralize the troops.

To hide its defeats, the Nigerian Army thus buries its soldiers secretly in mass graves around Maiduguri.⁸ In 2019, however, the head of the Senate's Military Affairs Committee, Mohammed Ali Ndume, publicly admitted the loss of over 840 men since the proclamation of a state of emergency in 2013. As a result, he was criticized and accused of playing into the hands of the enemy.⁹ Clearly, the figures are much higher. Security sources point instead to losses of 800 men in 2018 alone, perhaps as many as 3,000 in 2019.¹⁰

This human death toll, of course, is not consistent with the government's official account that Boko Haram only targets civilians, while the security forces only kill "terrorists".

Sudan, the Italians in Libya or the French in Senegal and Guinea. To crush Ali Kari's jihad in 1894 at Bossé in the Upper Volta, now Burkina Faso, the French army thus killed 450 men, yet lost only eight. See Diallo, Hamidou & Alice Degorce [2019], "The notion of jihad in context", in Langewiesche, Katrin, Ludovic Kibora & Alice Degorce (eds.), *Les religions au Burkina Faso*, Dakar, Amalion, p.303. For general trends, see also French, David [2011], *The British way in counter-insurgency, 1945-1967*, Oxford, Oxford University Press, 283p. ; Pérouse de Montclos, Marc-Antoine [2020], *Une guerre perdue : la France au Sahel*, Paris, JC Lattès, pp.37-40.

⁸ Parkinson, Joe [31 juil. 2019], "Nigeria Buries Soldiers at Night in Secret Cemetery", *Wall Street Journal*. Accès : <https://www.wsj.com/articles/secret-military-cemetery-conceals-toll-of-islamist-insurgency-in-nigeria-11564565406>

⁹ A Senator for the Borno-South constituency since 2011, Mohammed Ali Ndume had already been accused of defamation and suspended in 2017 because he had unsuccessfully called for an investigation into fraudulent contracts to import armored vehicles. In the same vein, he had supported negotiations with Boko Haram and had been briefly detained in 2011 on suspicion of complicity with the insurgents. At the time, it turned out that he had been framed. Indeed, he had just joined the ruling People's Democratic Party (PDP) and was elected senator against the outgoing Borno State governor Ali Modu Sheriff, who aimed to win the constituency for one of his protégés, Asabe Villita. Ali Modu Sheriff had also accused of terrorist sympathies the PDP candidate, Ahmed Zanna, who won the seat he was seeking in the Borno Central constituency.

¹⁰ Anonymous interviews with diplomats and officers of various nationalities in Paris and Ndjamena in January 2020. A spokesman for the militia also acknowledges that, in Borno State alone, the CJTF (Civilian Joint Task Force) lost over a thousand men since 2013. See the interview with the CJTF's lawyer, Jibrin Gunda, published in the *Saturday Tribune* of 29 February 2020, p.44.

According to the NigeriaWatch database, the insurgents have in fact never stopped attacking military positions. Among six categories of targets that could be identified since 2007, army barracks and police stations concentrated 48% of their assaults, far more than mosques, churches, schools or camps of internally displaced persons. Since 2014, there has also been an increase in attacks against the military and a decrease in attacks against the police, perhaps because the latter have retreated to cities. Meanwhile, the insurgents have also eased their pressure on civilians to focus more on military positions, especially since the formation in 2015 of a faction allied to the Islamic State.¹¹

Civilians, the main victims of the conflict

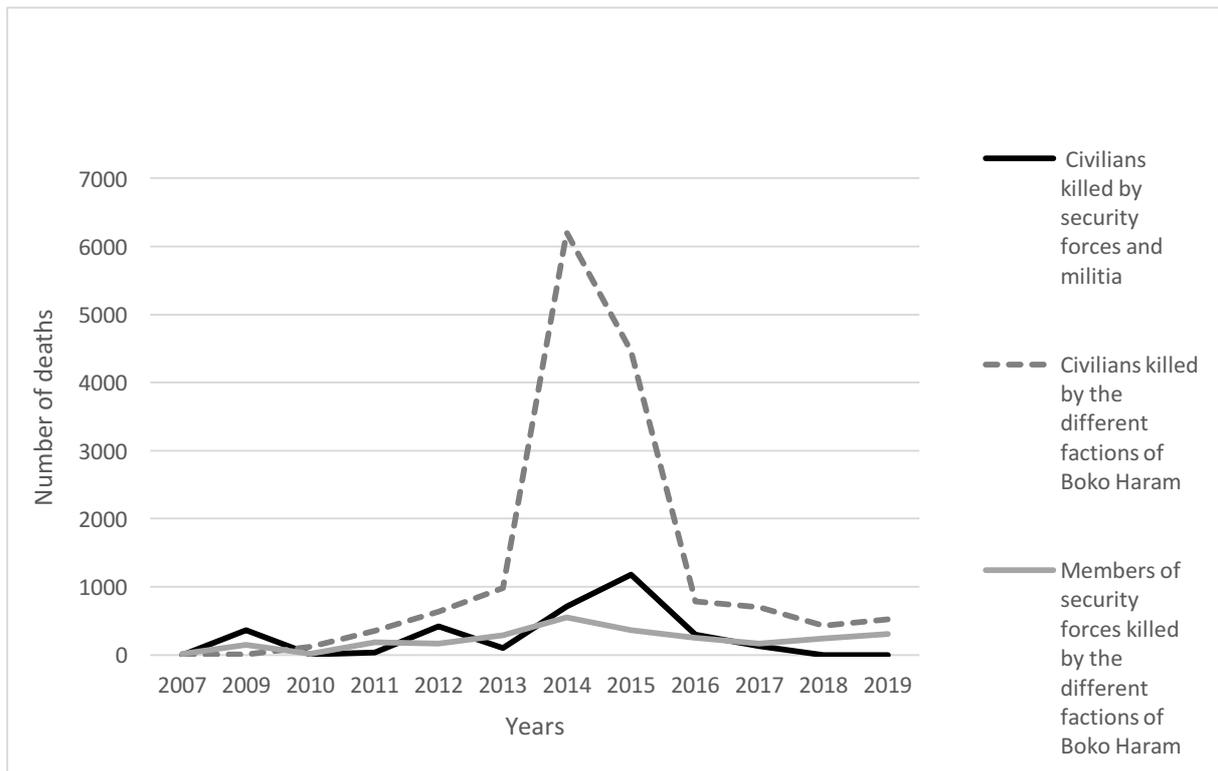
As for the security forces and the militia, they were not exempt from collateral damage or even reprisal massacres. At the height of the repression, they killed many civilians, especially between 2014 and 2016 (see Figure 2). At Rann on the border with Cameroon in early 2017, the Nigerian Air Force also attacked nutritional centers in a camp for internally displaced persons and dropped Beluga cluster bombs which were prohibited by international conventions.¹² While the authorities publicly acknowledged their "mistake", authoritative and anonymous sources maintain that it was in fact a deliberate action by Abuja against the ICRC (International Committee of the Red Cross). In various incidents that were never judged, the Nigerian Air Force had already bombed hospitals in Biafra in 1969 and vehicles of Doctors Without Borders in Liberia in 1993, all of which were marked and, in theory, protected by the Red Cross symbol. In Rann in 2017, the objective was allegedly to "punish" the ICRC for refusing military escorts and for continuing to maintain its own contacts with the insurgents, as per the international humanitarian law.

Figure 2
Civilian casualties of the Boko Haram conflict in Nigeria (2007-2019)¹³

¹¹ The data cover the period from 1 January 2007 to 31 December 2019 and were analyzed by Elodie Barbe at CEPED (Centre Population et Développement), University of Paris Descartes.

¹² Confidential interviews at an unspecified date and place.

¹³ The graph was designed by Elodie Barbe with Andrainolo Ravalihasy at CEPED (Centre Population et Développement), University of Paris Descartes. Data cover the period from 1 January 2007 to 31 December 2019.



Since then, the situation has changed again. As of 2018, the Nigerian press no longer reported cases of civilians killed by state actors in conflict zones. Some analysts assumed that the security operatives had indeed become aware of the need to spare the population in order to win the hearts and minds of the inhabitants against an invisible enemy. Since 2019, the entrenchment of the army in 'super-camps' may also have helped reduce the number of reprisal attacks on villagers following Boko Haram ambushes against military patrols. But most likely, local journalists were simply instructed to stop writing about civilians killed by government forces.

In a country such as Nigeria, which has long been ruled by military dictatorships, it has always been difficult to investigate the army. Some journalists paid the ultimate price for it and were killed during the 1980s, while others continued to be censored after civilians returned to power in 1999. On 4 June 2014, for example, this was the case of an article by the *Daily Trust* revealing the corruption of generals who sold plots of land that were allocated for building new barracks in Abuja. In the name of security imperatives against terrorism, all copies of the newspaper were seized when the army blocked, searched and emptied of their cargo delivery trucks on their way to the points of sale.¹⁴

In March 2015, the election of Muhammadu Buhari, a Muslim from the north and a former military officer, certainly brought hope after the departure of President Goodluck Jonathan, a civilian and a Christian from the south who had been accused of ignoring the conflict. In Borno State, some journalists maybe tried to cover up the seriousness of the situation in order to boost the morale of the soldiers. But their enthusiasm quickly waned. In Borno, local correspondents of the national media began to complain about growing pressures to

¹⁴ Alkali, Nura Hamidu [2015], *When stealing is not corruption: Nigeria Under President Jonathan*, Yola, Ardo Dembo Publishing Company, p.88.

stop reporting incidents that could damage the reputation of the military.¹⁵ As for the Chief of Army Staff, Tukur Yusuf Buratai, he boasted that he had won the communication war by controlling information that President Goodluck Jonathan had failed to filter out.¹⁶

In March 2017, the government thus set up a special board of inquiry to investigate abuses and, in fact, perpetuate impunity by clearing military personnel of accusations of human rights violations. Although never published, the report it submitted to the Chief of Army Staff two months later admitted that some prisoners died as a result of the poor conditions of their prolonged detention, particularly in the notorious "Elephant" (Giwa) barracks in Maiduguri. Actually, none of them had had the right to a trial or to a lawyer. But the board of inquiry was to absolve the military of any arbitrary arrest, torture or extrajudicial execution. And for a good reason: all its members had been appointed by the army, none had any judicial training and no one bothered to hear the testimony of victims of human rights violations, let alone collect evidence or use the conclusions of forensic doctors.

Under such conditions, the status of persons killed in the course of hostilities were largely manipulated by the military. Despite the principle of the presumption of innocence, for example, many civilians arrested were regarded from the outset as insurgents even though they did not enjoy the protection of prisoners of war, were never tried and eventually died in detention. To clear itself of any responsibility, the army compelled families to sign a certificate stating that their relatives were Boko Haram members, a prerequisite to recover their children's bodies.¹⁷ The identification of the status of the victims was also biased because some security operatives tried to minimize the number of deaths in their ranks while inflating the number of civilians killed by the insurgents.

The problem, however, is not only related to military propaganda or to the impossibility of cross-checking available data in order to make a comprehensive assessment of the conflict. In the absence of a judicial commission of inquiry, other factors complicate the analysis. Allegiances are often fluid, and sometimes the same individual may have first fought with Boko Haram before becoming an army informant or joining the militia. Undoubtedly, the conflict is not just about clashes between state actors and insurgents either. One should also take into account "friendly fire" between security forces, on the one hand, and Boko Haram internal struggles, especially since the formation of a faction allied to the Islamic State in 2015, on the other hand. Finally, some belligerents do not fit well into the rigid binary and sometimes very Manichean categories that set civilians and combatants apart as per the international humanitarian law. Thus, some parties to the conflict are both victims and perpetrators of violence, for example child soldiers or women who have been kidnapped by insurgents and forced to commit suicide attacks.

¹⁵ Interviews in Maiduguri in May 2016.

¹⁶ Communication from my late colleague, Professor James Hentz, following an oral presentation by General Tukur Yusuf Buratai at the Virginia Military Institute in 2016. See also his interviews about the requirements of embedded journalists in *Premium Times* on 30 May 2019 and 5 April 2020. <https://www.premiumtimesng.com/regional/north-east/332612-boko-haram-is-defeated-army-chief-buratai-insists.html>
<https://www.premiumtimesng.com/news/top-news/386102-army-chief-gives-condition-for-embedding-journalists-in-military-operations.html>

¹⁷ Abulfathi, Khalifa Aliyu Ahmed [2016], *The Metamorphosis of Boko Haram: A Local's Perspective*, Maiduguri, polycop., 11p.