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# Hybrid Conflict, Hybrid Peace

How militias and \_\_\_\_\_  
paramilitary groups shape  
post-conflict transitions

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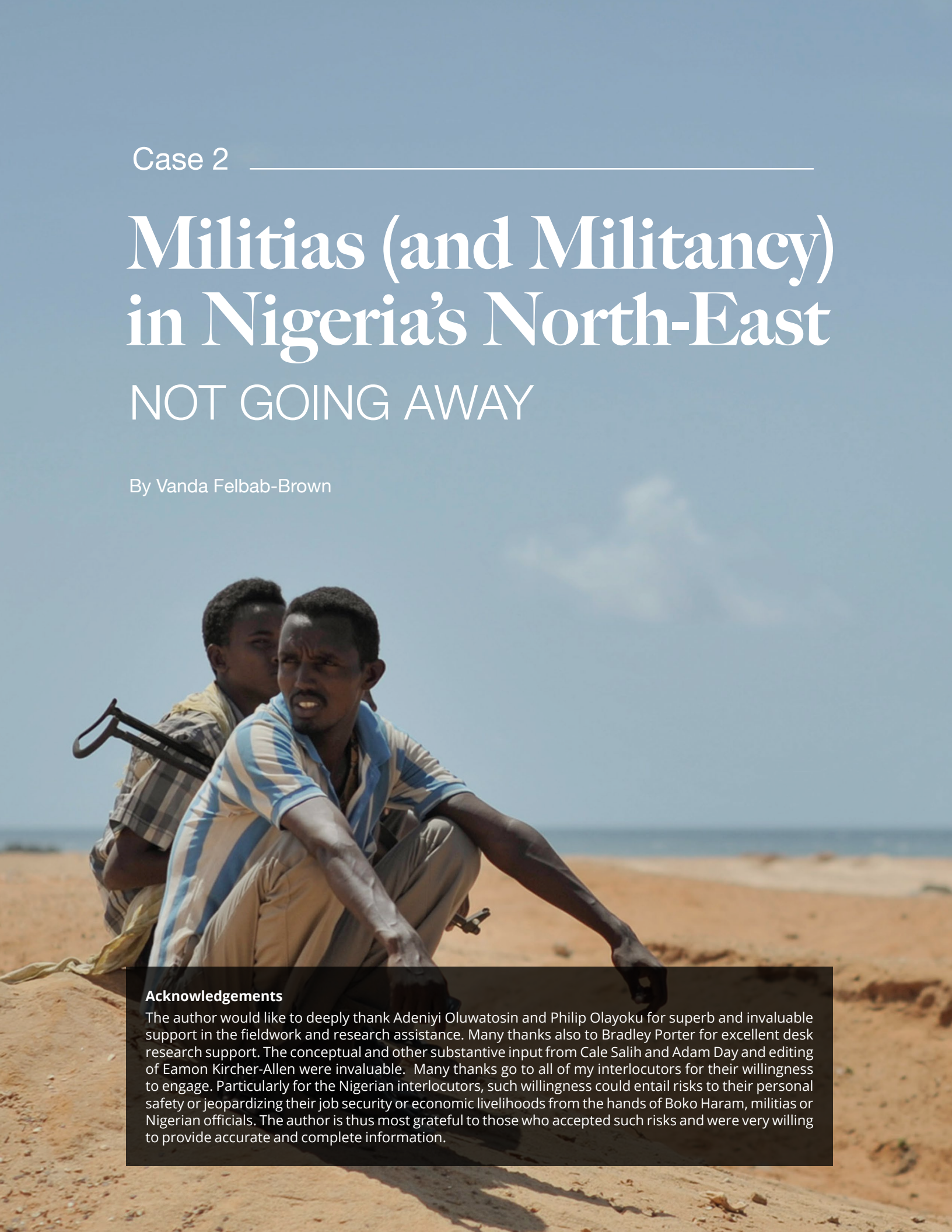
Case 2

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# Militias (and Militancy) in Nigeria's North-East

## NOT GOING AWAY

By Vanda Felbab-Brown

A photograph of two men in a desert landscape. The man in the foreground is wearing a blue and white striped shirt and is looking off to the side with a serious expression. The man behind him is wearing a plaid shirt and has a rifle slung over his shoulder. The background shows a vast, flat, sandy desert under a clear blue sky.

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UN Photo/Tobin Jones

Since 2009, an insurgency calling itself The People Committed to the Propagation of the Prophet's Teachings and Jihad (Jama'tu Ahlis Sunna Lidda'awati wal-Jihad in Arabic) has caused devastating insecurity, impoverishment, displacement, and other suffering in Nigeria's poor and arid North-East Zone.<sup>1</sup> The group is better known to the world as Boko Haram, and although the Nigerian Government and military mobilized against it between 2015 and 2018, intense insecurity and violence not only persist, but have actually increased since 2018. The Nigerian military has been put on the defensive. A Boko Haram splinter faction, the Islamic State's West Africa Province (ISWAP), has become politically entrenched and poses an even larger challenge to the Nigerian military than the remainder of Boko Haram. (The rump Boko Haram also sometimes calls itself ISWAP, but in this study, the term is reserved for the splinter faction.)

Initially indifferent to Boko Haram, the Nigerian State security services have proven largely ineffective against the insurgency, though often brutal in their response. The shortcomings of the Nigerian State have created a fertile environment for the emergence of anti-Boko Haram militias, many of which rose up as community protection groups across northern Nigeria. Today, more than a decade into the conflict, these militias are at the forefront of operations against Boko Haram and ISWAP and constitute a core component of security

provision in the North-East. Developing an appropriate policy response to this crisis requires understanding these militia groups, and the diverse effects they have on the battlefield, security, human rights, politics and the economy.

Multiple militias and vigilante groups operate in Nigeria's North-East against Boko Haram and ISWAP. In addition to the main umbrella militia group, known as the Civilian Joint Task Force (CJTF), militias operating in the North-East also include so-called *kesh-kesh* groups, hunters' groups, and the Vigilante Group of Nigeria (VGN). These groups vary in their organization and relationship with the CJTF, often competing with it.<sup>2</sup> Their emergence and persistence across much of Nigeria stems from deficiencies in State-provided security, and a long tradition of vigilante groups, going back to the precolonial era.

Although the militias have no legal standing or assured financial and other resources, the Nigerian military continues to rely on them for intelligence gathering, defensive operations, holding territory, and even offensive actions. State-level government officials rely on them for an increasing variety of policing, from the resettlement of internally displaced people (IDPs) to counter-narcotics operations. International donors and NGOs engage with them for humanitarian aid distribution in IDP camps, while national and local politicians seek to appropriate them for their political

purposes. For many local communities, the militias are the main agents for policing, security provision and a range of governance functions, including dispute resolution and judicial processes. Local communities frequently see the militias as being closer to them and better at providing for their security than the official police or military.

However, militias and vigilante groups also pose serious challenges for the Nigerian Government and for local communities. Facing no accountability for their actions, they are a source of insecurity, perpetrating serious human rights abuses and predations with impunity. In many settings, they challenge the authority of local government officials and traditional leaders, arrogating to themselves a wide range of governance powers. Like the Nigerian military, militias have also become deeply integrated in the North-East's war economy, participating in various forms of criminality even as they purportedly act as local police forces. As a result, some have become dependent upon Nigeria's instability for their own survival. Such militias profit from the conflict and have few incentives to pursue peace.

As such, there is little prospect that these militias will demobilize once the military conflict against Boko Haram and ISWAP has ended. The results of recent inquiries into the potential demobilization, disarmament and reintegration (DDR) and job training opportunities for militia members in the North-East have only underscored their intention not to disband.<sup>3</sup> In fact, many groups have lobbied for their formal legalization within the Nigerian State, including going on permanent government payrolls. Already facing major strains on federal and local budgets, it is unlikely the Nigerian Government will accede to their legalization. The militias are thus likely to continue in more or less their current form in the medium term.

Demands for recognition by the State take place amidst a widespread and increasing proliferation of militia and vigilante groups over the past 20 years. As a Nigerian security analyst put it, "Militia and vigilante groups in Nigeria are mushrooming across the country. It is no exaggeration to say that we are in a crisis of militia explosion."<sup>4</sup> These

militia groups often compete for attention from the State, demanding equivalent benefits to those received by the most privileged members of the CJTF, some of whom receive small government stipends.

The growing role of militias is, in part, the result of the poor performance of the Nigerian national military, which is overstretched and unable to address the various forms of insecurity it faces, including violent extremism, farmer-herder conflicts, new separatist movements and violent criminality. Without any security forces at their disposal, state-level authorities are easily tempted to rely on extralegal militias, which they can control to some extent, unlike the official services. Talks within the Government about the possibility of a constitutional change to allow state authorities control over official local security forces have stalled for years, stymied by concerns over separatism, intensifying ethnic competition, pitched divisions between Nigeria's Muslim-majority north and Christian-majority south, and complex resentments over the division of resources.

In this context of interrelated crises, the policy response to the CJTF and associated militias in Nigeria's North-East has implications far beyond the immediate security situation. It also affects the legitimacy of the Nigerian State and the broader distribution of power across the country. Yet there is no easy policy option available to roll back the militias or integrate them into more formal chains of command. Without a significant increase in the capacity and legitimacy of the Nigerian Government in the medium term, policies can at best be expanded or developed to mitigate the most pernicious effects of the militia groups.

## A. Outline of this study

The report begins with an overview of the conflict, describing the evolution and current state of the political, economic and battlefield power of Boko Haram and ISWAP (including differences between the two groups). It also analyses the capacities, deficiencies and evolution of the Nigerian security forces operating in the North-East.

Next, the study describes the auxiliary groups in detail. It analyses the evolution and effects of militia groups in the North-East, focusing in particular on the CJTF, but also touching on the VGN, *kesh-kesh*, and hunters' groups. The study reviews the structure of the militia groups and details the many functions they perform, militarily and otherwise. It also analyses the specific risks associated with militias, especially their human rights records, and their role in policing and justice, politics and the economy.

The study then describes the current response of the Nigerian Government, multilateral organizations and nongovernmental organizations (NGOs) to the militias of the North-East. The central Government lacks a consistent policy, while northern politicians and state-level officials embrace the militias. The report reviews current and potential policies for reducing the scale and negative effects of the militias, identifying the feasibility and likely effectiveness of each. The assessed policies include:

1. Putting militias on payroll and providing them with non-lethal assistance without integrating them into formal forces;
2. Integrating militias into formal security forces, or legalizing them as paramilitary forces;
3. DDR and job training;
4. Human rights training and accountability mechanisms for violations, and programmes to shape militia behaviour.

Finally, the report offers recommendations for concrete steps that would enable the Nigerian Government and international partners to limit the risks posed by militias, while continuing to benefit from their unique capacities. The recommendations focus on the following areas:

1. Vetting of militias prior to integration into Nigerian official forces;
2. Improving the capacity of the Nigerian military, police and intelligence services, for purposes such as for gathering intelligence;

3. Avoiding or minimizing the creation of new militia groups, and their importation from other areas;
4. Expanding human rights training and other steps to limit human rights violations, reduce local conflicts, and address local disputes;
5. Expanding and improving job training for militia members;
6. Countering the political appropriation of militias;
7. Developing mechanisms to punish militias' violations, whether human rights abuses or illegal economic activities.

## B. Methodology

In addition to reviewing the relevant existing literature, this study is principally based on the author's fieldwork conducted in Maiduguri, Abuja, Lagos, and Ogun state in November and December 2019. The interviews conducted in southern Nigeria were for the purpose of understanding spillover effects of militia formation, policies to address militias and Nigerian militia evolution throughout the country. During the 2019 fieldwork, the author conducted a total of 77 interviews. Interviewees included the following: leaders and members of the CJTF; former Boko Haram members and people who lived under Boko Haram rule; current and former Nigerian Government officials; current and former officers of Nigerian military and police forces; Nigerian security and political experts and academics; Nigerian politicians; traditional leaders; business community representatives; Nigerian journalists; Nigerian and international representatives of NGOs; United Nations officials; and international diplomats. The study also builds on the author's previous fieldwork in Nigeria in January 2018. To protect the safety of interlocutors and create an environment where they could speak honestly and openly, all interviews during this and previous fieldwork trips are reported without the use of names.

# The context

**B**oko Haram's insurgency has caused an estimated 20,000 to 30,000 deaths and displaced well over two million people since 2009.<sup>5</sup> Between 2009 and 2015, Boko Haram took control of extensive territories in the Nigeria's North-East, including temporarily taking over major cities such as Maiduguri. Boko Haram fighters have slaughtered civilians in villages and towns, abducted thousands of people, forcibly marrying off women and girls to their fighters, and conducted mass-casualty terrorist attacks against mosques, markets and camps for internally displaced people (IDPs). Overall, some 15 million people have been adversely affected by the insurgency and counter-insurgency efforts.

Drawing its supporters mostly from the Kanuri ethnic group, the Boko Haram insurgency emerged in Nigeria's Borno State in the first few years of the twenty-first century, when a charismatic Islamic scholar, Mohammad Yusuf, started preaching against the underdevelopment, poverty and corruption of Nigeria's North-East. Denouncing the state as the source of the political, social and spiritual corruption and decay of the polity, Yusuf blamed Western values, secularism, and democracy as the source of poor governance and policy failures. He professed that an Islamic governance and administrative state, rooted in "back to the source" Salafi doctrine — in his view, Islam as practiced by the Prophet Muhammad — would provide justice and equality for all and eliminate corruption.<sup>6</sup>

Amidst miserable socioeconomic conditions in the North-East, soaring unemployment and the lack of government presence beyond Borno's capital, Maiduguri, Yusuf's teachings resonated widely. The call for equality was especially powerful, given that Nigeria's enormous wealth is unevenly distributed, largely neglecting Borno, while rampant corruption and clientelism within ethnic groups have left institutions incapable of delivering security or services in the North-East.<sup>7</sup>

## A. Conflict overview

In July 2009, the Nigerian military violently cracked down on Boko Haram, leaving as many as 1,000 alleged members dead. Yusuf himself was killed while in the custody of the Nigerian police. Within months of the crackdown, Boko Haram retaliated, unleashing a full-blown insurgency under the new leadership of Abubakar Shekau. The insurgency took control of much of the North-East. The Government's response was sporadic, vacillating between heavy-handed military operations to apparent neglect of the North-East. Corruption within the military was rife, resulting in the siphoning off of much of the national funds intended for the fight against Boko Haram. The inadequacy of the campaign left towns, villages and hundreds of thousands of people at the mercy of the brutal Boko Haram.

The inadequate State response stimulated the proliferation of anti-Boko Haram militias, especially by ethnic groups other than the Kanuri. Sometimes supported by the Nigerian military, many of these militias coalesced under the umbrella grouping of the CJTF. Along with pre-existing militia groups such as the VGN, hunters' groups, and the *kesh-kesh* of the Arab Shewu community, the CJTF came to lead the operations against Boko Haram.

Meanwhile, Boko Haram's increasing military raids and terrorist attacks in the territories of Nigeria's neighbours (namely, Cameroon, Chad and Niger) led, in early 2015, to the formation of the Military Joint Task Force (MJTF), an international body tasked with suppressing the extremist group. Supported by the US, France and Britain in the provision of training, advice and intelligence, the MJTF eventually included the military forces of Chad, Niger, Cameroon and Benin, in addition to those of Nigeria. For a time, it was able to beat back Boko Haram.

After the 2015 Nigerian presidential election of Muhammadu Buhari (who had formerly been a military dictator of the country, from 1983 to 1985), the determination and effectiveness of the counter-insurgency campaign temporarily improved. The size of the Nigerian military deployment grew to three brigades (approximately 15,000 soldiers).<sup>8</sup> Under the Nigerian military's counter-insurgency operation, dubbed Operation Lafiya Dole, Boko Haram lost much of its territory and withdrew to more isolated areas of the North-East, such as the Sambisa Forest. After their initial battlefield progress, Buhari and the Nigerian Government repeatedly, though incorrectly, announced that Boko Haram had been "technically defeated." Yet in August 2018, the US sold half a billion dollars' worth of military equipment to the Nigerian military to fight Boko Haram, indicating that the war was far from over.

Indeed, while Boko Haram lost significant territory between 2015 and early 2018, and no longer holds major cities, the insurgency continues to kill thousands of people a year.<sup>9</sup> And the Nigerian military has continually struggled

to establish effective control in retaken areas. In major cities and towns in the North-East, including Maiduguri, there is widespread belief that Boko Haram informants are everywhere.<sup>10</sup> The group also continues to forcibly recruit boys and men and abduct girls, whom it forces to marry Boko Haram fighters or to become suicide bombers.<sup>11</sup>

Boko Haram has internally fragmented over the past several years but the splintering has not significantly weakened the militants' operational capacity. In 2016, disputes over leadership, connections to IS in the Middle East, and tensions over the killings of Muslim civilians caused a serious fracture and led to the formation of two factions beyond an earlier splinter group (Ansaru). One splinter remained allied with Shekau and a new one grouped around Abu Musab al-Barnawi, a Nigerian militant claiming to be the new leader of Boko Haram and to have the blessing of the Islamic State (IS) in Iraq and Syria. This latter group is commonly referred to as ISWAP, though the Shekau faction also sometimes calls itself the same name. In this study, the term Boko Haram is reserved for the Shekau faction. No exact number of insurgents in the various groups are known, but together they could total as many as 10,000.<sup>12</sup>

Since 2018, ISWAP has become a particularly potent, effective, and increasingly entrenched armed group, even while further factionalizing. In addition to building up significant political capital among local populations, it has led many successful military operations against the Nigerian military, which has continually suffered from poor performance and deep-seated problems.<sup>13</sup> As a result, the security situation in the North-East has deteriorated significantly since the beginning of 2018.

In this worsening situation, massive humanitarian problems persist. Most of those displaced by the fighting have been afraid to return to their destroyed home areas due to attacks by Boko Haram and ISWAP, and the State's inability to effectively hold vast rural areas and protect local populations.<sup>14</sup> The State has at times provided little protection to



accompany its efforts to return IDPs home or to move them to new settlements; as a result, Boko Haram has killed returnees.<sup>15</sup> As of the end of 2019, no community in the North-East had been completely resettled and no IDP camp closed. Reconstruction was proceeding slowly. While the international community has provided considerable assistance, there is no unified tracking mechanism for how its aid has been spent. Major disjunctions exist between state-level and federal-level stabilization plans, among line ministries and between the Government and NGOs.<sup>16</sup>

Until November 2016, the Nigerian military provided the bulk of assistance in IDP camps. However, it was frequently accused of corruption, incompetence, racketeering, and abuse of civilian victims of conflict.<sup>17</sup> Thus, the CJTF has taken over the administration of many IDP camps. Officially, local administrations have returned to most local government areas (LGAs — a small administrative unit in Nigeria). Yet, their capacity remains very low and they are vulnerable to attacks by Boko Haram and ISWAP. Further, due to crops being destroyed in the fighting, and the inability to plant new crops for several years in a row because of insecurity and government prohibitions on doing so, extreme food shortages have plagued Nigeria's North-East for several years, affecting millions.<sup>18</sup>

Foreign government donors have often led the financing of reconstruction in retaken areas. The US, for example, signed a USD \$2.3 billion five-year agreement with Nigeria in 2015 for humanitarian aid, including IDP assistance; longer-term development, such as electrification, education, and agriculture; and transitional programmes. The US also provided funding for efforts such as deradicalization and reintegration of former Boko Haram associates.<sup>19</sup> In 2016 and 2017, the reconstruction programming revolved predominantly around addressing extreme food insecurity and other emergency life-saving measures.

Integration of local communities' preferences also remains a significant challenge. Due to persistent insecurity, reconstruction remains highly constrained, creating sentiments among

IDPs and other communities that this is no time for any kind of amnesty or reconciliation.<sup>20</sup> The reconstruction and humanitarian programming under way also generate tensions between those who have received aid and those who have not.<sup>21</sup>

## B. Governance by Boko Haram and ISWAP

Complicating the societal reconciliation and reintegration of people associated with Boko Haram is the nature of Boko Haram's rule. Unlike in the case of other militant groups, such as the Taliban of Afghanistan, Boko Haram since 2009 has centred its rule almost solely on brutality and predation, providing few to no services to populations in areas it controls.

Boko Haram taxes numerous economic activities, from fishing to farming. It has issued death threats to farmers who refuse to pay 10 per cent of their harvest to the group, and demanded similar taxes or payments in kind from herders and livestock breeders. It has also penetrated transportation and smuggling networks connecting Nigeria, Cameroon, Chad, Niger and Burkina Faso. It charges smugglers and traders of pharmaceuticals, stolen cards, tramadol (a widely abused pain drug), weapons and watered-down fuel known as *zoua-zoua*. It has provided loans to traders, such as in Cameroon's far north region, expecting a percentage of their returns.<sup>22</sup> It has also recruited fishermen as logisticians.

Under the leadership of Shekau, Boko Haram's rule turned exceedingly brutal, with widespread killings and executions, rapes, torture, burning of villages, and the forced recruitment of thousands of men and boys as soldiers, and of women and girls as slaves or brides for Boko Haram fighters. It has imposed a backward and doctrinaire version of sharia that has included cutting off limbs of thieves and demanding that Christian families pay extra taxes, such as *jizya*, a protection tax for non-Muslims who have been conquered. Meanwhile, Boko Haram has provided almost no social services and public goods to populations in areas it controls.<sup>23</sup> Its rule

has essentially been one of wanton destruction and plunder. Boko Haram has targeted any alternative sources of authority and rule, by either co-opting or often executing village elders, such as *bulamas* and *lawans*, or imams who condemn its rule. Killing local authorities has often been among its first acts in a newly conquered locale.<sup>24</sup> In some places, however, such as northern Cameroon, Boko Haram has also spent large sums buying the support of traditional chiefs, and bribing security forces while recruiting fighters and informants.<sup>25</sup>

Boko Haram does not allow freedom of movement of people within the areas it controls. Those who reside under its occupation cannot freely leave and are *de facto* imprisoned. Yet many other Nigerians, including IDPs, see locals who lived under Boko Haram as evil sympathizers and collaborators. This view persists despite the fact that running away from Boko Haram areas poses tremendous security risks: the group punishes, including by death, individuals who are merely rumoured or alleged to be contemplating escape.<sup>26</sup>

While it typically does not provide services, in some villages, Boko Haram has actively distributed food to local people. Some women abducted by the group from their villages have reported being fed better than in their home villages, perhaps even preferring to stay with Boko Haram despite their imprisonment there. Some liberated girls have returned to Boko Haram areas, both due to better economic conditions there and because they face multiple forms of societal rejection in their home communities.<sup>27</sup>

ISWAP split off from Boko Haram in disagreement with Boko Haram's treatment of civilians. It objected to Boko Haram's indiscriminate killing of Muslim civilians, the bombing of mosques, and its overall brutality. While ISWAP also taxes local populations, it significantly limits abuses of local communities. It provides limited social services to local populations under its control, such as transporting pregnant women to the hospital, a type of support the local population never enjoyed even from the Nigeria Government. ISWAP has also been handing out humanitarian

aid, in the form of financial assistance to women to become seamstresses and buy themselves sewing machines.<sup>28</sup> In contrast to the unpredictable protection provided by the military and the CJTF, ISWAP has provided predictable governance and enough security for people to tend their fields and cultivate at least basic livelihoods.<sup>29</sup>

Also unlike Boko Haram, ISWAP militants have adopted scrupulous targeting policies, attacking and killing mostly Nigerian military forces and associated auxiliary forces, such as the CJTF, but trying to avoid civilian casualties. At times, they have even spared Nigerian police officers whom they have caught along roads, provided that the policemen promised to stop performing their policing duties.<sup>30</sup> The brutality of the Nigerian military has also critically helped anchor ISWAP's entrenchment.

As a result, ISWAP has built up significant political capital among local populations and become deeply entrenched, potentially posing a far more serious and long-lasting threat than Boko Haram. Yet the Nigerian Government has failed to mount an effective and sociopolitical response and counter-insurgency strategy against ISWAP or Boko Haram.

## C. The military response

While Boko Haram's abuses are the most notorious, the counter-insurgency policy of the Nigerian military and police have also long been sources of insecurity, dislocation, suffering, and severe and widespread human rights abuses.<sup>31</sup> Particularly before 2015, much of the counter-insurgency strategy involved collective punishment of entire villages suspected of harbouring Boko Haram militants or having fallen under Boko Haram rule. In such so-called clearing operations, which often amounted to violent reprisals by the Nigerian military, villagers who did not manage to flee to the bush were randomly killed on suspicion of being Boko Haram members. Such killings still take place today. Others, including women and children, are dragged off to detention. Cases of extrajudicial

killings and torture by Nigerian military and police forces are also widespread.<sup>32</sup> Between 2013 and 2014, the Nigerian forces extrajudicially executed more than 1,000 people, sometimes even hundreds a day.<sup>33</sup>

Thus, as a result of Boko Haram attacks and the Nigerian military counter-attacks and clearing operations, entire communities have been wiped out, with people being kidnapped, detained, displaced or killed. Those who are not detained in clearing operations have often been forcibly evicted by the military, without prior notice. The burning of houses, shops, cars and other private property has been a regular feature of the conflict and was particularly common before 2015. Many areas formerly controlled by Boko Haram remain emptied of residents. Land is often taken over by other actors, which prevents the return of the displaced. In cities, most government operations have involved aggressive searching of houses, with young men frequently shot by the military during such operations.<sup>34</sup> Even those merely seen in the company of suspected Boko Haram members risk being detained or summarily killed by the Nigerian military.<sup>35</sup>

Detainees languish for months and often years. In some cases, they are simply incarcerated without any evidence of a crime or prospect of a trial. There have been tens of thousands of detainees, who are subjected to abysmal conditions, including torture and starvation.<sup>36, 37</sup> No formal or centralized records appear to have been kept as to who has been arrested, detained, or killed in detention.

Since 2015, the Nigerian military's abuses have decreased, for several reasons. One is the exposure of the violations by international human rights groups and local civil society NGOs. Another is that, as territory has been retaken, the military has had fewer opportunities to commit violations. Nonetheless, reports of summary executions and mass detentions still regularly emerge.<sup>38</sup>

Other counter-insurgency policies, however, continue to undermine human security and the effectiveness of counter-insurgency efforts. In the community of Bazza, for example, the

Nigerian military confiscated all weapons, including kitchen knives, to disarm Boko Haram. As a result, locals could not go about their essential daily tasks, such as slaughtering animals, cooking, or farming. In various parts of the North-East the military has prohibited planting tall crops to deny Boko Haram hiding opportunities. But, in doing so, the military severely compounded food insecurity and famine. Curfews have similarly hampered access to food and economic activities.<sup>39</sup>

Apart from their humanitarian consequences, such policies to defund the militants have allowed local Nigerian military units to integrate themselves and dominate local economic markets and activities. The military now controls who can fish and whose trucks can travel on roads, enter towns, and access markets; the military often collects illegal tolls and rents.<sup>40</sup> Smuggling by the Nigerian military (or with the permission and taxation by the military) reportedly persists despite the fact that the Nigerian Government shut down the borders with its neighbours in 2019 to limit imports and boost domestic production.<sup>41</sup> In the North-East, the Nigerian military demands that merchants buy fish only from fishermen and traders it certifies, claiming that such controls deprive Boko Haram of resources. However, these policies also ensure the Government's total control over access to the economy. Although cattle rustling is frequently attributed to Boko Haram, there is widespread belief in communities such as Maiduguri that both the Nigerian military and the CJTF have become deeply involved in the stolen cattle economy across the North-East.<sup>42</sup> Traditional leaders still report cases of the Nigerian military seizing cattle that the CJTF recovered from Boko Haram, and reselling them with the justification that they need to feed their soldiers.<sup>43</sup>

Such economic control, including generalized "taxation" of all road traffic, becomes a crucial source of personal enrichment for local military commanders. However, since logistics and supplies of Nigerian military units remain problematic (as a result of systemic graft within the Nigerian military), the military's penetration and monopolization of local economies also serves to generate operational revenues for

local units, including for food, and to supplement meagre or missing salaries.<sup>44</sup>

At its height during Goodluck Jonathan's presidency (from 2010–15), the graft of counter-insurgency resources meant that entire deployed units went without bullets, pay and even food. After Buhari took office, Jonathan's national security advisor was charged with stealing USD \$2 billion in sham procurements meant for the military campaign against Boko Haram.<sup>45</sup> Yet, as of the end of 2019, Nigerian soldiers remained poorly equipped, lacking even cell phones and relying on radios with 20 year-old batteries. Soldiers continue to go without pay for weeks.<sup>46</sup> Further, soldiers and federal police are often deployed for two continuous years of service. Demoralized, they often go absent without leave.

Despite the poor conditions, the Nigerian military's profit from local economies leads some observers to conclude that local units, the CJTF, and others have few incentives to end the fighting and withdraw, if they even have the capacity to do so.<sup>47</sup> Maiduguri residents even believe that military units at times manufacture security incidents to justify their presence and economic policies.<sup>48</sup>

## D. The CJTF's role on the battlefield, in brief

The Nigerian military and police have relied on the CJTF for intelligence as a basis for detention. The CJTF possesses human intelligence resources far superior to anything the Nigerian military has managed to develop in the North-East, where many Nigerian soldiers are not able to speak the local languages.<sup>49</sup> However, relying on the CJTF for unverified intelligence carries enormous risks, given that the group may distort information for its own benefit. CJTF tip-offs are often motivated by the desire for payments from the Nigerian military, revenge or the desire to take over the businesses or properties of the individuals they are denouncing. Still, unverified CJTF claims are often the dominant basis for raids and arrests.<sup>50</sup>

Although signal intelligence from equipment provided by international military partners supplements information flows, acquisition of credible local human intelligence continues to be constrained by the fact that Nigeria does not permit the establishment of local or state-level military or police forces. Despite its flaws, however, the system of CJTF tip-offs and signal intelligence has narrowed the scope of military raids since 2015. Many Maiduguri locals contend that the Nigerian military was far more brutal before 2015, when "it didn't have good intelligence."<sup>51</sup>

The CJTF also conducts operations independently, setting up checkpoints, patrolling streets, checking suspicious cars and interrogating people.<sup>52</sup> As with arrests by official Nigerian security forces, such interrogations may involve duress, torture and human rights abuses. Those who do not satisfy CJTF questioning are then handed over to either the military or the police.<sup>53</sup> The CJTF keep no record of whom they detain and hand over, or of the reasons for detention. Allegations of rapes by the CJTF have emerged, though far more rapes — roughly 90 per cent — are reportedly perpetrated by Boko Haram.<sup>54</sup> CJTF units themselves have reportedly killed civilians — during clearing operations, arrests or fighting with Boko Haram. Again, there has been no disclosure, reporting or investigation into such deaths.<sup>55</sup> Yet, because of the lack of accountability of the CJTF and its close relations with the military and the police, many locals are afraid to report CJTF abuses and crimes to authorities. They fear they would be subsequently arrested as Boko Haram members, or detained and mistreated by the CJTF, who would receive information from the government authorities.<sup>56</sup>

## E. Deteriorating security situation

In contrast to Shekau's Boko Haram militants, who have been mostly avoiding major battles, ISWAP has been very ambitious in its military efforts and very successful in recent years. Since 2018, it has managed to successfully attack and

destroy many military bases in northern Nigeria. The frequency, potency (also featuring mortar fire) and lethality of attacks has increased.<sup>57</sup> ISWAP planned some of its attacks in response to a major push by the Borno government in July 2018 to resettle displaced communities. The Nigerian military conducted an operation for these purposes, which cleared ISWAP from new areas, and attempted to hold the newly liberated territories. But the military vastly underestimated ISWAP strength. ISWAP took over base after base, often killing soldiers who did not manage to flee, capturing weapons and supplies and ultimately overrunning a large military base in Baga.

As a result of these losses, the Nigerian military has reduced its presence and liquidated many of its forward operating bases, giving up much territory to the militants. This may have improved the morale of Nigerian soldiers, who are taking fewer casualties, but it is bad for security. The military is now using a new strategy of “super camps” — fortified garrison towns. Because the Nigerian military only controls the centre of these towns, it herds local populations into them and digs trenches around them. Numerous individuals interviewed for this study described the super camps as a counter-insurgency

strategy that does not defeat insurgents.<sup>58</sup> For their part, Nigerian military officials deny that there is any deterioration of security and that ISWAP or Boko Haram hold territories (calling ISWAP “a mirage”). But Western advisers call the super camps a strategy of retreat.<sup>59</sup>

The Nigerian military’s capacities to defeat ISWAP and Boko Haram are lacking. In contrast to the agile militants, the military is unwieldy and lacks close air support and often drops unguided bombs; ISWAP uses drones. Instead of the militants hiding during the day, it is the Nigerian military that flees at the sight of the militants, even in daytime.<sup>60</sup>

Moreover, the super camp approach further squeezes livelihood opportunities for local populations as the Nigerian military guarantees security in only a five-kilometre diameter around garrison towns; local residents are only permitted to cultivate their fields within this perimeter. As of the end of 2019, humanitarian actors could not reach at least six LGAs, and at least 200,000 people were believed to live under ISWAP or Boko Haram rule.<sup>61</sup> Militants control key roads. While security in Maiduguri continues to hold, attacks on the city’s outskirts are increasing.



# Auxiliary groups in detail

The emergence and persistence of militias in the North-East, as well as across Nigeria, arise from the deficiencies of the State in providing security, and a long tradition of vigilante groups, going back to the precolonial era.<sup>62</sup> Nigerian security forces as well as local communities see the militia groups as the best sources of local intelligence.<sup>63</sup> Rooted in local ethnic groups, most vigilante groups and militias have evolved among the rural and urban poor. As noted above, the militias enjoy trust and legitimacy with many members of local communities, but they also create numerous problems.

The CJTF is the most notable of the militias and vigilante groups that operate in Nigeria's North-East against Boko Haram and ISWAP, but there are many others, including *kesh-kesh*, hunters' groups, and the VGN.<sup>64</sup> All three of these groups predate CJTF and often have highly fluid and competitive relationships with it; they often resent their better-known rival. In trainings or meetings, members of hunters' groups, *kesh-kesh*, the CJTF and the VGN even regularly refuse to sit at the same table.<sup>65</sup>

The CJTF, in particular, poses an enormous challenge in the North-East. Some local residents still see them as "heroes," "saviours," and "champions."<sup>66</sup> During the early violent

insurgency years, CJTF members were at times the only actors standing up to Boko Haram and providing some protection to local populations. Today, the CJTF, hunters' groups and *kesh-kesh* are at the forefront of operations against Boko Haram and ISWAP. Yet, they have also become a source of insecurity and change in local political and economic power arrangements. The multifaceted threats they pose are likely to increase.

This section first details the current structure and battlefield roles of the CJTF and associated militias. It then reviews the CJTF human rights record, the expansion of CJTF roles and tasks, and the way the group has come to alter or reinforce existing power arrangements. Finally, this section details the way the CJTF and associated militias have become embedded in the political economy of the North-East.

## A. Overview of structure of the CJTF and associated militias

The CJTF estimates that it currently numbers between 31,000 members, an increase from their 2018 estimate of 26,000. Its ranks are

composed of gangs of young and old men and, in some cases, such as in the state of Yobe, prisoners released from jails in order to fight Boko Haram.<sup>67</sup> There are only about 100 women in the CJTF.<sup>68</sup> There are reasons to think that the CJTF estimates are inflated. Two years ago, the CJTF began creating a registry of its members, but the database is incomplete. Instead, the CJTF simply declares high numbers to deter militants and rival groups, and serve its political purposes. The Nigerian military has trained fewer than 5,000 CJTF members, and some analysts estimate that the CJTF has as few as 10,000.<sup>69</sup> The population of the North-East is some 25 million, and the unemployment rate is as high as 80 per cent. From that perspective, it is entirely plausible that 25,000 men would have joined the militia. However, the CJTF started forming in 2011 and 2012, so a force of 25,000 would have required massive growth. (For comparison, this would rival the size of the self-defence and paramilitary forces in Colombia — a country of nearly 50 million — after six decades of conflict.) Moreover, the CJTF reports this large figure even as the group has sustained high numbers of casualties from ISWAP and Boko Haram. ISWAP, in particular, has aggressively targeted the CJTF. It is questionable whether new recruitment compensates CJTF losses, let alone increases its size.<sup>70</sup>

CJTF operates outside the law, but under the supervision of the Attorneys General in the North-East, where it is present. And despite being extralegal, the CJTF is formally under the command of the Nigerian military. Despite the nominal supervision of the Attorneys General, there is no formal leader of the entire CJTF in Borno or elsewhere. Instead, the group has divided itself into geographic “sectors” with separate and opaque leadership structures and highly varied abilities of commanders to control units, compounding the accountability problems. Coordination across sectors is irregular, sporadic and constantly subject to change. Like Nigeria’s formal security actors, CJTF units prefer to shroud themselves in secrecy.

Engagement with, and reporting and obedience to, the Nigerian military and official police units also vary widely. In some areas, such as Maiduguri, CJTF units cooperate and even

report to the police, who in turn use the group for a variety of operations. Still, police officials complain that they cannot control the militias “because they were trained by and report to the military,” or simply because the militias refuse to be controlled.<sup>71</sup>

Although having emerged spontaneously, the CJTF has become stratified into several layers. The previous Governor of Borno, Kashim Ibrahim Shettima, recruited a group of some 2,000 to form a privileged group that came to be called the Borno Youth Empowerment Program, or BOYES. This elite CJTF group was subsequently trained and armed by the Nigerian military; the government of Borno paid 20,000 naira per month (approximately USD \$55). BOYES is the Nigerian military’s favored CJTF unit, yet it is deployed mostly in Maiduguri, where its usefulness is highly limited and where it is not engaged in frontline combat.

A second layer of the CJTF, the Neighbourhood Watch, was created by Shettima in 2017. Some 2,900 men are now enrolled in the Watch — 29 LGAs with about 100 members each. Shettima paid them a monthly stipend of 10,000 naira (USD \$27). The Neighbourhood Watch has absorbed parts of other groups, such as the Borno Youth Vanguard (later renamed Borno Youth Association for Peace and Justice).<sup>72</sup>

A third layer of the CJTF includes groups that were armed by the Nigerian military and Borno, but were not paid or trained. This layer probably also numbers in the low thousands, though no clear data is available.

The remainder of the CJTF — the vast majority of the militias — have not received arms or training from the government, nor are they being formally paid. In some places, the various layers operate together; in other cases, Neighbourhood Watch does not respond to BOYES even though it is also part of the CJTF, and vice versa.

This stratification has created multiple challenges within the CJTF ranks. Non-BOYES members are frustrated by their lower status and lesser (or nonexistent) state compensation; such members seek to be “promoted” to the BOYES category

in order to be put on the government's payroll. Remaining militias also seek state salaries and are aggrieved that their contribution to the counter-insurgency effort is not recognized. Compounding the grievances is the fact that many BOYES members and commanders were not recruited from within the CJTF. Instead, Shettima independently recruited them, along with other youth security groups the Governor initiated, such as the Neighbourhood Watch. But even BOYES commanders and members seek greater benefits.<sup>73</sup>

Further complicating resentments is the purported existence of self-declared "special forces" under BOYES. Such forces are armed and presumably effectively trained. Their uniforms are said to carry a special forces insignia, which helps them command respect and obedience from other CJTF units and local communities.<sup>74</sup>

Many tensions and conflicts over resource distribution thus exist among the various layers of the CJTF, as well as between CJTF units located outside of Maiduguri and those operating within the city.

## B. The Vigilante Group of Nigeria

The VGN is a nationwide vigilante group and private security company that emerged in the 1980s. Its operations against Boko Haram and ISWAP are mostly in the states of Benue and Adamawa, and to a lesser extent in Borno. In Borno, it has been completely eclipsed by the CJTF, but its leadership tries to appropriate CJTF popularity and power, and claims that the CJTF is, in fact, a part of the VGN — a claim CJTF rejects.<sup>75</sup> For years, the VGN has sought federal-level recognition and legitimization, which would afford government contracts and arms.

Outside of the North-East, the VGN also undertakes various vigilante anti-crime functions, such as searching people in markets, apprehending and interrogating robbery and kidnapping suspects and — at least if they follow

protocol — handing them over to the police, and patrolling roads with the Nigeria Police Force. In areas where it operates jointly with the police, its members sometimes receive some training from the police, such as in physical defence, community policing and intelligence gathering. In larger Nigerian cities, the VGN also functions as a private security company hired by middle-class Nigerians to guard their houses and properties.<sup>76</sup> Its members tend to be older than CJTF members, including retired soldiers and police officials. They apply for CJTF membership at a local office, producing two guarantors and passing an interview. The VGN's local and state branches are not well coordinated. In the North-East, it has had a testy relationship with the CJTF, resenting, for example, that the state government has given the CJTF vehicles, which the VGN did not receive.<sup>77</sup>

## C. Hunters' associations

In contrast to the VGN, the various hunters' associations that fight ISWAP and Boko Haram tend to have good relations with the CJTF. Believing themselves to be protected by *juju* (black magic), they frequently operate in the toughest and most remote terrain and often are very effective in combating the militants in their areas.

## D. Kesh-kesh

Sometimes associated or conflated with the hunters' associations, the *kesh-kesh* are militias that in the 1980s emerged from the Shuwa Arab community, also referred to as the Baggara community. These nomadic herders live across Nigeria, Cameroon, Chad and Sudan. Many of the *kesh-kesh* who are fighting Boko Haram and ISWAP come from Cameroon, where they draw their membership from hunters' groups, and not simply nomadic herders.<sup>78</sup> They have had complex relations with the CJTF, though in some places, such as in areas of Nigeria close to the border with Cameroon and around Lake Chad, the CJTF emerged out of *kesh-kesh* groups.<sup>79</sup>



Yet many of these groups, as with hunters' associations, frequently undergo splintering or relabeling themselves, making it hard for local populations to understand who operates where and conducts what operations, and what their connection to the CJTF is at any particular moment. In the area of Bama in Borno, for example, 200 CJTF, 50 BOYES, 150 *kesk-kesk*, 75 VGN members and 75 hunters reportedly operate under one CJTF commander and receive some stipends from the government of Borno. Yet there are also other anti-Boko Haram and anti-ISWAP militias who operate outside of the CJTF command and are not on the government's payroll.<sup>80</sup>

## E. The CJTF and associated militias' role on the battlefield today

The CJTF continues to be a core component of the Nigerian military's counter-insurgency strategy. Other than in Maiduguri, the Nigerian military deliberately places the CJTF on the front line and on the perimeters of garrison towns of the North-East, so that Boko Haram and ISWAP engage the militias first in their attacks, and so that the militias, instead of the Nigerian military, bear the brunt of casualties. Indeed, CJTF casualty reports frequently surpass those of the military. The military also assigns the CJTF high risk operations, such as handling suicide bombers.<sup>81</sup>

Yet, the Nigerian military frequently provides poor backup to the CJTF and CJTF units do not rotate out of dangerous areas at all, since those areas are presumably their home areas. Not surprisingly, many CJTF units are now exhausted, having lost the battlefield momentum they had at the peak of their operations in 2014 and 2015.<sup>82</sup>

As security considerably worsened in the second half of 2019, CJTF morale deteriorated. One unit turned on its famous commander, Bulama Bukar (known as Maradona), after he agreed to work with out-of-state hunter groups who had been brought into his areas. The mutineers handed

the commander to ISWAP, who tortured him to death.<sup>83</sup> This episode sent shivers through other CJTF units (as well as through communities) about ISWAP infiltration, the breakdown of the CJTF's command and control and the reliability of its protection.<sup>84</sup>

The CJTF and associated militias remain the predominant source of intelligence about militants and their associates. While such intelligence is often superior to any the military is capable of producing, and allows for detaining individuals instead of entire communities, its reliability is still suspect. For instance, a police commander asserted that the CJTF is very good at identifying Boko Haram members, sympathizers, and associates. "The CJTF will come to us and tell us, this preacher was intimidated by Boko Haram," he said. "And then we go and pick up the preacher."<sup>85</sup> But condemnations such as this, based on word of mouth, have inherent flaws: even if the preacher was merely a victim of Boko Haram, he would face interrogation and possible detention by the CJTF and formal Nigerian security actors.

In another case, a middle-aged woman from the Konduga area of Borno reported that, after she and her ten year-old daughter managed to escape from her village that had been overrun and controlled by Boko Haram, she ran into CJTF. They arrested her and handed her over to the military. She and her daughter were then kept for 13 months in the military's detention centre in extremely crowded conditions, without adequate food. They were interrogated about their association with Boko Haram several times and then eventually brought by the military to the Maiduguri rehabilitation centre for women, from which she was released with her daughter after 12 weeks.<sup>86</sup> It is highly questionable whether the woman and her daughter, victims of Boko Haram, should have been detained at all by the CJTF or the military. Yet both organizations insist that those who lived under Boko Haram control, even if only as victims, cannot be trusted.<sup>87</sup>

This reliance on the CJTF for intelligence, including during interrogations, and as the basis for detention, contains enormous risks of randomness and arbitrariness, as well as of social and economic "cleansing," which serve



UN Photo/Stuart Price

particular interests of local commanders and militiamen. Indeed, when questioned about its sources of intelligence for identifying Boko Haram members, a CJTF commander of a very important sector gave a response that provided little reassurance about the rigor of his practices: “Since we are from here, we simply know who is Boko Haram and who is not.”<sup>88</sup> Other militia members present at the interview went on to specify that children, as young as 12, were particularly useful as lookouts and informants because they could move freely and not be suspected. Village elders, too, were considered useful in providing intelligence to the CJTF. “Everyone tells us who is coming to the village,” one interviewee said.<sup>89</sup> Not surprisingly, ISWAP and Boko Haram are highly motivated to attack the CJTF and ask communities to identify CJTF members.

Unlike the VGN, which tends to be more stationary, the CJTF accompanies military units

on patrols. Yet, such patrolling and rare offensive forays do not necessarily improve security. For example, in November 2019, a CJTF contingent, which also included 23 *kesh-kesh* fighters, accompanied 100 Nigerian soldiers on a patrol to a village in Sambisa Forest, 12 kilometres from Bama. The patrol encountered Boko Haram members; it killed eight Boko Haram fighters and rescued five women and children. But a subsequent Boko Haram unit overpowered the patrol, causing significant casualties and resulting in tactical defeat.<sup>90</sup>

In some cases, CJTF units have managed on their own to run ISWAP out of villages, but lacking backup from the Nigerian military, they struggle to hold territories. Nor is the Nigerian military capable of anticipating and preventing reprisals. In June 2019, for example, a hunters’ group overran an ISWAP camp near the road to Monguno, killing and decapitating eight militants. The hunters brought the heads and

some captives to the Nigerian military. Since then, however, ISWAP has begun patrolling and attacking the road, severely complicating all travel on the road and access to the area. The Nigerian military has been unable to secure the road.<sup>91</sup>

CJTF units are also allegedly very active in IDP camps, where the military employs them as spies and, again, relies on them for intelligence.<sup>92</sup> Recently, the CJTF has also been tasked with providing security on school campuses.

The CJTF also has indirect effects on the battlefield as a result of its interaction with a defectors' programme for low risk Boko Haram fighters, known as Operation Safe Corridor.<sup>93</sup> As the Nigerian Government programme was unveiled in 2018, observers feared that CJTF members would attack former Boko Haram members who went through the programme. So far, those fears have not been borne out. On the contrary, the CJTF — in this case, at least — has had a fairly measured response to the reintegration of individuals who were once considered bitter enemies. For example, in the Bama area, 29 defectors who had gone through the programme were placed in a local IDP camp. The CJTF accepted the placement of all but one defector in the camp; it claimed that the defector it objected to had a record that was too problematic to be placed in the camp. While the other defectors could leave the IDP camp and safely move around Bama without fearing the CJTF attacks, the "problematic" defector could not. The CJTF unit wanted him moved to another community.<sup>94</sup> But the CJTF response to the Boko Haram defectors is far more positive than had been expected.

There are other examples of the CJTF unit in Bama abstaining from revenge. The unit has also accepted the return of children who lived under Boko Haram rule. Two young men, who had escaped from a Boko Haram forest camp as children and then spent several years in military detention and three months in the Bulunkutu Rehabilitation Centre in Maiduguri, had come to associate with and provide intelligence to the Bama CJTF.<sup>95</sup> They had trained for electrical work and barbering at the rehabilitation centre, but neither of the young men (who were 19 and 17

at the time of the interview) thought they could find a job in those fields. Instead, they both focused on the CJTF as the source of livelihoods, protection and association.

Of course, these episodes are highly idiosyncratic and likely do not represent the attitudes and behaviour of all CJTF units towards ex-Boko Haram defectors and individuals who lived under Boko Haram rule. Nonetheless, although hundreds of low risk defectors have been processed through the rehabilitation camps (with camps for men in Gombe, and for women and children in Maiduguri) and placed in communities or IDP camps, no widespread attacks or harassment by the CJTF have been reported.<sup>96</sup>

## F. Human rights, law enforcement, and justice

Although the CJTF has frequently been the only source of some security against Boko Haram for local populations, it has perpetrated serious human rights abuses. Until 2017, and particularly in the early years of resistance against Boko Haram, these included extrajudicial killings, rapes, beatings of detainees and other torture.<sup>97</sup> Although the level of extrajudicial killings has gone down, the CJTF and the Nigerian military and police continue to torture detainees to extract confessions and obtain intelligence. Anecdotal evidence suggests CJTF beatings of detainees are brutal enough so that arrestees must be hospitalized.<sup>98</sup>

In theory, all CJTF units in Maiduguri are supposed to operate unarmed, with weapons issued to them by the Nigerian military or police only for specific operations. In reality, as widely reported and regularly witnessed by the author during fieldwork in January 2018 and again in November 2019, CJTF members walk around Maiduguri's streets and markets armed with machine guns or rifles, threatening civilians with them in traffic or market disputes.

However, since 2018, the incidence of most severe human rights abuses appears to be

considerably reduced.<sup>99</sup> At least three factors account for this decline in violations. First, since 2018, the CJTF has conducted few offensive and clearing operations, a deployment mode that limits its opportunities to engage in human rights violations. Second, as detailed in this study below, human rights training of the CJTF is believed to have helped reduce violations, at least to some extent. Third, there has been some softening of communities' attitudes towards those associated with Boko Haram. As a result of less exposure to Boko Haram abuse, the passage of time, and NGO activism, most communities no longer uniformly reject anyone associated with Boko Haram.<sup>100</sup> Many communities are now willing to accept the return of those who were abducted by Boko Haram, though they continue to reject women who voluntarily married Boko Haram, as well as children born to Boko Haram fathers (despite the injustice and security risks of simply abandoning those children to life on the streets, including potential recruitment by militants).<sup>101</sup> Yet, even this moderate increase in acceptance of former Boko Haram associates has acted as a damper on CJTF abuses of those alleged to be associated in any form with militancy.

International and Nigerian human rights observers maintain that very serious human rights abuses continue to be far more frequently perpetrated by the Nigerian military than by the CJTF, and that the human rights record of the Nigerian military is, overall, far worse than that of the CJTF.<sup>102</sup>

One exception to the improved human rights record of the CJTF appears to be gender-based violence. Resettled IDPs regularly report that CJTF members in charge of IDP camp security and food distribution demand sex for food.<sup>103</sup> Appointing the CJTF to guard school campuses, roads and water points also appears to be associated with increased rapes and sexual extortion.<sup>104</sup> It is not possible to conclusively determine whether there is an actual increase in such instances, or whether they have simply been reported more. But local residents continue to fear reporting abuses, so it would seem that the increase in reports does reflect a trend of increasing violence.

The human rights record of other militia groups varies considerably from the CJTF. The VGN is generally considered to be far less abusive than the CJTF, partially because its members often include older and retired soldiers and police officers who may have more training and discipline, and partially because the VGN is mostly not involved in clearing operations and frontline battles.<sup>105</sup> However, as mentioned above, communities are often unable to distinguish CJTF units from the VGN (particularly when the two groups operate under the same command). Further, militia groups constantly rename themselves, and communities thus report violations as those of the CJTF when the specific identity of the perpetrators may be uncertain.

Hunters' associations, in contrast, are reputedly to be particularly brutal. Operating deep in the bush without any oversight and often with no exposure to laws or human rights concepts, they are believed to engage in a variety of severe human rights violations.<sup>106</sup>

However, it must be noted that collecting data and evidence on human rights violations in Nigeria's North-East remains extremely challenging for multiple reasons. Physical access for Nigerian and international monitors remains restricted to very small areas, and little information of any kind is available on what is happening beyond garrison towns. Victims fear reporting abuses by both the Nigerian military and the CJTF and NGOs who report such violations are threatened by the Nigerian military with expulsion from the North-East.<sup>107</sup> Moreover, while CJTF units are supposed to wear identifiable uniforms, many operate in civilian clothes and frequently display a wide range of patches, including those of the Nigerian military, or even US flags. Thus, local residents in garrison towns rarely know with which unit, militia group or armed actor they are dealing.<sup>108</sup>

Over time, the CJTF has taken it upon itself to apprehend perpetrators of all kinds of infractions and act against some forms of crime that are well beyond their original remit — crimes such as robberies, cell phone theft or the passing of fake bills (an ever-present



UN Photo/Martine Perret

problem in Nigeria). These CJTF actions occur even as CJTF members and units are themselves frequently involved in criminality, as detailed below.<sup>109</sup> Such a problematic expansion of the CJTF mandate is not merely a function of the CJTF arrogating expanded roles to itself (a process fully consistent with how insurgents, militias, and criminal groups around the world behave and evolve).<sup>110</sup> It is also a function of the Nigerian police and state government officials asking the CJTF to take on such roles, even though the CJTF has no legal standing or policing training. Beyond providing intelligence on illicit markets, the vastly undermanned and overstretched police in Maiduguri are asking the CJTF to investigate robberies and burglaries and detain suspects, as well as join in police raids to shut down illicit drug markets and seize tramadol from pharmacies.<sup>111</sup> For example, when Borno's Attorney General launched a large police

operation to bulldoze markets known for illegal drug sales and prostitution, the CJTF was tasked by the government and police with playing a central role.

Government officials and the police also use the CJTF for crowd control during large gatherings or political meetings, even though the CJTF has used excessive force during such meetings.<sup>112</sup> Similarly, both Nigerian and international NGOs turn to the CJTF for food distribution in IDP camps and the rescreening of returnees.

Some CJTF units have also begun enforcing cultural norms and sharia family codes according to punishments they devise, such as by flogging wives and husbands for violations. Some units have started holding trials for those accused of crimes, though the quality of evidence, procedures and judgments is questionable

and lacking transparency. These expanded functions have generated friction between local communities and local CJTF units. In some areas, such as in Maiduguri, CJTF members claim that they now refrain from inserting themselves into family disputes, because of community pushback.<sup>113</sup> At the same time, some community members report that they are more comfortable reporting crimes, such as cattle theft and even rapes, to the CJTF rather than to regular police units.<sup>114</sup>

Overall, while local communities resent the CJTF's torture and its involvement in personal matters, such as wife–husband disputes, they have been willing to tolerate its arresting of suspected militants. Yet, even in operations against the militants, the CJTF often targets the business or resource rivals of its friends (in cases of water or land disputes, for example), accusing those rivals of Boko Haram or ISWAP membership. CJTF commanders and units have used such accusations to settle personal scores, such as against families of women who refused to be the girlfriends of CJTF fighters or marry them.<sup>115</sup>

## G. Political effects and political appropriation

The facts that the CJTF has been the principal provider of security for many local residents and has expanded its functions also mean that CJTF has had profound political effects in Nigeria's North-East. The CJTF's relationship with traditional elders and community leaders and local government representatives has been particularly complex, with the CJTF often threatening their power.

Nominally, government officials in local government areas — who mostly also happen to be traditional leaders — have a degree of control over the CJTF. They are mandated to screen and approve any new CJTF member, for example. But when traditional leaders and village elders were interviewed for this study about the vetting process, they said that they never rejected any candidate or heard of rejections in other

villages.<sup>116</sup> The village elders themselves may be highly vulnerable to the CJTF influence, not only because of the CJTF's military might, but also because of its political and economic clout.

In some places, CJTF members have begun openly questioning the authority of traditional and village leaders, pointing out that traditional authorities ran away or were not able to protect communities from Boko Haram, while the CJTF fought for communities.<sup>117</sup> Conversely, traditional leaders complain that their authority has been undermined by the CJTF; such leaders said that the CJTF feels that it “can do anything” and that it is “completely out of control.”<sup>118</sup>

Yet fearing continual Boko Haram and ISWAP attacks, traditional leaders have often been unwilling to return to their home areas and, remaining in Maiduguri, are thus unable to perform the governance functions vital for local communities. In many LGAs, traditional authorities served as both the police and the courts. Thus, local communities often ask Nigerian NGOs to “bring back traditional authorities.”<sup>119</sup> In areas where traditional leaders have returned, they have been able to wrest some power from the CJTF and are often welcomed back by communities.<sup>120</sup> Elsewhere, the CJTF has not been willing to yield to the authority of returned traditional leaders. And in areas where traditional leaders continue to be absent, the community welcomes the CJTF's governing functions. Such communities transfer their allegiance to the CJTF, at least to some extent.

Expanding the role of the CJTF to assist in the resettlement of IDPs, as currently planned, poses a serious risk of increasing the CJTF's political power and sense of entitlement. This would further weaken local government and traditional structures, and increase the types of gender-based and other human rights abuses that the CJTF perpetrates in IDP camps or at school campuses. At the same time, the Nigerian military and police lack the capacity and will to secure the resettled communities against militant attacks and criminality.

Another problem is that politicians seek to appropriate CJTF units for their political and economic purposes, even though those politicians are also vulnerable to political and security pressures from militias and vigilante groups. (This type of problem is widespread in Nigeria, and not unique to the North-East or the CJTF.) To secure CJTF allegiance, politicians of the North-East have handed out money and equipment to CJTF commanders and units. Such gifts range from vehicles to *juju* charms.<sup>121</sup>

Across Nigeria, militia and vigilante groups sponsored by politicians have in turn been used to repress political opposition, obtain votes, intimidate rivals and extract political donations. Typically, two years prior to elections, violence increases in Nigeria and governors and politicians fortify militia and vigilante groups with money and weapons. There is already evidence and considerable risk that politicians will appropriate and misuse the CJTF in this way.

To shape Nigeria's 2011 elections, governors built up militia-like youth cadres around the Ministry of Religious Affairs. But when their post-election usefulness and payroll dried up, some of those cadres joined the CJTF. Meanwhile, early suggestions to create DDR programmes for the CJTF in 2014 and 2015, though originally receiving political buy-in, were shelved by North-East politicians as the 2015 elections approached. Instead, government officials used the CJTF to support their re-election campaigns.<sup>122</sup>

In the run-up to the February 2019 presidential, senatorial, and gubernatorial elections in Nigeria, there was considerable concern among civil society and international observers that the CJTF would be used for political intimidation and obtaining votes, including in IDP camps.<sup>123</sup> Yet, in Borno, the elections turned out to be considerably more peaceful than expected, and although the CJTF clearly sided with the incumbent party All Progressive Congress and its nominee for governor, Babagana Umara Zulum, its role in shaping the elections was far less pronounced and pernicious than feared. Allegations of CJTF electoral abuses centred mostly on its alleged removal of the oppositions' posters and billboards. But even in those cases,

no substantiated evidence emerged that it did so on behest of politicians or, in fact, that CJTF members were the perpetrators, even though they were widely suspected.<sup>124</sup> Sporadic reports of CJTF intimidation at polling centres surfaced, but were limited, as were reports of the CJTF being used at night to harass opposition politicians.<sup>125</sup>

In Borno, the incumbent party also used the CJTF for protection during political rallies, a privilege that the opposition did not enjoy.<sup>126</sup> During the voting period, the CJTF was used to secure roads and, at least in Maiduguri, there were no major security incidents.

However, there are other allegations about the CJTF's less visible involvement in campaigning for incumbent politicians. Nigeria's governors enjoy special, non-transparent security budgets. Many abuse this opaque funding for all kinds of discretionary spending beyond security purposes.<sup>127</sup> Observers and experts interviewed for this study believed that, in the months before the elections, the All Progressive Congress in Borno used the CJTF to distribute some of the security budget funds to funnel money to political agents to secure votes.<sup>128</sup> The political agents organized groups of citizens who were given some money and promised further benefits after the elections. These agents guaranteed their group would turn out to vote for their political benefactor.

Still, the CJTF's overall role in manipulating the 2019 election outcomes was assessed to be far smaller than during the 2015 elections. Two reasons may account for this surprisingly limited CJTF role in electoral manipulation. Most importantly, Zulum, the protégé of outgoing Governor Shettima, was seen as an electoral shoo-in, while the very weak political opposition was widely expected to lose by a broad margin. Consequently, the government of Borno and the incumbent party may have seen no need to deploy the CJTF to buy or extract votes or to significantly repress opposition.<sup>129</sup> Second, Nigerian civil society groups put considerable effort into mounting campaigns and community engagement with the CJTF and other local actors to prevent political manipulations.

Nonetheless, political leaders in Nigeria's North-East are not simply trying to appropriate local militia groups. They also fear them, particularly the CJTF. They fear that if the groups become alienated, they could threaten the state and their former sponsors with violence, or switch their support to rival politicians.<sup>130</sup>

## H. Penetration of local legal and illegal economies

Although the CJTF may have been used for channeling money to buy electoral votes, the group itself lacks adequate funding. Not surprisingly, the lack of income and other financial and logistical resources for the CJTF and other militias, the pervasive absence of rule of law, and the absence of accountability for armed actors overall have created an environment in which the militias resort to preying on local communities, extortion, robberies and other forms of criminality, such as local illegal drug distribution. Many CJTF members — just like Boko Haram fighters — abuse tramadol, codeine, cough syrup and marijuana.<sup>131</sup> Many had been, in the words of a police commander in Maidugri, “troubled boys using drugs and perpetrating crime, such as theft,” before they joined the CJTF. This background of the fighters exacerbates the group's tendency towards criminality.<sup>132</sup>

In league with the Nigerian military, the CJTF also remains involved with cattle rustling, particularly in more distant LGAs, where local and international oversight is lacking.<sup>133</sup> Like the Nigerian military, CJTF members have been accused of keeping and reselling cattle recovered from Boko Haram camps or even stealing cattle from communities they patrol or seek to clear of militants.<sup>134</sup> The loss of cattle can have a devastating impact on families' livelihoods and is a source of subsequent community resentment; it may even make communities receptive to ISWAP rule. Still, there is evidence that cattle rustling has, overall, declined in the North-East as of late — including rustling perpetrated by the CJTF.

CJTF members and units extort shopkeepers, businesses and entrepreneurs, including truckers, fishermen, and convenience store owners. Although the actual prevalence of such extortion is impossible to determine, the extortion fees vary with the assessed income of the businesses. Those who refuse to pay are labeled as Boko Haram or ISWAP members, and beaten up or otherwise punished — by being denied access to markets, or through other measures that destroy their livelihoods.<sup>135</sup> CJTF units also extort vehicles on roads, though communities often report that extortion by the police is worse.<sup>136</sup>

Perhaps most perniciously, CJTF units also threaten to deprive local communities of protection from Boko Haram and ISWAP if they do not pay “taxes” to the CJTF. But even if payments to the CJTF are made, the militia often fails to prevent ISWAP and Boko Haram from also extorting the communities.<sup>137</sup>

The CJTF's involvement in the illegal distribution of tramadol and other drugs is particularly noteworthy. Tramadol is an opioid painkiller that is legal with a prescription, and the only analgesic of such strength that is available in much of Nigeria. As with opioids in other parts of the world, it is addictive and becoming widely abused in Nigeria. Manual workers, such as bricklayers, take it to work long hours through chronic and acute pain, mothers give it to children to suppress their hunger, farmers give it to cattle so the cows work longer hours, and traditional elders and journalists even report that prominent personalities give it to their polo horses so they perform better in competition.<sup>138</sup> The drug is also widely used with the belief that it will increase sexual potency, mediate psychological difficulties and produce recreational highs. Not surprisingly, CJTF members abuse it for those reasons, as well as because they believe it enhances their battlefield courage and physical strength.<sup>139</sup> The widespread abuse has also produced rampant addiction, so much so that communities in the North-East have identified tramadol abuse as their number one concern, even at times more than violence.<sup>140</sup> Yet, most Nigerian and international NGOs operating in the North-East have not focused on responding



to the tramadol crisis; at times they have even eschewed addressing it.

Because of the widespread use of the drug among CJTF fighters, and the militia's security roles and road presence, the CJTF has emerged as a particularly privileged supplier and distributor of the drug (CJTF units are not searched by the police or military). Since the CJTF provides security to IDP camps, it has also become a key tramadol distributor there. IDP camps are particularly fertile ground for abuse, since so many IDPs suffer from major unaddressed physical and psychological trauma. As with food distribution, CJTF members in IDP camps have been accused of demanding sex as a form of payment for tramadol and supplying tramadol to women involved in sex work in IDP camps, for whom they are pimps.<sup>141</sup>

The illicit tramadol trade is pervasive, and in some ways connects even belligerents in the North-East. Even military and police officials have reportedly been caught selling tramadol to Boko Haram members.<sup>142</sup>

In response to concerns about tramadol abuse, the Nigerian Government has sought to limit its imports from India, particularly of pills with potency several times the daily limit for a person.<sup>143</sup> It has also sought to disrupt existing distribution channels, such as by seizing unauthorized tramadol from pharmacies and destroying illegal distribution markets. Yet, using the CJTF for such purposes has also strengthened the CJTF's capacity to monopolize its own tramadol distribution networks, making the group one of the more effective tramadol suppliers and distributors in northern Nigeria. To date, there has not been any evidence that the CJTF has trafficked tramadol to Nigeria from abroad. The absence of such evidence, however, does not prove that the CJTF is not involved in such trafficking.

Yet, like the Nigerian military, the CJTF has become fully integrated into the North-East's war economy in ways far more complex than merely participating in criminality. CJTF units regularly allow Boko Haram and ISWAP units to go to urban markets to buy supplies, charging them

a fee for such access. In rural areas, the CJTF often sells such access to militants with the full knowledge of village and traditional leaders who are linked to the CJTF and other local militias.<sup>144</sup>

In sum, although the CJTF and associated militias remain at the forefront of counter-insurgency operations and are often the primary security providers to local communities, they are also a major source of multifaceted insecurity for local communities. Overall, the CJTF's human rights record has improved, but the group has also become deeply integrated into the North-East's war economy and various forms of criminality. At the same time, it has moved beyond merely being a security provider. In various ways, it is also a provider of governance. There are thus multiple paradoxes of the CJTF's role: even as it acts against some criminal groups, it is involved in criminal enterprises; even as it performs law enforcement and "justice" functions, it is also a source of insecurity. In its governing functions, the CJTF often competes with both traditional authorities and the State for political capital and authority. In doing so, it undermines both, and weakens the State's legitimacy.

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The fact that both State and non-State actors regularly and increasingly turn to the CJTF for a broad range of governance functions only increases CJTF political capital and power, and alters official and unofficial power structures in the North-East. To become a member of the CJTF and associated militias is thus not only an opportunity for legal and illegal income for the North-East's many jobless, but also an opportunity to acquire power and authority.



# The current response

No comprehensive or consistent response has emerged in Nigeria towards the CJTF and other militias fighting Boko Haram and ISWAP. Continuing and increasing insecurity reinforces the widespread belief that the militia groups are still needed. Indeed, the Nigerian military's strategy centres on the use of the militias at the forefront of operations. The militias are also of utility to politicians from the North-East for security and political purposes. Such politicians have few incentives to want the CJTF dismantled, as long as budget outlays for their sustainment remain limited. Thus, the politicians also have little incentive to interfere and act against the militias' self-financing, even when it involves criminal activity. Most policy responses towards the militias therefore centre on embracing them.

Nonetheless, some limited efforts to provide livelihoods beyond the battlefield for at least some CJTF members are under way, as are broader human rights training programmes for the militias.

## A. Payroll and non-lethal support

The previous and current political leaders in North-East states affected by Boko Haram and ISWAP have embraced the militia groups. Nigeria's governors control neither the country's military's forces nor the police forces, and thus

have no official law enforcement or security body at their disposal. They are dependent on deployments of police and military forces from Abuja and often end up in protracted bargaining with Abuja for security reinforcements. If military and police forces are actually sent, the governors have limited say over their use and strategy.

Thus, the government officials in the North-East gravitate towards using irregular forces — such as “youth empowerment” cadres, which they can legally create, or militia and vigilante groups.

Zulum, the Governor of Borno since March 2019, has been frustrated by a deteriorating security situation, and determined to vastly expand the resettlement of IDPs and communities. In the fall of 2019, in the pursuit of these priorities, he announced a new programme to pay an additional 10,000 militiamen. This policy initiative did not surprise local observers. “A drowning man will take any hand of help he can get,” a top police officer in Borno said. “Zulum is so angry with the Nigerian military about the poor security and military protection. He's got nothing but the militias.”<sup>145</sup> At the same time, the push to get more IDPs resettled has generated friction between Zulum and the Nigerian military, and concerns among humanitarian organizations about a lack of protection for the resettled, and a lack of human rights training for the CJTF (which is to manage the resettlement). It is feared that returnees will be vulnerable to militant attacks and CJTF abuses and extortion.<sup>146</sup>

But the announcement that 10,000 militiamen would be added to the state's payroll generated enormous confusion as to whether these would be newly recruited militiamen or whether existing militiamen who have not been receiving stipends would be added to the state payroll.<sup>147</sup> As of the writing of this study, there was still no clarity about how exactly the new militia initiative would be developed.

Zulum compounded the confusion by calling for *kesk-kesh* and hunters' associations from other Nigerian states — such as some 1,200 from Sokoto — and even from Cameroon to come to Borno to fight Boko Haram and ISWAP.<sup>148</sup> The idea of bringing in militiamen from elsewhere flies against the widely accepted premise that militia forces are useful because they are local and can thus provide superior intelligence. The move generated much dismay and resentment within the CJTF ranks.<sup>149</sup> Previously, such efforts to bring in militia forces from the outside, even if highly limited, generated disquiet and serious problems within CJTF units. The betrayal of CJTF leader Maradona to ISWAP by his own men, for example, is attributed to the CJTF militiamen resenting that the commander incorporated and worked with a hunters' unit brought to Borno from Sokoto.<sup>150</sup> In any case, the "new" militia forces — whether fresh recruits or experienced militiamen from elsewhere — were promised vehicles, uniforms, stipends and juju charms from the Governor.

Zulum also increased stipend levels for existing militiamen, and provided a larger number of them with salaries. The salaries of BOYES increased from 15,000 naira (approximately USD \$41) to 20,000 naira (USD \$55) per month, and those in the Neighbourhood Watch from 10,000 naira (USD \$27) to 20,000 naira. Some militiamen from other layers of the CJTF and its associated militias, including those outside of Maiduguri, have also been enrolled to the state payroll, receiving between 5,000 and 10,000 naira (USD \$14–\$27) per month. In Bama, for example, 200 out of 300 militiamen, including some hunters, are now receiving stipends. Not surprisingly, the increase in payments was vastly popular with CJTF and associated militiamen who managed to get on the new payroll.<sup>151</sup>

Zulum also handed out some trucks (many of which were subsequently captured by ISWAP), uniforms and supplies to existing militia units.<sup>152</sup> And he paid for *juju* doctors and juju to strengthen the morale of the militiamen. "If Zulum bought them body armor, the money would be far better spent," a Western military adviser quipped.<sup>153</sup>

Zulum's motivations for the militia expansion are a subject of debate in Borno. The state's security needs are undeniable, but many analysts in the state wonder whether the Governor is mainly trying to widen his patronage networks and political base in anticipation of the next election in 2023.<sup>154</sup> Zulum also announced a youth empowerment programme that would pay 23,000 young people 30,000 naira (about USD \$80) every month, but without specifying who would qualify or how the recipients would be selected and whether or not this funding and initiative would in any way overlap with the increased CJTF and militia funding.<sup>155</sup> Across Nigeria, in addition to being a means of electoral patronage, such youth empowerment programmes frequently serve as window dressing for the creation of paramilitary forces for governors who do not legally control any military or police force of their own.

Finally, Zulum has also announced his support for using Agro Rangers, auxiliary paramilitary forces created by the Nigerian federal Government to suppress farmer–herder conflicts — conflicts that have devastated Nigeria and are actually responsible for more violence than Boko Haram and ISWAP.<sup>156</sup> Zulum has suggested that in Borno, the Agro Rangers would patrol at least some fields within a seven kilometre perimeter of garrison towns and perhaps accompany people to farms so that they can cultivate food and not be confined to garrison towns. Again, however, it is not clear whether the proposed Borno Agro Rangers would be a completely novel force or an extension of the CJTF, or whether they would have any kind of relationship with the CJTF; it is also unclear whether they would be paid by the federal Government or the state.<sup>157</sup>

Throughout Nigeria, initiatives to create new forces or expand the number of militiamen on



UN Photo/Sylvain Liechti

state payrolls do not factor in how the militias and vigilantes will be eventually disarmed or demobilized, or how they will be legally and financially maintained in the medium or long term. That is also the case with these new initiatives in Borno and the rest of the North-East.<sup>158</sup> The Nigerian Government and state governments alike chronically lack resources to fund them. Yet many international donors, such as USAID, are not allowed to fund salaries of the CJTF or other militias — arguably, with good reason — because of human rights concerns and legal prohibitions on financing arising from the fact that at least some CJTF members are believed to be former Boko Haram associates.

But Nigeria's armed groups that do end up on state payroll, including militant groups such as the Movement for the Emancipation in the Niger Delta (MEND), also have a history of threatening violence if their stipends dry up. Taking up arms

— whether against the State, or on behalf of it or local communities — has thus widely come to be seen in Nigeria as a pipeline for patronage.

There is no consistent evidence across Nigeria that militia and vigilante groups placed on state payrolls become less abusive to communities and less subject to political manipulation, or that they become more accountable.<sup>159</sup> The strength of community oversight mechanisms is a key factor in determining such outcomes — but so are the evolving political objectives of politicians and powerbrokers. At the same time, Nigerian communities are often willing to tolerate even egregious human rights violations that militia and vigilante groups perpetrate towards alleged militants or criminals.<sup>160</sup> Often, the communities only start demanding accountability when the militia and vigilante groups start abusing them.

## B. Legalization and integration into Nigeria's military and police forces

The CJTF itself has sought to be legally recognized by the Nigerian Government, with its existence codified for years to come. In calling for such legal recognition and assured income, CJTF commanders point to the legalization of other militia and vigilante groups that eventually transformed into state-level traffic police or other auxiliary forces, such as the Kano Road and Traffic Agency (KAROTA) and the Lagos State Traffic Management Agency (LASTMA).<sup>161</sup> To create finances for such a legal force in Borno into which the CJTF would be transformed, CJTF commanders suggest, for example, demanding that motorized tricycle taxi (*keke*) drivers and unions pay permit fees and taxes.<sup>162</sup>

Thus far, the CJTF has failed to obtain such a legal federal status, as has the VGN. Creating a special paramilitary agency for the CJTF can be blocked by Nigerian laws, including those that reject non-federal police forces, and mandate specific allocations of federal resources among the states.

In the meantime, the CJTF seeks an expansion of financial and other benefits, pointing to the precedent of a payment scheme created for MEND as part of an amnesty and conflict resolution scheme.<sup>163</sup> CJTF commanders argue that, although MEND comprised insurgents and criminals, it received vast financial support from the Nigerian Government while the heroic and self-sacrificing CJTF goes lacking.<sup>164</sup> CJTF members ask for support for CJTF widows, orphans and injured members — and point out that more than 1,000 CJTF members lost their lives fighting Boko Haram and ISWAP, and that others made other large sacrifices for communities when the state failed. Since many men in the North-East have several wives, the death of one CJTF fighter (or for that matter a militant) can leave multiple widows and many children without a breadwinner. Many widows have either had to become sex workers or try to get married again to support themselves and their children.<sup>165</sup>

However, CJTF commanders and members complain that the requested support has been only sporadic. In the fall of 2019, for example, Zulum distributed 100 plots of land to CJTF widows and 20 houses to CJTF commanders. A major international humanitarian NGO also trained 50 CJTF members in first aid skills, while a Nigerian NGO provided skills training to 50 CJTF widows, and another enabled schooling for 50 CJTF orphans.<sup>166</sup> Such support is certainly welcome by direct recipients, but its scale covers only a tiny portion of existing CJTF needs and wishes. Overall, many CJTF members decry being abandoned by Nigerian politicians at both the state and local levels, claiming: “they don't stand up for us, they simply let us die for them.”<sup>167</sup>

Some academics and NGO representatives suggest that better-performing CJTF units could be eventually incorporated into the military and the police or even customs and immigration services.<sup>168</sup> However, vetting for past conduct and human rights violations, along with other questions about qualifications, loom large and would disqualify many members of the CJTF and associated militias. Many are illiterate and, being predominantly Kanuri, do not even speak Hausa, let alone English. Thus, it is assumed that many CJTF members would fail to pass the qualification requirements.

Nonetheless, some integration has taken place, with perhaps 850 former CJTF members integrated into the Nigerian military and 30 into Nigeria's domestic intelligence agency, the Department of State Services (DSS).<sup>169</sup> The integration process was not formalized in any way, and little transparency exists as to the actual number integrated and the criteria for selection. It is also unclear whether any kind of vetting of the integrated militias took place and whether anyone was disqualified on any basis.<sup>170</sup> At the division level, Nigerian military command tends to be very operationally focused on merely delivering immediate security results, and is not concerned about consequences for long-term force composition, readiness and accountability.<sup>171</sup>

Moreover, integrating the CJTF and associated militias into official forces during an ongoing conflict phase also potentially undermines

intelligence gathering. As part of the official forces, former CJTF members can be deployed to other parts of Nigeria and therefore lose their knowledge of local communities. And many CJTF members do not want to be deployed away from their communities.

Incorporating militias into official police and military forces is also hampered by the need to have both types of forces represent Nigeria's many ethnic groups reasonably proportionally, and by the existing federal-state quota allocation system.<sup>172</sup> Bringing several thousand Kanuris into official law enforcement and military forces, for example, would be in violation of the proportionality requirements. Moreover, if some CJTF members were incorporated into federal police forces in Borno, for example, other states would insist on a raise in the number of police officers allocated to them, a demand that has a strong legal basis in legally mandated federal quota allocations of federal resources. This quota discourages the Nigerian Government from permanently boosting police levels anywhere.

## C. DDR and job training

No formal and full-fledged DDR programme has been launched for CJTF and associated militias.

In 2014, when it seemed that a negotiated deal with amnesty for Boko Haram was likely to be signed, a Western consulting group proposed and designed one such DDR programme. The proposed programme included an acknowledgment of the militias' service to the country, support for their widows and orphans, and provision of socioeconomic programmes and vocational training for CJTF members. At first, Borno authorities appeared interested, but as no deal was ultimately signed with Boko Haram and, importantly, the 2015 elections approached, the strategy to disarm and demobilize the militias was shelved indefinitely.

CJTF members themselves are far from keen on any kind of future DDR. As one BOYES commander warned: "if the government does not give us a job after the insurgency has ended,

we can become insurgents ourselves, we are armed."<sup>173</sup> Even BOYES members make such statements — in other words, the CJTF layer that is already on the government's payroll and receives most attention and benefits from the state. The kinds of employment they envision include jobs in the security sectors, such as the military, police, secret police, customs or immigration. Some CJTF members interviewed for this study suggested that they could become businessmen if the government gave them start-up money.<sup>174</sup>

Across Nigeria, DDR programmes have had a poor record. Politicians often enroll their clients in DDR efforts so that they can obtain skills and jobs, even though the clients may not have been part of the armed group.<sup>175</sup> Moreover, the skills training rarely translates into actual employment.

Instead, militant and militia groups strongly prefer that their groups attain a formal status, with a long-term scheme to be paid by the government, as described above. Moreover, such a payroll scheme and some preservation of the militia structure, even if under a different name, maintains the members' access to people in power, including top politicians, businessmen, and the military and police. Gaining such official status is a source of prestige and authority with local communities and powerbrokers. And since being legalized as a standing, paid paramilitary force also allows access to illegal income through participation in extortion and criminality, militia members also view it as being far superior to any DDR effort as a source of livelihood.<sup>176</sup>

Nonetheless, at least two job-skills training programmes for CJTF members are under way. One is conducted by the Nigerian NGO Herwa, which has experience running skills training for other programmes, such as youth empowerment schemes. Another is conducted by the United Nations Development Programme (UNDP).

As of December 2019, the Herwa programme had trained 371 CJTF members from Maiduguri in various vocational skills.<sup>177</sup> The impetus for the programme was CJTF lobbying in 2016; CJTF commanders warned that if their members were



UN Photo/Tobin Jones

not given jobs, their anger would turn against the government of Borno. The pilot programme has trained at least 35 CJTF members from each of the 10 military sectors into which Maiduguri is divided. As of the writing of this report, the programme has not provided training to CJTF units outside of Maiduguri. Herwa gave the following terms of reference for selecting candidates for skills training: the selectee had to be enrolled in the CJTF; have a good record and proven respect for authority; have a known address; and be recommended by local government or traditional authorities in their area. The candidate was also required to sign an agreement with Herwa as to the terms of the programme.

Herwa representatives asked CJTF members and widows to identify what skills they wanted to be trained in, with preferred jobs including shoemaking, hairdressing, tailoring, fashion

design and production of cosmetics. (Training for these jobs is indeed standard in vocational programmes in the North-East, such as in the Bulunkutu Rehabilitation Centre.)<sup>178</sup> In addition, Herwa also alerted beneficiaries to the possibility of being trained as electricians and construction workers, given the North-East's reconstruction needs.

The training is a three-month programme conducted by vocational skills teachers. Beyond the job skills, the programme also includes lessons on microcredit, bookkeeping, business advertising and customer relations. To incentivize attendance, members are paid an allowance of 5,000 naira (about USD \$14), which they lose if they miss more than 30 per cent of a month's lectures. The maximum total of 15,000 naira (about USD \$41) is deposited electronically into bank accounts, a requirement that proved a significant challenge, since many trainees do not

have a bank account and were not able to open one easily.

Landing a job, even after successful training, may prove a significant challenge. Accordingly, Herwa has tried to lobby the government of Borno to hire the trainees, for example for state-sponsored construction projects. Much of the electrical work in high schools recently built by the government of Borno was performed by Herwa graduates, including women. Since Muslim men in the area are frequently uncomfortable with allowing other men into their households, Muslim women in Nigeria's North-East trained as electricians or plumbers are surprisingly competitive in servicing individual houses. Muslim widows are especially competitive job candidates, since they do not have to worry about their husband not allowing them to leave their house for work. Herwa is also exploring the possibility of "exporting" their trainees to other parts of Nigeria.

To facilitate employability, Herwa also provides its graduates with start-up equipment. To avoid the problem of graduates selling the equipment, such as sewing machines, Herwa has begun giving the equipment ten-student cooperatives; those who leave the cooperative are not allowed to take any equipment with them.

Although Herwa has no way to track what the graduated CJTF trainees do six months after the training has finished, there is some anecdotal evidence that some of them may have disengaged from the CJTF. In fact, if CJTF members trained in vocational training can land a job, they can regularly earn more from the legal job than extortion along roads. A regular CJTF member can pocket perhaps as little as 150 naira (USD \$0.40) a day from traffic extortion in Maiduguri, whereas employment in tailoring can bring as much as 500 naira (USD \$1.40) a day. Yet, when asked about whether CJTF members who received skills training would leave the militia group, a CJTF commander claimed that vocational skills graduates would continue being CJTF members, and return to their militia role whenever called upon by their commanders.<sup>179</sup> He and other CJTF members also insisted that they could not return to jobs they held before

becoming militiamen, or start new ones, because they had put all of their capital not destroyed by the war into being a CJTF member.<sup>180</sup> Such circumstances could be a reality for some; for others, who do not want to give up their CJTF connections, it is simply a self-serving claim. Some CJTF members, such as artisans and small traders, continue to run their own businesses while also serving in CJTF. Doing so allows them to access multiple sources of income and also boosts their prestige, authority and power.

In contrast, the newly started UNDP training programme requires that CJTF trainees formally disengage from the CJTF upon graduation, and that a public ceremony be held to announce the disengagement.<sup>181</sup> As of December 2019, 200 CJTF members were receiving the UNDP-organized training. A second round of 100 participants was planned. These 300 trainees were drawn from a larger cohort of 1,200 CJTF members receiving human rights training (described below). The 300 individuals training for job skills were those who had indicated that they were interested in leaving the CJTF — this willingness qualified them for the skills training. UNDP became involved in the effort at the request of the Borno Governor, as part of a reconciliation and reintegration policy first aimed at repentant Boko Haram defectors but eventually expanded to include CJTF members and victims, such as widows.<sup>182</sup>

The design of the programme is based on other UNDP job skills programmes that the agency assessed as being successful in Nigeria's North-East. As with Herwa's programme, participants were asked to identify which skills they wanted to be trained in. The CJTF members in the first UNDP training group chose farming, and were placed in Maiduguri's Agricultural College, where they received a refresher course on fish, cattle and poultry husbandry. Participants also received training in business plan development. At the end of their training, they will receive start-up money of 180,000 naira (slightly less than USD \$500), dispensed in two tranches, to purchase equipment and animals — but only after presenting a business plan. A monitoring team is also expected to periodically visit their business and provide technical assistance.<sup>183</sup>



## D. Accountability, human rights, and better militia behaviour

Like other armed actors in Nigeria, the CJTF and associated militias have largely escaped prosecution even for severe human rights violations, let alone involvement in economic crimes. Recent attempts to get some CJTF members dismissed from the militia for human rights violations were rejected by the CJTF on the grounds that the members had not received any human rights training.<sup>184</sup> There have also been several instances of cases against the CJTF going to trial in court, but the prosecution either fell apart or the cases have not yet been closed, with no conviction or sentencing yet of CJTF members.<sup>185</sup> Some CJTF members dismissed for improper conduct were quietly rehired after their dismissal — reinforcing the message of impunity.<sup>186</sup>

Of course, Nigeria's official security sector actors enjoy a similar level of impunity. The Nigerian military and police have had an almost blank check for severe human rights violations and participation in criminal enterprises.<sup>187</sup> Sporadic investigations and limited punitive measures against some soldiers have been undertaken by the Nigerian military.<sup>188</sup> But they lack transparency and have neither adequately addressed past crimes nor deterred new ones. In 2009, the International Criminal Court opened a preliminary investigation of alleged crimes in northern Nigeria perpetrated by Boko Haram and Nigerian Government forces. But ten years later, at the beginning of 2020, the International Criminal Court had not yet determined whether to open a full investigation.<sup>189</sup> Overall, Nigeria has a long and troubled history of not applying justice even in cases of severe atrocities, and hushing up the results of inquiries, even when crimes occurred decades ago.

In this context of pervasive lack of rule of law and accountability, international actors and Nigerian NGOs have focused on providing CJTF units with human rights training. Such training has been conducted by Nigeria's Presidential Committee

on the North-East Initiative, international bodies such as the International Organization for Migration (IOM), international NGOs such as Oxfam, and a wide array of Nigerian NGOs. The training programmes vary in length from a few hours to two weeks, with the lengthier ones often transporting CJTF members to places far away from Maiduguri, such as Jos, for the training. Conversely, some programmes seek to reach CJTF units in locations closer to Maiduguri, such as Bama, Gwoza or Banki.<sup>190</sup>

The programmes focus on issues such as preventing torture during interrogations, not resorting to flogging civilians during food distribution, listening to civilians and deciding what kinds of disputes or allegations need to be referred to the police. For many CJTF members, the training is the first time they are exposed to the concept of human rights; many readily admit, after the training, that they had unknowingly committed violations in the past.<sup>191</sup> During the training, some NGOs also emphasize the authority of local government officials, such as heads of wards (a unit of administration smaller than an LGA).

UNDP runs one of the larger human rights training programmes for the CJTF. In operation since December 2017, the effort at first focused on CJTF leadership. It has since expanded, with 1,200 CJTF trainees at a Jos facility in December 2019.<sup>192</sup> During the one or two month training, CJTF members are taught the basics of human rights and also given citizenship classes. However, the programme provides little if any formal screening and profiling of the participants, let alone other CJTF members.

Some NGOs are learning that improvements in human rights performance require addressing the psychosocial needs of the CJTF and associated militias, as well as the Nigerian military and police. This is a gap in current programming, these NGOs are attempting to develop pilot projects with such a focus.<sup>193</sup> Perhaps an even more fundamental gap is that the CJTF is the primary recipient of the vast majority of human rights training. A small number of *kesh-kesh* members receive some sporadic training, but hunters' groups receive

none; both types of groups operate in areas that are too dangerous and have not come to Maiduguri for a long enough period for current programmes to reach them.

Nigerian security experts, human rights activists, humanitarian workers and international donors put forth highly varied assessments of the extent of the impact these trainings have had. Most individuals interviewed on the topic for this study believe that the human rights programmes likely have at least some positive effect on the behaviour of trained CJTF units. But the scope of improvement is very hard to judge, particularly as many of the CJTF units that have received the training are posted to safer areas with little kinetic fighting. Some suggest that inducing behavioural change may take a decade of consistent training. It, thus, may be too early to judge the success of the few years of sporadic efforts.<sup>194</sup>

CJTF commanders and members who have participated in the training report that they enjoy and appreciate the programme.<sup>195</sup> That is hardly surprising, however, as the programmes provide them with food, transportation, stipends that often surpass their regular incomes, and housing that is often more comfortable than what they are used to. They also have the opportunity to travel to a place they may never had had the opportunity to visit, such as Jos, some 600 kilometres to the south-west.

The human rights training for the CJTF has had the backing of the Borno Attorneys General.<sup>196</sup> However, relations between the Borno government and the Nigerian military and international NGOs, and even other international organizations, have often been highly strained. Governors in the North-East have repeatedly exhibited a hostile attitude towards international humanitarian actors, seeing them as source of competition for funds and of unwelcome accountability for aid delivery.<sup>197</sup> In the fall of 2019, the Nigerian military, for example, suspended the operations of a prominent international humanitarian NGO on the basis of bogus claims.<sup>198</sup> Arbitrary actions by the Nigerian military, such as limits on how much fuel convoys of international organizations or NGOs can carry,

has prevented access to large highly vulnerable segments of the population in the North-East. At other times, the Nigerian military has even perceived their humanitarian work as aiding militants.<sup>199</sup>

One subset of efforts to shape the behaviour of the CJTF towards greater respect of human rights has been to remove child soldiers from the militia group's ranks. Between 2010 and 2017, children who refused to join the CJTF were frequently judged by the CJTF to be Boko Haram sympathizers, and could be ostracized or mistreated.<sup>200</sup> On the other hand, many children have joined the CJTF to acquire status, power, identity, a sense of belonging and an income.<sup>201</sup> They have been used by the CJTF to provide intelligence and staff checkpoints, as well as to perform menial tasks such as cooking, cleaning, and running errands, for which the CJTF has paid about 50 naira (USD \$0.14) a day.<sup>202</sup>

In 2017, the CJTF signed an agreement not to use child soldiers. The United Nations Children' Fund (UNICEF) has since led the process of removing children from the militia's ranks. CJTF leadership has been judged cooperative and proactive in the effort, not only in Maiduguri.<sup>203</sup> Still, the process of removing child soldiers from the militia is lengthy, since fighters' ages need to be ascertained and their actual participation in the CJTF verified. Most efforts centre on the CJTF in Maiduguri, though some reintegration efforts are also under way, albeit on a far smaller scale, in LGAs farther away from Maiduguri.

When they enter the process, the children are told that they are no longer part of the CJTF. Subsequently, the children are divided according to their age. Those who are under 14 years old (currently 560 children) are sent back to school. An NGO hired by UNICEF to help with the reintegration of the children provides them with school uniforms and supplies and provides in-kind support for schools that waive fees. The NGO is also engaging with the parents and caregivers to emphasize the importance of education and persuade them not to pull the children out of school.

Children over 14 and not in school are given a four day training session by the NGO partner and then connected with local artisans, such as tailors, shoemakers and barbers, to be mentored for 6 months. After their vocational training finishes, they are given start-up money totaling 150,000 naira (USD \$410), distributed in several tranches so they can buy equipment to start a business. (Some will continue working for the artisans who train them.) Occasionally, the CJTF demands a cut of their start-up stipend.<sup>204</sup>

Paradoxically, however, at least some children who had lived under Boko Haram rule have subsequently become associated with the CJTF. If they are embraced by the CJTF, associate with the CJTF and perhaps work for the CJTF, they are more likely to be accepted back by their communities.<sup>205</sup> Thus, although such children have left one armed actor, they may seek belonging with and protection from another. At least occasionally, that also happens with children who have received rehabilitation, deradicalization, schooling and psychosocial assistance in Maiduguri's Bulunkutu Rehabilitation Centre (such was the case for the two youths interviewed for this study, whose experiences are detailed above).<sup>206</sup> Still, children who lived under Boko Haram rule and go through the Bulunkutu rehabilitation — there have been 2,000 such cases — are more likely to be accepted back by their families; it stands to reason that the numbers that have subsequently joined the CJTF may be fairly low.<sup>207</sup>

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There have also been more broad-based efforts to shape the behaviour of the CJTF and associated militias. For instance, NGOs have mounted early warning systems in communities to report new threats of violence or abuse, such as from militias. They have also established dispute resolution mechanisms that have included training communities how to negotiate and resolve problems they may have with the CJTF. On the other hand, there are also NGO-led efforts to train the CJTF and associated militias in mediation and dispute resolution, as well as efforts to reconcile the CJTF, the VGN, *kesh-kesh* and hunters' groups with each other — a large challenge in some places.<sup>208</sup>

Few assessments have been conducted to gauge what effects and with what robustness these conflict resolution and mediation efforts have had on the behaviour of the militias. There is little doubt that empowering communities vis-à-vis the militias is likely to be highly beneficial, though one hopes that more community assertiveness will not lead to a backlash from militias. More systematic and comprehensive assessments of these efforts need to be undertaken to render a judgment on their effectiveness and potential side effects.

# IV

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## Conclusions and recommendations

No overarching Nigerian strategy exists for how to deal with the various militia groups — or the approximately 30,000 militiamen they comprise — fighting against Boko Haram and ISWAP in Nigeria's North-East. Although the groups exist outside of Nigeria's constitutional framework and official security architecture, they remain at the forefront of military operations against ISWAP and Boko Haram. They are asked to gather intelligence, hold territory, and conduct both defensive and offensive operations. The militia groups' battlefield significance is only rising: ISWAP has significantly strengthened since 2018, Boko Haram is undefeated, security in the North-East has considerably deteriorated, and the Nigerian military lacks the capacity and wherewithal to defeat the insurgents. However, Nigeria's embrace of militias to counter the insurgency has not been accompanied by their legalization or adequate funding, training or resourcing. They are at times treated as cannon fodder by the Nigerian military.

Moreover, lacking control over police forces or military deployments in their states, Nigerian political leaders in the North-East have embraced militia groups such as the CJTF for a wide set of purposes. The militias are now called upon to provide security in IDP camps and resettled communities, control crowds and even conduct official anti-crime and counter-

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narcotics operations. Politicians in the North-East also embrace militia groups for parochial purposes, such as promoting their electoral goals. Based on the history of militias in other parts of Nigeria and in the North-East, observers remain concerned that the militias of the North-East could become tools of political repression, undermining pluralistic processes. Yet, Nigeria's politicians equally fear the militias and their potential to turn against their sponsors if those sponsors are unable to continue their support.

CJTF units are already at times challenging the authority of North-East government officials and traditional rulers. Some CJTF units have been taking on all kinds of functions that are legally outside of their purview, including enforcing traditional or sharia family codes and punishing alleged violators, suppressing crime (even as they participate in criminal enterprises

themselves), holding trials, and adjudicating disputes. The CJTF's forays into these areas have generated friction between local communities and local CJTF units, the extent of which varies with whether or not other sources of law and order and dispute resolution are present in the community.

The human rights record of the CJTF has improved as a result of a decline in offensive operations the group conducts, and perhaps also because of human rights trainings its members have received from NGOs. Yet, the CJTF and associated militias still remain a source of human rights violations, including severe ones. For example, the CJTF's guarding of school campuses appears to be associated with an increase in gender-based violence by the CJTF.

Like the Nigerian military, the militias have also become perniciously embedded in local legal and illegal economies. Not surprisingly, the lack of income and other financial and logistical resources for the CJTF and other militias, the pervasive absence of the rule of law, and no accountability for armed actors overall have created an environment in which the militias resort to predation on local communities, extortion, robberies and other forms of criminality, such as local illegal drug distribution and cattle rustling. They also sell access to markets to militants, even while ostensibly guarding against them. In fact, this ability to penetrate and control local legal and illegal economies reduces the incentives for the militias and the Nigerian military to end the conflict — even should they develop the capacity to do so.

In short, the militia groups, particularly the CJTF, are no longer merely security providers. In various ways, they are also providers of governance and regulation, including for illicit economies. Even as they perform law enforcement and "justice" functions, they are also a source of insecurity. By providing such governing functions, they at times gain greater political capital and authority and sometimes displace both traditional authorities and the State. Thus, they weaken the legitimacy of the State and of the traditional authorities.

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The fact that State as well as non-State actors increasingly turn to the CJTF for a broad range of governance functions only increases the group's political capital and power, while altering official and unofficial power structures in the North-East. For the North-East's many jobless, becoming a member of the CJTF and associated militias is not only an opportunity for income (from legal and illegal sources) but also an opportunity to acquire power and authority.

Both the militias and traditional Nigerian government authorities try to use and manipulate each other. They exist in a complex relationship of interdependency, symbiosis, and rivalry. "CJTF is not going anywhere," said a Nigerian security and political analyst interviewed for this study. "The government is hostage to the CJTF unless it radically changes its strategic posture and significantly increases state resources."<sup>209</sup>

Indeed, the militias have no intention of disarming and disbanding, even after conflict has ended. With vast poverty and employment rates in the North-East, few are likely to find alternative jobs or to abandon the sense of empowerment that belonging to a militia has given them.

Instead, the militias want to be legalized as supplemental police or security paramilitary forces, pointing to the examples of similar legalization and job creation for militias elsewhere in Nigeria, such as KAROTA and LASTMA. At minimum, they want to secure a years-long position on state payrolls, such as MEND has. Conversely, however, militia and vigilante groups in other parts of Nigeria, such

as in Lagos, are citing the CJTF as a justification for maintaining their state payrolls or codifying their status. What happens with one militia group in one part of Nigeria creates complex and widespread spillover effects throughout the country. In Nigeria, the spillover effects have been mostly negative, feeding the proliferation of militias around the country.

Lacking a coherent or systematic approach, the Nigerian Government and international donors have considered and implemented a variety of policies to address at least some of the risks posed by militias, including:

1. Integration of militias into Nigeria's military and police forces;
2. DDR and job training;
3. Human rights training and related efforts to improve the behaviour of militia groups.

All of these efforts remain opportunistic, sporadic and limited due to constraints on access or the unwillingness of militia groups or Nigerian politicians and government officials. The efforts have been applied to hundreds of militiamen (or, at most, only a few thousand), and often only to those operating close to Maiduguri. The lack of accountability for human rights abuses and political and economic crimes perpetrated by the militias remains the most glaring and urgent gap.

In the medium term, should violence substantially decline or end as a result of greater battlefield successes against militants or negotiations with them, the policy option most easily available to reign them in and to limit the militia's most dangerous aspects is that sought by the militias themselves: to be legalized and institutionalized as auxiliary police or military forces. Although such measures have been the predominant approach of Nigeria's federal and state governments towards militia and vigilante forces around the country, the challenge with CJTF and associated militias is their large size. Thus, creating an official legal auxiliary force of 30,000 carries far different budgetary implications — and spillover and demonstration

effects — than creating a legal auxiliary branch for 2,000 (as is more common in other parts of the country). A likely scenario is one in which some members of the CJTF are rolled into such a force, and others are left to their own devices and sporadic and fluid patronage from politicians of the North-East.

Such an outcome would be highly problematic, not just because it leaves the status of so many fighters unresolved, but also because it reinforces Nigeria's rampant cycle of militia and vigilante group proliferation and legalization. In a context of poverty and few opportunities, the formation of a militia can appear to be one road to the security of a state salary.

In the immediate context, while conflict is still ongoing and intensifying, the following recommendations would help mitigate some of the risks associated with the CJTF and other anti-Boko Haram and ISWAP militia groups operating in the North-East:

## **1 Integrate militias into official military and police forces only after diligent vetting.**

Opportunistically enrolling militiamen into official forces without vetting them only exacerbates the key deficiencies of Nigeria's military — particularly its high rates of abusiveness and of human rights violations, and its consequent lack of legitimacy with local populations.

## **2 Improve human intelligence gathering of the Nigerian military, police and intelligence services, and improve defensive and offensive functions of the Nigerian Military.**

Unless the resources and capacity of the Nigerian military improve, the temptation to rely on militia forces will persist — especially as some international donors, such as the

US, may be legally prohibited from providing support to military forces with such an egregious human rights record as the Nigerian military in the North-East. However, such donors could engage with the Nigerian military to vet units to locate those without a problematic record and deliver military training to them. Of course, the Nigerian Government and military would need to recognize — and admit — that they urgently need such international assistance.

### **3 Stop creating new militias and importing them from outside of their home states.**

Importing militias from other Nigerian states or even abroad completely undermines the core presumed asset of militia groups — namely, their superior local intelligence capacity. It also removes some of the restraints on abuse — imperfect as they already are — that a militia's connection with a local community provides.

Equally, state-level authorities in the North-East should stop creating new militia groups or hiring new militiamen at least until a new systematic audit and registry is created of all existing CJTF and other militias operating in their state. Simply hiring new militia groups for security purposes or political patronage only exacerbates the scope of the militia challenge that needs to be addressed.

To overcome the resistance of CJTF leadership to submitting itself to completing an audited and auditable registry, at least some payments to CJTF members could be suspended until the CJTF is willing to collaborate in creating the registry.

Once such a registry is created, an assessment of the military capacities of the militias should be undertaken before any new militias are created. Ideally, international donors would participate in the creation of the registry and assessment, and then have access to it. Such a registry and assessment would also limit the tendency of North-East politicians to create patronage machines among militia cadres — machines they abandon, at loose ends, when they climb

the ladder of their political careers and move to Abuja, as senators or in other positions.

### **4 Continue and expand human rights training to militias in the North-East, but combine it with information collection on the militias.**

Nigerian and international NGOs and multilateral partners should continue providing human rights training to the CJTF and associated militias. Ideally, this would be done in conjunction with the creation of the registry, but should happen even in its absence. A concerted effort should be made to expand human rights training to militia units beyond Maiduguri, and groups beyond the CJTF. Coupled with the training should be the creation of, and support for, human rights monitors who are present in communities far from Maiduguri and who, with appropriate protection mechanisms, such as safe hotlines, can report major human rights abuses — by the CJTF, militias and other armed actors — to NGOs and donors supporting human rights training.

As this study has shown, there is already some evidence that such training improves the behaviour of the militias. But even when it does not, it still eliminates the excuse that they perpetrate abuses because they do not know any better.

NGOs and donors delivering the human rights training should collect at least minimal information on the militiamen whom they train, such as their names, ages, units, commanders and addresses. Although the militiamen may object, they could be fed and paid during the human rights training as inducements to comply.

The collected information could be entered into a neutral joint database kept, for example, by the United Nations. Until an official auditable registry of CJTF exists, such a database could also serve as a basis for stipend allocations and further training, as well as for accountability for violations.

## **5 Expand engagement of militia groups and members in mediation and conflict resolution trainings.**

Such efforts need to be combined with the development of effective monitoring and evaluation mechanisms for whether, and in what way, these ongoing mediation and dispute resolution training programmes are addressing communities' needs. Specifically, monitoring and evaluation must assess whether or not the trainings improve the behaviour of the militias. Not enough information is currently available about the impact of these programmes.

## **6 Continue job training for CJTF militiamen but combine it with monitoring of whether beneficiaries do, in fact, remain disengaged from the CJTF.**

Former militiamen who graduate from job training programmes should receive assistance to locate jobs or empower their businesses, such as by linking them with government contracting.

It makes good sense to mandate that militia members who receive job training disengage from the CJTF and other militia groups and are struck from existing registries. However, systems need to be developed to monitor whether former militiamen do, in fact, remain disengaged from militia groups (whether their original groups or others) for a considerable period. An analysis should be undertaken of why beneficiaries return to militia groups; reasons might include a lack of legal income or psychological motivations, such as a need for belonging. Additional measures should be developed as required to mitigate those factors that pull beneficiaries back to militia life, including possible penalties and sanctions against individuals who rejoin militias.

## **7 Promote efforts to expose and limit political appropriation of militia groups by Nigerian politicians.**

Nigeria falls far short of enforcing powerful laws that limit political appropriation of militias and the capture of politics by militias. Across the country, politicians develop and sponsor one or another type of armed cadre to obtain votes and hamper political rivals. Nonetheless, a Colombia-like "empty seat" law could serve as long-term guidance and a beacon of hope.<sup>210</sup> The Colombian law establishes that any politician with proven links to militia and paramilitary groups is not allowed to serve in Colombia's Congress, and the banned politician's party is not allowed to replace the person with another representative. (The party thus suffers "an empty seat.")

More immediately, international partners and Nigerian and international NGOs can mount education campaigns to prevent the use of militias during elections, and to expose and shame politicians and militia units that intimidate rivals and otherwise violently manipulate politics. Such campaigns may have to include providing asylum to monitors and journalists willing to document such abuses and publish exposés.

## **8 Subject militias to accountability and punish their violations.**

Critically, militias in the North-East must be given not only inducements and training but also be subjected to sanctions and penalties for egregious human rights and other violations. In the context of pervasive impunity of all armed actors and the extremely weak rule of law, developing any such mechanisms is difficult. Such measures include NGO assistance to gather prosecutable evidence of violations of human rights by militia groups or their participation in economic or political illegality; the measures might also include suspension or discontinuation of state payments to militia units with particularly problematic records.



Militia groups and their political sponsors can be expected to attempt to sabotage any such measures, potentially with violence against those who seek to bring them to account. Militia groups could also attempt to violently retaliate against politicians and state officials who remove them from state payroll because of egregious human rights violations. Inevitably, many such measures will need to be easy and clear-cut cases at first.

For all of these reasons, whenever punitive measures against militia groups and members are undertaken, they should be widely advertised to deter retaliations. The implementors must carefully consider what means of retaliation the militias and their political sponsors have at their disposal, and attempt to prepare against them.

An eventual increase of public resentment against militia abuses could create a more fruitful environment for such measures, particularly if militant violence goes down.

Until then, punishments may have to be creative, even if highly limited, such as cutting off the access of the worst-offending militia units from access to American and Western banking systems, denying them visas or preventing them from enrolling in training programmes.

Similarly, opportunities to act against the economic crimes of Nigerian militias will

remain limited as long as the Nigerian military and police participate in such crimes as well. Nonetheless, since the militias may eventually become rivals of the Nigerian military and police in the illegal economy to such an extent as to threaten to displace them — as opposed to a non-threatening ally in illicit economies — the military and police may have an interest in acting against the militias, at least occasionally. Even sporadic interdiction operations will weaken the extent of entrenchment in and local domination of illicit economies by militia groups in the North-East.

In short, whenever a punitive action against egregiously misbehaving militias can be taken because of a momentarily permissive political and security context, it should be undertaken. Over time, enough cumulative effects can be achieved to reduce at least the most problematic behaviour.

Amidst the deteriorating security situation in Nigeria's North-East, persistent Boko Haram militancy and the entrenchment and strengthening of ISWAP, there is no way to roll back and dismantle the militia groups that operate in that part of Nigeria. Nonetheless, the above measures provide a way to begin mitigating at least the most pernicious dangers that the militias generate.

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