

APRIL 11, 2016

# “They Set the Classrooms on Fire”

Attacks on Education in Northeast Nigeria



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## Summary



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## Nigeria: Northeast Children Robbed of Education

Boko Haram's Devastating Toll on Students, Teachers, Schools

They had not received an education in that area for many, many, years....Now they [Boko Haram] have chased away the teachers. Their children have no future.

—Teacher, Maiduguri, September 15, 2015

**B**oko Haram in Nigeria is one of the deadliest extremist armed groups in the world. According to the Global Terrorist Index 2015, published by the Institute for Economics and Peace, the group was responsible for the deaths of over 6,644 people in Nigeria and Cameroon in 2014 alone. According to Human Rights Watch research, an estimated 10,000 civilians have died in Nigeria since the group began its attacks in 2009. The group's brutal insurgency has affected every strata of life in Nigeria's northeast, including education, which has become the fault line of the conflict.

Boko Haram, whose name in Hausa, the dominant language in northern Nigeria, means "Western education is forbidden," has targeted and killed teachers, education workers and students. At least 611 teachers have been deliberately killed and a further 19,000 have been forced to flee since 2009. More than 2,000 people, many of them female, have been abducted by the group, many from their schools from the beginning of the conflict. Thousands more students and teachers have been injured, some in deadly suicide bombs in the same period. Between 2009 and 2015, attacks in northeastern Nigeria destroyed more than 910 schools and forced at least 1,500 to close. By early 2016, an estimated 952,029 school-age children had fled the violence. They have little or no access to education, likely blighting their future for years to come.

Based on interviews with 215 people – including 99 teachers, 31 students, 36 parents, and 25 school administrators – this report documents Boko Haram's attacks on schools, students, and teachers in Borno, Yobe, and Kano states between 2009 and February 2016. It charts the different kinds of assaults waged by the group – including targeted killings, suicide attacks, widespread abduction, burning and looting. Some of these assaults likely amount to war crimes and crimes against humanity.



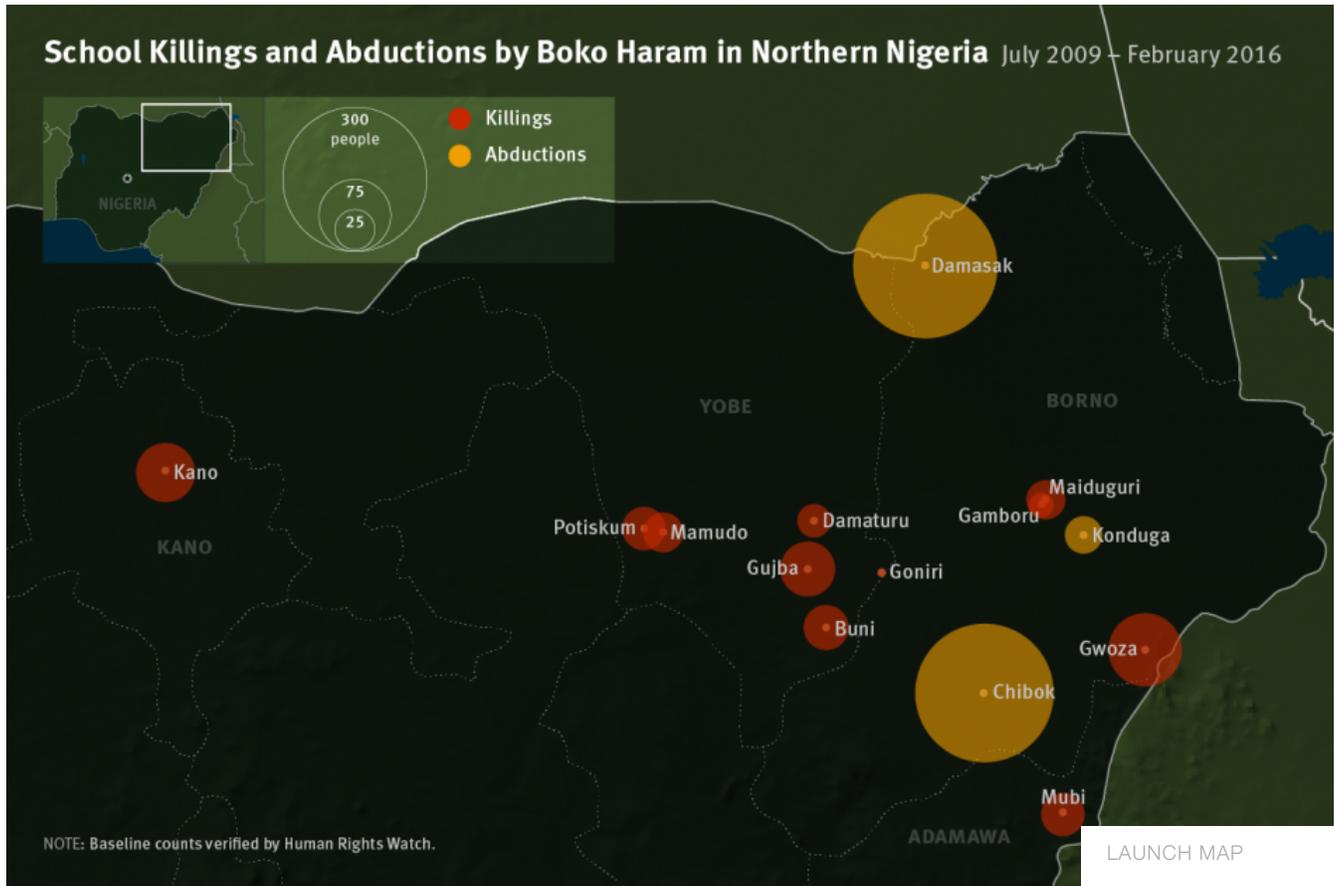
LAUNCH GALLERY

The report also examines government security forces' use of schools for military purposes, which not only places schools at risk of attack but is contrary to the Safe Schools Declaration, which Nigeria endorsed in 2015. The declaration urges parties "not to use schools and universities for any purpose in support of the military effort." The report documents security forces' abuses against teachers, students, and schools, especially Quranic schools and the response of the Nigerian government, as well as the interventions by government agencies, inter-governmental and non-governmental organizations (NGOs), including humanitarian agencies seeking to restore the right to education for children affected by the northeast conflict.

The report finds that Boko Haram's attacks on education, and the government security forces' misuse of school for military purposes, has had a devastating effect on the right to education in the northeast. It has dramatically affected hundreds of thousands of school children at all levels of education, and thousands of teachers and education administrators.

The government has failed to adequately protect schools, in the face of Boko Haram's attacks. In April 2014, the group abducted 276 schoolgirls from Government Secondary School in Chibok, Borno State. Some of the girls initially escaped, but none were rescued and 219 remain missing at time of writing. Another attack on Zanna Mobarti Primary School in Damasak, also in Borno state, in November 2014, led to the abduction of an estimated 300 young students. None of the children have so far been returned to their parents.

As a result of displacements caused by Boko Haram attacks on schools and other targets, many children have limited schooling in displacement camps or in private homes and communities where they are hosted by friends, families, and others across northern Nigeria. In such camps, schools consist of children grouped according to their age in large rooms or underneath trees for three to four hours of lessons per day, in most cases three times a week. School materials such as paper and pencils are provided in United Nations Children’s Fund (UNICEF) supplied bags, but there are no textbooks for the children, or other teaching aids for teachers.



The overall result is that an entire generation of children in the northeast is being robbed of their right to education, an essential ingredient for their future and for the development of the northeast region, which for years has lagged behind that of other parts of the country. Without urgent action to address the lack of access to education occasioned by the Boko Haram attacks, the lives of these children could become locked in unending cycles of underachievement and poverty.

For example, in Borno, one of the most affected states, schools at all levels have been closed in 22 out of 27 local government areas for at least two years, and public secondary schools in the state capital, Maiduguri, only reopened in February 2016 after internally displaced people, or IDPs, who occupied most of the schools, were relocated elsewhere. Education might have ground to a complete standstill in even relatively safe Maiduguri if it were not for some private schools that remained open when state authorities shut down public schools in March 2014.

In Yobe state, primary and junior secondary schools have virtually disappeared in two local government areas since 2013 when public senior secondary schools were relocated from Gujba and Gulani to Damaturu, the state capital.

President Muhammadu Buhari pledged to tackle the Boko Haram insurgency and to develop Nigeria's northeast during his election campaign in 2015. His government will need to take urgent steps to address the insurgency, particularly the education challenge. There are some signs this is beginning to happen. In September 2015, the government announced the merging of various presidential initiatives to improve the delivery of services to victims of Boko Haram's violence, including the Victims Support Fund, and the Presidential Initiative on the North East. In January 2016, the government established a new Social Protection Plan which focuses, among other things, on improving the quality of teachers by directly hiring 500,000 university graduates, and providing cash transfers to extremely poor parents on the condition that they enroll their children in schools across the country. The plan with a budget of 60,000 billion naira (about US\$ 302 million) is supported by the World Bank.

But to ensure success, the government should ban its soldiers from using schools for military purposes to avoid such schools being targeted for attacks and destruction, work with the appropriate authorities to ensure better security at schools in the northeast, and ensure that students deprived of educational facilities—whether in IDP camps, host communities, or in the slums and shanties of large urban cities—are promptly given access to schooling in safe areas or in temporary learning spaces, with suitable books and equipment. The government should also ensure parents and relatives of missing children are given regular public updates on efforts to recover their loved ones. The repeated failure to adequately communicate with relatives only contributes to their suffering.

At the same time, Boko Haram insurgents and government forces implicated in unlawful attacks against students, teachers, and other civilians should be brought to justice in fair trials.

Failure to act urgently may serve to entrench the perception of neglect and alienation of people in the northeast and reinforce the need for, and appeal of, unlawful and violent alternatives, such as Boko Haram.

Lastly, Boko Haram should immediately halt its attacks on education and all those involved in it. Learning and seeking knowledge is not an offence by any secular or religious creed – but attacks on places of education are often serious crimes.

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## Recommendations

### **To the Nigerian Authorities**

- Impartially investigate and appropriately prosecute Boko Haram leaders responsible for recruiting or abducting children and other abuses of international human rights and humanitarian law, including unlawful attacks on schools, students, and teachers.
- Take immediate steps to stop the military use of schools in line with the Safe Schools Declaration and the Guidelines on Protecting Schools and Universities from Military Use During Armed

Conflict.

- Make public the report of the fact-finding committee established by the federal government on the abduction of Chibok schoolgirls, and provide all residents including relatives of the missing girls with public updates on efforts to recover the girls, to regain the community's trust.
- Take proactive steps to implement the plans, including the Victim Support Fund and the Presidential Initiative on the North East, for the rehabilitation and reintegration of victims of violence including students and teachers who were forcefully recruited or abducted during the violence.

## **To the Federal and States Ministries of Education**

- Ensure that students deprived of educational facilities as a result of the conflict are promptly given access to accessible alternative temporary schools, including with suitable school equipment, and adequately trained teachers, while their own schools are repaired or reconstructed.
- Ensure availability and accessibility of schools, effectively implement the Safe Schools Initiative, and work with school authorities, community leaders and parents to ensure better security for the northeast region's schools.

## **To Federal and States Ministries of Health, Women Affairs**

- Ensure that teachers and students, and women and girls generally, who experience sexual violence receive trauma support and ongoing counseling, as well as immediate access to treatment for injuries, emergency contraception, safe and legal abortion and post-abortion services, and access to sexual and reproductive health and psychosocial support. Develop a plan to assist children born from rape to ensure adequate services and protection for them and their mothers.
- Ensure that public information is available about the legal and physical consequences of abductions and how victims can access free functioning services.
- Implement the provisions of the National Action Plan to Implement UN Security Council resolution 1325 and Related Resolutions in Nigeria, particularly with regard to ensuring the full and meaningful participation of women in all peace and security discussions and processes.

## **To the Ministry of Justice**

- Establish a unit in the Ministry of Justice to document the prosecution of Boko Haram suspects at all levels of government, and to collate information of insurgency related arrests, detentions, and extrajudicial killings to aid future prosecutions.

- Investigate and prosecute, based on international fair trial standards, those who committed serious crimes in violation of international law during the conflict, including members of the government security forces and pro-government vigilante groups.

## **To the National Assembly**

- Enact legislation to domesticate the International Criminal Court's Rome Statute, which Nigeria ratified in 2001, including criminalizing under Nigerian law genocide, war crimes, and crimes against humanity, consistent with the International Criminal Court's Rome Statute definitions. Ensure such laws apply retroactively at least until July 2002, the date the Rome Statute entered into force for Nigeria.

## **To the State Assemblies of Adamawa, Borno, and Yobe States**

- Enact legislation to domesticate at the state level Child Rights Act, which was enacted at the national level in 2003 for the protection of children's rights.

## **To the Nigeria Police**

- Take reasonable steps in line with Nigeria's responsibility under international human rights law to protect students, teachers, schools, and all those in Nigeria's territory from violence, but should not use excessive force, mistreat and torture of detainees, or conduct arbitrary arrests in quelling the Boko Haram threat.

## **To the Nigerian Military**

- Take steps to implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict to which Nigeria made a commitment by endorsing the Safe Schools Declaration in May 2015.
- Encourage use of the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict throughout the chain of command by incorporating them in military "doctrine, military manuals, rules of engagement, operational orders, and other means of dissemination."
- Order commanding officers not to use school buildings or school property for military purposes such as camps, barracks, deployment, or weapons, ammunition, and supply depots. Draw upon examples of good practice, as reflected in the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.
- Share with like-minded militaries in region its good practices of using temporary accommodations

such as tents so as to avoid using schools for military purposes.

## **To Boko Haram**

- Halt all attacks against non-combatants and release immediately all civilians in custody.
- Cease the abduction and recruitment, forced or otherwise, of anyone under age 18 into the armed group for any purpose.
- Release everyone in the group under 18 and ensure their safe return by acting in cooperation with humanitarian agencies; permit anyone recruited under age 18 to leave armed groups.
- Cease all attacks on schools, killing of students and teachers or threats that undermine children's right to education.
- Cease the use of school buildings or school property, including for camps, barracks, military deployments, or weapons, ammunition, and supply depots.
- Immediately cease all attacks, and threats of attacks, that target schools, students, teachers, school administrators, and other civilians.
- Take all necessary steps to comply with the principles of international humanitarian and human rights law including handing over all persons suspected of war crimes for prosecution.

## **To the International Community – including the United Nations, European Union, United States, and United Kingdom**

- Call for and support transparent investigations and prosecution of perpetrators of human rights violations by Boko Haram, government security forces and pro-government militias.
- Join Nigeria in endorsing the Safe Schools Declaration, thereby endorsing and committing to implement the Guidelines on Protecting Schools and Universities from Use During Armed Conflict.
- Encourage and financially support Nigerian government's effort to make schools safer and ensure humanitarian education response plans are adequately funded.
- Encourage and financially support the Nigerian government's efforts to provide comprehensive post-rape care to survivors of sexual violence and psycho-social support to women, girls, men and boys who experienced human rights violations, including abduction, forced marriage and physical abuse
- Publicly denounce attacks on schools and illegal use of schools for military purposes by the Nigerian military and Boko Haram and call for those responsible to be impartially investigated and appropriately prosecuted.

- If providing support for the reconstruction of schools or the education sector generally, urge the government to adopt strong protections for schools from military use.
- Privately and publicly urge the Nigerian government and military to adopt the above recommendations.
- Support appropriate child protection activities, and large scale rehabilitation, and reintegration programs that include vocational training programs, education programs, and medical and psycho-social counseling activities for abducted returnees and school-aged Boko Haram defectors.

## **To the International Criminal Court**

- Continue to monitor and assess the government's efforts to fairly and credibly hold perpetrators to account, including through periodic visits to Nigeria.
- Continue to press Nigeria, consistent with its obligations under the Rome Statute and the principle of complementarity, to ensure that individuals implicated in serious crimes committed in violation of international law, including attacks on educational institutions, are investigated and prosecuted according to international fair trial standards.

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## **Methodology**

**H**uman Rights Watch conducted the research for this report, including field research in northeastern Nigeria and Abuja, between May 2015 and February 2016, in order to document the extent to which access to education has been affected by the Boko Haram conflict.

Human Rights Watch interviewed 215 people including 99 teachers, 31 students, 36 parents, and 25 school administrators in Maiduguri, Kano, Damaturu, Potiskum and Abuja. The interviewees were identified with the assistance of Nigerian civil society workers. Witnesses interviewed by Human Rights Watch came from Kano, Borno and in Yobe states and included the following locations: Kano in Kano state; Abadam, Baga, Bama, Dalori, Damboa, Damasak, Gajaram, Gamboru Ngala, Gobio, Gwoza, Kukawa, Maiduguri, Mainok, Mobbar, Monguno and Ngazai in Borno state; and Bularafa, Buni Gari, Buni Yadi, Damagun, Damaturu, Daura, Goniri, Gujba, Mamudo, and Potiskum in Yobe state. Due to ongoing insecurity in northeastern Nigeria, a number of locations that would have been part of this research were inaccessible.

Researchers also interviewed members of Nigerian and international nongovernmental organizations, human rights defenders, international donor organizations, social analysts and various experts, diplomats, journalists, religious and traditional leaders, and state and federal government officials. Human Rights Watch monitored and analyzed media reports, reviewed academic publications, statements and transcripts of videos by Boko Haram, including videos showing attacks on schools and the military use of schools. We sought to verify the authenticity of the videos by cross-checking them against other footages and media reports, or victim and witness accounts.

Human Rights Watch asked interviewees about their experiences since the beginning of the violent conflict between members of the Boko Haram insurgent group and Nigeria's security forces in July 2009. As a result this report documents abuses that took place between the start of the conflict and the time the interviews were conducted.

Interviewees were informed about the nature and purpose of the research and how the information they provided would be used. Human Rights Watch obtained consent for each of the interviews. No incentives were provided in exchange for the interviews, which were conducted in the interviewee's local language, in private settings, and in displaced people's camps. Many of the interviews were conducted using an interpreter.

Researchers sought to ensure that the interviews did not further traumatize the interviewees and, when possible, gave referrals for medical care and psychological support. Interviewees were told they could stop the interview at any time. The names of the students, teachers, and parents have been withheld for security reasons.

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# I. Background

## The Boko Haram Insurgency

In 2002, following the end of decades of military rule and return to civilian rule in Nigeria three years earlier, Mohammed Yusuf, a young charismatic cleric, searching for a purer form of Islam, established a movement known as Yusufiya or followers of Yusuf, in Maiduguri, Borno state, northeast Nigeria.

Rejection of formal education gradually gained a central position in Boko Haram's insurgency against the Nigerian government, as education became the fault line of the Boko Haram insurgency. The group initially given the name the Nigerian Taliban by local people, became popularly referred to as "Boko Haram" which means "Western education is forbidden" in the Hausa language, a reference to Yusuf's widely circulated sermons condemning aspects of Western education as being sinful because they contradicted Islamic principles and beliefs.<sup>[1]</sup>

These teachings lured many people in that part of the country, including students, school drop-outs, unemployed youth, who saw a radical form of Islam as the antidote to the alienating social inequalities and economic impoverishment that marked their lives. Yusuf's followers also included high-ranking elites such as politicians, government officials, and wealthy businessmen.<sup>[2]</sup>

The group's numbers swelled with young men from across northern Nigeria, attracted by Yusuf's fiery preaching against unjust and corrupt secular governments. But when soldiers captured Yusuf on July 30, 2009, after five days of violence in Maiduguri, and police summarily executed him days later while handcuffed inside police headquarters in Maiduguri,<sup>[3]</sup> the group became increasingly radical.

In 2010, one of Yusuf's deputies, Abubakar Shekau, took over the leadership and renamed the group "Jama'atu Ahlis Sunna Lidda'awati wal-Jihad," an Arabic phrase which roughly translated means "People Committed to the Propagation of the Prophet's Teachings and Jihad."<sup>[4]</sup> Under his leadership, Boko Haram has become intensely more violent and abusive with devastating consequences for school-age children. In March 2015, Shekau pledged Boko Haram's allegiance to the Middle-East based terror group Islamic State (IS) and the group later changed its name to Wilāyat Gharb Ifrīqīyyah, or "West Africa Province."<sup>[5]</sup> Despite this alliance, Boko Haram has largely continued to operate independently.<sup>[6]</sup> Boko Haram was ranked as the world's deadliest terrorist group in 2014 by the Institute for Economics and Peace in its 2015 Global Terrorism Index.<sup>[7]</sup>

## Education in Nigeria

Nigeria has a significant education challenge. Sixty-two percent of the country's population is under 24 years of age. As a result, it has a large number of school-age children: about 30 million out of the country's 168 million people.<sup>[8]</sup> In 1999, the federal government introduced a Universal Basic Education program to provide nine years of free education from primary school to junior secondary school for children aged 6-15, but its implementation has faced serious challenges.<sup>[9]</sup> Four years of senior secondary for children aged 15-17, and four years of tertiary education completes the nation's formal education system.<sup>[10]</sup>

While poor quality education is a problem across Nigeria,<sup>[11]</sup> it is most dire in the northern states, particularly in Yobe and Borno states in the northeast, where there is a Muslim majority.<sup>[12]</sup> Attendance in primary and secondary schools in the northeast is the lowest in the country, according to government data from 2013.<sup>[13]</sup> More than 52 percent of males and 61 percent of females aged six and above in the north-east have received no education.<sup>[14]</sup> According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), 10.5 million primary school-age children were out of school in Nigeria in 2010, the latest year for which data are available.<sup>[15]</sup> According to UNICEF, the stark reality is that 60 percent of out of school children live in in the north.<sup>[16]</sup>

Religious schools are part of Nigeria's education system, which is a shared responsibility between federal, state, and local government levels. Non-formal Islamic or Quranic education was first introduced into northern Nigeria by Fulani and Arab clerics and traders around the 14th century.<sup>[17]</sup> Quranic school students called "Almajiri" travel far from home to study the Quran under teachers in schools known as "Tsangaya."<sup>[18]</sup> Christian missionaries introduced Western education to Nigeria in the mid-19<sup>th</sup> century.<sup>[19]</sup> While readily accepted in the south, it was largely rejected in northern Nigeria as an attempt to "Christianize" the region's largely Muslim population.<sup>[20]</sup> According to education officials interviewed by Human Rights Watch, the population in Borno, Yobe, and Kano states, where there is a Muslim majority, still largely prefer Islamic education over state-recognized schooling for school-age children.<sup>[21]</sup>

From about the late 1990s, some northern state governments began establishing "Islamiyyah," or modernized versions of *Tsangayas*. Islamiyyahs operate in the formal state-recognized school structures, receive government recognition and support, and combine Islamic education with basic conventional school subjects.<sup>[22]</sup> *Tsangayas*, on the other hand, are largely mobile, focus on Quranic recitation, and are funded by local communities.<sup>[23]</sup> Education received in *Tsangayas* – being basically religious – is not recognized by the Nigerian government as meeting the standards of the national education curriculum.<sup>[24]</sup> According to the Universal Basic Education Commission, a government body, students who attend Quranic or *Tsangaya* schools form the largest group of children not receiving an education recognized by the state.<sup>[25]</sup>

## Impact of the Insurgency on Education in the North

Boko Haram massively recruited students and out-of-school youths in Borno and parts of Yobe and Adamawa states, decimating efforts of federal and state authorities to bring education levels in the region on a par with the rest of the country.<sup>[26]</sup> Those with formal education are reported to have torn up or burned

school certificates to signify their rejection of Western education, sometimes encouraged by religious figures.<sup>[27]</sup>

Abdulwaheed Nasiru, a primary school dropout facing prosecution for his role in the October 2, 2015, bomb attacks that killed more than 20 people in Abuja, Nigeria's federal capital, allegedly told a court how a local imam urged believers to join Boko Haram and destroy their educational documents:

In some of his teachings, he told us that Western education was a sin and working for the government was also a sin. He then asked those who have gone through secondary and university education to destroy their certificates. A lot of people, who graduated from the secondary and university in that mosque, destroyed their certificates. That singular act fully convinced me that if my brothers who attended university can destroy their certificates because of Boko Haram, I should not hesitate [to join].<sup>[28]</sup>

Recruitment and retention of members however became increasingly forceful under Shekau's leadership. In a YouTube video released in July 2013, Shekau warned: "We are going to burn down the schools, if they are not Islamic religious schools for Allah."<sup>[29]</sup> It was not an idle threat, as illustrated by the subsequent actions of the insurgents (see below).

Poorly-educated young men and boys, mostly from extremely poor homes, initially embraced membership of the group voluntarily in exchange for financial rewards and the promise of paradise in the after-life.<sup>[30]</sup> A teenage boy released from military detention in May 2013 said he helped Boko Haram burn schools because he was paid the equivalent of US\$25.<sup>[31]</sup>

By early 2012, Boko Haram's initial tactics to enforce the rejection of Western education by issuing threats and intimidating and harassing students, teachers, and parents became more severe. The insurgents began to destroy, burn and pillage school buildings and property, mostly at night and during non-school hours, further impacting education. But worse was to come. From late 2013, Boko Haram began to deliberately target and kill teachers, school administrators, and education officials. In October 2015, the Nigerian National Union of Teachers said over 600 teachers had been killed in the Boko Haram conflict in northern Nigeria.<sup>[32]</sup>

Students were also increasingly targeted, with male students often killed or forcibly recruited and female students abducted. In his 2015 annual report on Children and Armed Conflict, UN Secretary-General Ban Ki-moon, quoting education authorities in Borno state, said that 314 school children had been killed between 2012 and 2014.<sup>[33]</sup>

Tens of thousands of people fled Boko Haram's brutal attacks to seek shelter in camps for internally displaced people (IDP) or to live with host families.<sup>[34]</sup> According to UNICEF, 952,029 school-age children have been forced to flee the violence.<sup>[35]</sup> More than 600,000 have lost access to learning due to the conflict.

Boko Haram's attacks have been particularly devastating for school-age children largely among the nomadic people of northern Borno, near Lake Chad and the border with Niger, where educational opportunities have long been limited.<sup>[37]</sup> According to a teacher hired by the government to teach nomadic children between Gobio and Ngazai, near the Niger border:

They had not received an education in that area for many, many, years....There is nothing there....Now they [Boko Haram] have chased away the teachers. Their children have no future.<sup>[38]</sup>

### **Chibok School Abductions**

Boko Haram's attack on Government Secondary School, in the town of Chibok, Borno state, remains one of the largest school abductions committed by the group and has become emblematic of the group's strategy to target education. On the night of April 14, 2014, 276 girls were abducted from their dormitories. While 57 of the girls managed to escape, 219 remain captive two years later.<sup>[39]</sup>

Boko Haram justified the abductions as punishment for the girls' participation in Western education. In a video released in May 2014, Shekau said women and girls would continue to be abducted to turn them to the path of true Islam and to ensure they did not attend school.<sup>[40]</sup>

While most of the 57 schoolgirls who escaped that abduction have received support from private individuals and institutions, as well as the Borno state government, to continue their schooling elsewhere, the fate of the 219 in captivity remains uncertain. Human Rights Watch research shows that many of the missing girls who were Christians have been forced to convert and to marry their captors.<sup>[41]</sup> Other reports have emerged from those who claim to have seen some of the girls in captivity, but it has been near impossible to corroborate the information.

Despite finding over 1,000 other hostages during military operations against Boko Haram camps, government security forces have not yet rescued any of the remaining schoolgirls.

A 38-year-old woman who fled Gwoza when the insurgents took over the town in June 2014 told Human Rights Watch she saw 11 of the missing Chibok girls when she returned to the town to take care of her ill father. She said:

I saw the girls in a hospital in Gadamayo. The Boko Haram allowed me to take my father there because he was very sick. That was where I saw them. I did not know them. One of them wanted me to help her escape. She said, 'I am from Chibok. Look

at those girls, we are all from there. They took us from school. Can you help me? They were 10, working in the hospital—filling forms, prescriptions, cleaning, and assisting the doctor. I was shocked. But how could I help her? The other girls later told me, ‘There is no point. We are married and lived in town with our husbands.’ One was pregnant but she died. It was when she was in labor and the baby didn’t come out. The other girls helped the doctor to do operation but she was just bleeding. Too much blood. She died. I do not even know their names. They only spoke in whispers. I feel bad that I could not help.<sup>[42]</sup>

Boko Haram appear to consider their successful abduction of the Chibok schoolgirls as a major accomplishment that they flaunt in a bid to stop other girls from continuing in school.<sup>[43]</sup> A 14-year-old student from Sabongari Primary School, Gwoza, described the fear that caused her to flee the town:

One day in May 2013, a student found a letter and took it to our mathematics teacher. It was written in Hausa. When the teacher read the letter we all became frightened. He said it was from Boko Haram. The letter said all teaching activities must stop in the school or else we would all be abducted like the Chibok girls. The school was immediately shut down. I was at home for one year. Then two insurgents came to my house and told my mother they wanted to marry me. I became really scared that they would take me away like the Chibok girls. My mother and I escaped from the town immediately after the insurgents left.<sup>[44]</sup>

In December 2015, President Muhammadu Buhari said that the government has no reliable information or intelligence on the whereabouts of the missing schoolgirls.<sup>[45]</sup> To date, the government has given no reason for not making public a report by a presidential fact-finding committee on the abduction of Chibok schoolgirls. Parents of the schoolgirls receive few, if any, updates on government efforts to rescue their children and remain critical of the government’s failure to bring their daughters home safely.<sup>[46]</sup>

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## II. Boko Haram Attacks on Schools and Students

**B**oko Haram first began to deliberately target schools in 2009. Initially the attacks were sporadic and usually after hours.<sup>[47]</sup> Often insurgents looted the property before torching and throwing bombs to destroy school buildings, equipment, books, other educational materials, school records, and certificates. Sometimes witnesses identified the attackers as former students.

People purportedly speaking for Boko Haram to local and foreign journalists and on videos posted on the Internet, claimed the group's responsibility for some of the attacks reported in this section.<sup>[48]</sup> In the other cases, witnesses told Human Rights Watch they identified the attackers as members of Boko Haram by their chants of "Allahu Akbar" or "Allah is great," or by the attackers own confession of Boko Haram membership.<sup>[49]</sup>

One of the earliest documented attacks occurred on July 29, 2009, when the group attacked Success International Private School in Maiduguri, destroying six classrooms and a school office.<sup>[50]</sup>

In the years that followed, the attacks became more deadly. From 2012, Boko Haram began to deliberately target schools, several of which were burned and destroyed.<sup>[51]</sup> In February of that year, at least 12 schools in and around Maiduguri, Borno state capital, were set ablaze by insurgents over a two-week period.<sup>[52]</sup> The brutality and ferocity of Boko Haram attacks on civilians in the northeast peaked in early 2013.<sup>[53]</sup> Faced with a depletion in its ranks caused by the massive crackdown on its members by security forces in late 2012, the group embarked on large-scale recruitment of students and others using hefty financial rewards as enticement and brutal force.<sup>[54]</sup> The recruitment was accompanied by killings of those who refused or who attempted to evade capture.

Boko Haram also targeted students, both to prevent them from attending school and to retaliate against students who tried to repel their attacks, or who had become members of vigilante groups working with the government against Boko Haram. As security tightened, Boko Haram increasingly adopted suicide bombings at schools and other locations as a tactic.<sup>[55]</sup>

The following sections examine some of the main tactics used by Boko Haram and the escalation of the brutality.

### **Burning and Looting**

Boko Haram has been burning and looting of schools since 2009. By January 2015, 254 schools had been burned, as well as 276 partially destroyed in Boko Haram attacks in Adamawa, Borno, and Yobe states, according to the National Emergency Management Agency.<sup>[56]</sup> In March 2016, Borno state authorities reported that 512 primary schools, 38 secondary schools and 2 tertiary institutions in the state had been destroyed in the six-year long conflict.<sup>[57]</sup>

Yerwa Central Primary School Maiduguri, established in 1915, is the oldest primary school in northeast Nigeria. Located close to the site of Mohammed Yusuf's mosque, many of its students were drawn to his preaching. The school was attacked twice between 2010 and 2012. When insurgents set ablaze 36 classrooms and offices in September 2010, a 70-year-old civilian security guard in the school recognized the attackers as former students. He said:

When the boys came at around 11 p.m. that night I was not surprised. They had been hanging around the school for weeks. They would insult and threaten to kill me and my colleagues and destroy the school because we were infidels for providing a '*haram* school with security.' I fled to a corner of the school as soon as I heard their shouts of 'Allahu Akbar.' I could only watch in fear as they hurled bottles of fuel into classrooms. I was lucky that they did not touch me or any of my colleagues.<sup>[58]</sup>

Success International, a private primary and secondary school, located in the same neighborhood as the Yerwa School, also suffered several attacks in 2009, 2012 and 2013 —before eventually relocating to a safer area of Maiduguri in early 2014.

On April 2, 2012, about a dozen insurgents woke up sleeping students at Government Secondary School Daura, 20 miles west of Damaturu, Yobe state.<sup>[59]</sup> Insurgents made students lie on the bare floor and recite Quranic verses, and forced a teacher to load the school bus with computers, a power generator, and school certificates.<sup>[60]</sup> They then set fire to two blocks of six classrooms and the principal's office. No one was hurt in the attack.

Later that year, on September 26 and 27, insurgents launched a spate of attacks against schools in Maiduguri, killing a teacher in Mafoni Government Day Secondary School on September 26, and returning the next day in a failed attempt to burn down the school's newly equipped science laboratory. The tertiary institution next door, Borno State [Mohammed Goni] College of Legal and Islamic Studies, was also razed. Though focused on Islamic education, the school was likely targeted because it is owned and run by the state government. Abubakar Shekau, Boko Haram's leader, was a former student.<sup>[61]</sup>

One of the earliest recorded school attacks by insurgents in Yobe state was on Government Secondary School, Damaturu, in July 2011, while the school was closed for vacation.<sup>[62]</sup> Early arrival of security forces saved it from serious damage on that occasion, although it was attacked again in June 2013 and December 2014.<sup>[63]</sup>

Between June and October 2012, schools in Damagun, Damaturu and Potiskum, Yobe state, bore the brunt of Boko Haram attacks.<sup>[64]</sup> Yobe Children's Academy was the first private school to be attacked in Damaturu. On the night of July 22, insurgents burned 32 classrooms and nine offices in the primary and secondary section.<sup>[65]</sup> A teacher working late in the office was shot and killed after being forced to show the insurgents around the school.<sup>[66]</sup>

On October 18, 2012, men suspected by residents to be Boko Haram laid siege to Potiskum, Yobe's largest town, about 63 miles west of Damaturu the state capital. From early that morning until late evening, insurgents took over the town and systematically attacked and destroyed public buildings, the local education authority office, and at least eight schools including Race Course Primary School, Nahuta Primary School, Sabon Layi Primary School, Government Day Junior Secondary School, College of Administrative and Business Studies, and Best Center Vocational School.<sup>[67]</sup>

## Forced Recruitment of Male Students

In late 2012 and early 2013, Nigerian security forces expanded military operations against Boko Haram in Maiduguri and other strongholds, often with the assistance of local vigilante groups. As the military pursued the Boko Haram leaders and forced their fighters out of Maiduguri, the group turned their attacks on schools, students, teachers and other vulnerable groups in less defended areas in the north, such as Kano, rural and remote parts of neighboring Yobe, as well as the forests and hills in southern Borno, including Sambisa forest, Gwoza, Damboa, and Bama.

Witnesses said that beginning from late 2012 to mid-2013, indigenes of Gwoza who had joined Boko Haram in Maiduguri, returned to the area in large numbers following the harsh military onslaught against the group's members.<sup>[68]</sup> They regrouped in the Sambisa forest, less than 20 miles away, and in caves in the surrounding Gwoza hills.<sup>[69]</sup> From there, Boko Haram soon began a campaign of terror and forceful recruitment of young men and boys to replenish their ranks.<sup>[70]</sup>

A 15-year-old student of Government Day School Ngoshe, near Gwoza, described an attack on the school in May 2013:

We were in the school when Boko Haram came and started shooting. It was 9 a.m. in the morning. We were sitting in class when I went outside [to go to the toilet]. Outside the classroom I saw Boko Haram men holding guns, so I ran to tell the headmaster. The headmaster helped some of the students escape. Then the Boko Haram men started shooting. A boy got shot in the leg and later died. I saw them with my own eyes. They covered their heads and face with a white scarf. They only left their eyes uncovered. They said they will come back if we don't stop going to school. So the school was closed, and the military came to stay there. But Boko Haram still came back to burn the school.... I was out of school for 11 months before my family decided to run from the town.<sup>[71]</sup>

Witnesses told Human Rights Watch that in an apparent retaliation for the military offensive, insurgents forcefully recruited up to 13 students of Army Children's School Monguno, northern Borno when the barracks was sacked by insurgents on March 22, 2013.

By June 2013, the Gwoza local education authority closed all government schools in the area that still remained open.<sup>[72]</sup>

When Boko Haram combatants seized control of six villages around Gwoza on June 3, 2014, they sought out men for killing and young boys for recruitment.<sup>[73]</sup> A 43-year-old teacher who was in Agapalawa on the day of the attack expressed deep grief for her inability to save many of her students who ran to her for protection:

We were confused at first whether the men in military uniform were soldiers or insurgents. Some people fled but many of us stayed. They gathered all the men at the primary school and began to shoot. Women and children began to run up the hills but they pursued us. I was hiding with a group of my students who had lost sight of their parents in the confusion when the insurgents came to us. They were shouting, "Where are the men?" Then they asked the children to stand upright. They selected and took away the boys who looked tall enough to be 10 to 12 years old, saying they were old enough to fight. I watched helplessly as they ran uphill with those poor boys shooting and killing for over four hours as they went.<sup>[74]</sup>

In Bama, a major Borno town 45 miles east of Maiduguri, the insurgents took a hardline in the recruitment drive for new members. The International Crisis Group reported that in June 2013, male residents began to flee Bama, due to threats from Boko Haram to either join the group or be beheaded.<sup>[75]</sup>

A 25-year-old parent described the pressure to give up her sons to join Boko Haram after the insurgents took control of Bama on September 1, 2014:

Two insurgents came to my house. They demanded that my sons must join them. I pleaded that my three boys – aged 12, 3, and 18 months – were too young, but they forcefully took my 12-year-old son away. He was a primary four pupil of Kasigular Primary School, Bama. They also took my 40-year-old brother-in-law. He was playing the role of father to my children after Boko Haram killed my husband and took away all the contents of his provision store in 2013. Now we are left with no help.<sup>[76]</sup>

Another woman, a 50-year-old, told Human Rights Watch that her 62-year-old husband and six of her stepsons – aged between 14 and 38 – were beheaded in June 2014, by Boko Haram fighters in Damboa, Borno state. She said the insurgents were angered by her husband’s refusal to join the group because according to him, his fathers did not teach him the type of Islam the insurgents practiced.<sup>[77]</sup>

## Intimidation and Abduction of Schoolgirls

Boko Haram treats women and girls differently from men and boys. The group prohibits female membership, prescribing a more subservient role for women and girls<sup>[78]</sup> and considers abducted women and children to be part of the spoils of war to which its members are entitled.<sup>[79]</sup>

Two teenage girls of Success International Private School, Maiduguri told Human Rights Watch how they escaped abduction during an attack on their school in September 2013:

One of the insurgents jumped over the fence and opened the gate for the others and they came in. Then I saw their guns. Everybody was running but I couldn’t run because I was afraid. A gunman asked one of our uncles (teachers) to lie down and then brought out his gun and shot him. Then they came to me and my friends. One of them said let us take these little girls, but another of them said “No, they are so cute, let’s leave them.” I was scared and was just crying. We were just 12 years old then.<sup>[80]</sup>

Another 16-year-old witness, who was also 12 at the time of the attack said:

We were sure the gunmen would kill us too or take us away. So we were crying even after they left. There were four of us standing together. Only two of us returned to the school. The third girl transferred to the school’s new campus, while the fourth one just never came back to school. We don’t know what happened to her.<sup>[81]</sup>

### Damasak School Abductions

On November 24, 2014, six months after the Chibok school abduction, Boko Haram carried out another large-scale attack on a school. This time the target was the Zanna Mobarti Primary School in Damasak, about 200 kilometers northwest of Maiduguri, near the border with Niger Republic.<sup>[82]</sup> According to a teacher present at the school on the day of the attack, an estimated 300 children aged between 7 and 15 years old were in school at the time.<sup>[83]</sup> The attack on the school was part of a larger, brutal attack on the town, which occurred during a busy market day. The insurgents blocked all four roads leading into the town, trapping Damasak’s residents and traders.<sup>[84]</sup>

Initially Boko Haram occupied Damasak, using the primary school with the children still inside, as one of its military bases where it brought other female abductees and children. The insurgents separated parents from their children, keeping them in different parts of the school during the months they occupied it.

Between March 13 and 15, 2015, Chadian and Niger troops engaged in operations against Boko Haram and forced the insurgents to abandon Damasak. According to some Damasak residents later interviewed by the press and witnesses interviewed by Human Rights Watch, the insurgents took with them the estimated 300 primary school children who had been held at the school for nearly four months, in addition to about 100 other women and children they had seized from the town.<sup>[85]</sup> In their wake, Boko Haram left dozens of residents' bodies, of which at least 70 were later found in a riverbank under a nearby bridge.<sup>[86]</sup>

The Damasak school abduction is the largest documented number of school children taken in one single attack by Boko Haram. It has received little media attention.

A teacher at the school on the day of the attack said:

On a Monday that's when they [Boko Haram] came to Damasak. They came at 10 am and blocked all the four routes that lead into and out of Damasak. They went to the primary school, Zanna Morbarti Primary School, and attacked and closed the two gates.

There were at least 300 children held captive in the school apart from those that had escaped. They refused to allow the children to be taught their usual subjects in English. Instead, they were teaching them the Quran with the gates locked.

I was held captive by them for at least 6 days in Damasak. Corpses were on the street. They [Boko Haram] forced us to carry [the corpses] and go and dispose of them in the river and there is nothing one could do about it. A lot of people were shot and thrown into the river. In the market and up to the river, there were at least up to 2,000 bodies.

It was as we were carrying the corpses into the river that I was able to escape. I fell into the river and I swam to Niger just 1 kilometer away.

Up till today, our children from the school, we don't know where they were taken to. They are kids and their age ranged from 7 to 12, 14, and 16 up to 17. They were captured and taken away.<sup>[87]</sup>

A woman who had been held in the school with two of her children described to Human Rights Watch what happened to her:

It was early morning when I heard gunshots and chaos. My husband had already left home for the market so I grabbed my two children: male aged four years and female aged 2 years, and ran. But we ran into Boko Haram and they detained us in the middle of the town. They brought more and more women and children to where we were kept.

Then they took all of us to Zanna Morbati Primary School where we were separated from the children. That was the last time I saw my children, I do not know whether they are alive or dead.

They [Boko Haram] spent their days preaching to us and calling us infidels. They would shout at us when we cried for our children because we could also hear them crying in another part of the school. They said they were going to marry us. So we planned amongst us women that we were going to escape at any given opportunity because we could not bear being with them, let alone marrying them. One night, after almost two months, while the insurgents were sleeping, we climbed the fence and escaped.

I didn't know how to help my children. I had no choice but to leave them behind. I heard later, after the town was liberated in March 2015 that they took away everyone who survived in the school.<sup>[88]</sup>

Six witnesses now displaced in Maiduguri told Human Rights Watch that none of the women and children abducted by the insurgents more than one year ago have been found.<sup>[89]</sup> They have not been identified among the hundreds of Boko Haram hostages freed by government forces from mid-2015.<sup>[90]</sup>

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A 2014 Human Rights Watch report documented the abduction of at least 500 women and girls by Boko Haram between 2009 and 2014.<sup>[91]</sup> Hundreds of students, including 219 teenage school girls from Chibok (see above) and young primary school pupils from Damasak (see below) have been forcefully taken away from school for “marriage” to insurgents, forced to convert to Islam, and to carry out forced labor in Boko Haram camps.<sup>[92]</sup> Other girls are constantly harassed to stop school and to wear long *hijab* veils.<sup>[93]</sup>

In September 2015, a 46-year-old teacher from Bama told Human Rights Watch that his 14-year-old daughter, a junior secondary school student, was abducted by insurgents on her way home from her Bama school in June 2014.<sup>[94]</sup> He also said that Boko Haram abducted six students of the high school where he taught.<sup>[95]</sup> A 15-year-old student from the same town described the pressure she faced from her male relatives in Boko Haram:

My brother told me to run alone to Maiduguri because two of my older brothers who were Boko Haram members threatened to take me and our mother to their Sambisa camp. According to them, it was sinful for us to remain in Bama, ‘the land of infidels.’ I knew they would carry out their threat—one of them had earlier forcefully taken his wife and two children to the camp. When my second brother’s wife realized that her husband had joined the sect, she fled leaving her young baby behind. Her mother later came for the baby.<sup>[96]</sup>

## Targeted Killing of Students

Boko Haram has specifically targeted mostly male students of secondary school age and above—both to prevent them from attending school and at times seemingly to retaliate against the active involvement of students in repelling the group's attacks or assisting government security forces. The tactics used include shootings, grenade and suicide attacks.

In March 2013, for example, Boko Haram launched deadly attacks on several schools in Maiduguri and in towns in neighboring Yobe state as the vigilantes gained the upper hand against them.<sup>[97]</sup> On June 19, nine students of Ansarudeen School, Maiduguri, Borno state were shot and killed in their classrooms while writing exams.<sup>[98]</sup> Boko Haram later claimed that the attack was to punish students for helping government soldiers hunt for insurgents.<sup>[99]</sup>

In what might be a fallout of the offensive against the group in Maiduguri, insurgents stormed Yobe state, attacking schools and killing male students in Damaturu, Goniri, and Mamudo. On June 12, 2013, insurgents killed two teachers—Ali Musa Yin and Alhassan Shuabu—from the Government Secondary School Damaturu, six students, and the undergraduate son of another teacher who was away from home.<sup>[100]</sup>

After a group of insurgents killed a government worker in Mamudo, Yobe state one week later, they made a stop at the boys-only Government Secondary School on the village outskirts to drop a letter threatening to return and kill any student found there.<sup>[101]</sup> They made good on the threat on July 6, 2013. Scores of gunmen surrounded the unfenced school hostel, lobbed hand grenades into dormitories filled with sleeping teenage boys, and shot those who escaped through windows.<sup>[102]</sup> Twenty-two students and one teacher died in the attack. Five sustained serious injuries.<sup>[103]</sup>

At 1 a.m. on September 28, 2013, about 100 insurgents drove in vehicles and on motor bikes into the Yobe State College of Agriculture, Gujba.<sup>[104]</sup> When they left hours later, 42 male students and a lecturer lay dead in different corners of the school.<sup>[105]</sup> A 37-year-old staff member who was sitting with some school guards when the insurgents arrived said:

I was awakened by the sound of gunshots. When I peeped out of a crack in the door, I saw many students streaming out of the hostel in panic towards the exit gate. A young insurgent, who could hardly hold up his gun began shooting at them. The others came behind him in Hilux trucks on one of which was mounted a huge light beam powered by a generator. Each of the about 20 motorbikes I saw had at least three fighters. They were dressed in black t-shirts, with their heads and half of their faces covered in checkered scarves. They headed straight for the male hostel near the gate. A female hostel was next door but they ignored it as students fled from the building. That was when I dived into the bushy shrubs behind the school. I laid there until the insurgents left.<sup>[106]</sup>

Another school worker who hid during the attack described what he later saw:

When soldiers arrived at 7 a.m., I helped to bring out the injured students, and corpses. In the first room we entered, I counted 10 dead students huddled together on the floor. The next room had nine dead on the floor, and two on the bed, then two outside the hostel, another one near lecturers' quarters. In all I counted 42 students dead. It was three days later that we saw the corpse of a lecturer in a culvert near the gate. We picked up more than 150 spent cartridges around the school. Four out of dozens of injured students were in bad shape when we took them to hospital. All four are still not fully recovered. They did not come back to school.<sup>[107]</sup>

In some cases, current students, recruited by Boko Haram, have attacked their own school, classmates, and teachers.

On February 25, 2014, for example, Boko Haram killed 29 male students at night in Federal Government College Buni Yadi, about seven miles from Gujba, Yobe state.<sup>[108]</sup> Many young men, including students of Buni Yadi, Yobe state schools, were Boko Haram members.<sup>[109]</sup> The principal of one of the secondary schools in Buni Yadi told Human Rights Watch:

We knew those who attacked our school were our former and current students. Many of them were average students from poor homes who were drawn by the promise of financial gain and the charismatic preaching of Boko Haram preachers. The former students had been idle, refusing to put their hands to work after they left school. Up to 10 of the current students never hid their membership of the sect.<sup>[110]</sup>

## **Suicide-Bomb Attacks**

As security tightened around Yobe state, Boko Haram began to adopt suicide bombings as a tactic, with lone insurgents slipping unnoticed into schools. The attacks have not only killed students and teachers, but resulted in injuries so severe that students have been unable to return to school.

On May 8, 2015, a school attack in Yobe state killed one student and injured five when a lone gunman shot his way into the College of Administration and Business Studies, Potiskum.<sup>[111]</sup> Ironically, the insurgent saved the lives of many more students as he shouted warnings to those who wanted to tackle him to stay back because he was strapped with explosives.<sup>[112]</sup> The attacker died after detonating the explosives between two cars when cornered by students and locals at the edge of the school property.<sup>[113]</sup>

## Attack on the Government Science and Technical College, Potiskum, November 2014

On the morning of November 10, 2014, students of Government Science and Technical College, Potiskum, were lined up on the school's assembly ground when they noticed a stranger holding a schoolbag.<sup>[114]</sup> The school rule was that no student should have bags with them at assembly, so they accosted him.<sup>[115]</sup> A 16-year-old student said:

I saw the prefects struggling to seize a bag from an older boy. I am not even sure I heard any sound before I found myself thrown about 40 to 45 meters from where I was standing. I had no pain but saw my friends, dead and dying slowly as they bled from torn off body parts. My mind was numb. It was later in hospital that the pain came. My right leg was amputated during my six-month stay in the hospital. I continue to go for check-ups but I am back in school as I am able to move with the aid of crutches.<sup>[116]</sup>

A 14-year-old student describing the same attack said:

I never saw the bomber. All I heard was a deafening explosion, then thick black smoke. I crawled under a car without realizing I was injured. I called out to my teacher for help when he walked past to help others but he did not recognize me. There was no pain at first just discomfort that made me tear off my uniform. Then I realized I had been blackened and made unrecognizable by the smoke. It was like an eternity before I was rescued and taken to hospital. My legs were so badly torn that one was amputated the same day. I cannot walk or rest any weight on the remaining leg even after several surgeries at different hospitals in Azare, Kano, and Maiduguri. I can deal with all that, what really bothers me is that my lack of mobility has made it impossible for me to return to school. My father has to carry me in his arms around the house and to hospital. Our request for assistance to get a wheelchair has not been successful so I am idling away at home. That is more painful to me than my injuries.<sup>[117]</sup>

School officials told Human Rights Watch that based on a list obtained from families of students and the recognizable body parts, the school determined that 26 students died in the attack. More than 81 students suffered minor to grievous injuries.

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Kano city, the capital of Kano state, one of the largest metropolis in northern Nigeria, is located 365 miles northwest of Maiduguri, the epicenter of the Boko Haram insurgency. It is also a major religious and commercial nerve center of the north, and home to the worst Boko Haram suicide attacks outside the northeast.<sup>[118]</sup>

The attacks on schools in Kano focused on tertiary institutions. Seven prospective students of Kano School of Hygiene Technology were killed and 20 injured in a suicide bomb attack on June 23, 2014, as they gathered around the school's notice board to check their admission examinations results.<sup>[119]</sup> In what appeared to be a change of tactic, a week later, on July 30, the group used a female suicide bomber at Kano State Polytechnic killing two students, and injuring seven others.<sup>[120]</sup>

A September 17, 2014 attack on Federal College of Education was even more gruesome.<sup>[121]</sup> School staff told Human Rights Watch that at least 27 students were killed as gunmen shot and detonated bombs amid students and lecturers on the campus.<sup>[122]</sup> A 22-year-old student said:

I was in the lecture hall for Hausa class with about 500 other students when I heard gunshot sounds and started to run out. Suddenly there were two gunmen shooting at us from one of the exits. One of them ran to also block the other exit. They would shout, “Allahu Akbar” [God is great] as they killed each person. After killing students near the doors, they went row by row to shoot those laying on the floor. I was hiding among the dead and injured. But they were attracted to me when a nearby pregnant woman cried out in pain. I jerked in horror when her brain matter splashed on me as they shot her in the head. That’s when they shot me twice: once on the side, and then on the back. Then one threw a grenade up towards the roof of the hall. I passed out as the roof came crashing on us. I don’t know how I survived. I returned to school four months later. I am still in pain from my surgeries. The treatment cost my family so much but we decided I must not give up on my education. Boko Haram must not win.<sup>[123]</sup>

## Use of Schools for Military Purposes

Boko Haram has in many cases used schools for various purposes in areas where it has seized control, such as to harbor stolen goods, and for military aims, including to detain captives and to store and manufacture weapons.

On November 2, 2015, the BBC reported having received photographs from suspected Boko Haram members showing insurgents allegedly manufacturing rockets at an unknown location.<sup>[124]</sup> An inscription on one of the machines shows the abbreviation of “GTTCB,” which was interpreted in the report to mean Government Technical College Bama.

A teacher at the Umar Ibn Ibrahim El Kanemi College of Education, Science and Technology, Bama said:

After Boko Haram took over Bama in September 2014 they went to the school and stayed. They went to the library and removed all of the books there. And they used the library books to make fires [for cooking]. They had their camp there. Boko Haram used school as a base for their operations. They kept all their guns there.<sup>[125]</sup>

A woman from Hausari Gadamayo area of Gwoza whose two children attended government-owned Sabongari Primary School explained why they stopped going to school in May 2014:

About one month before we fled, Boko Haram came at night in their hundreds, maybe thousands, with military armored personnel carriers. They attacked the government military base in Gwoza and brought all the guns and everything into the school. Once we realized they were camped in the school, no one dared go near it again. About three weeks later, they burned down the whole school and began to move into choice houses in town with their wives and children. That's when we all began to escape quietly at night. They pursued us, shooting for miles as we fled.<sup>[126]</sup>

Several of the women and girls rescued by government forces from Boko Haram camps in Sambisa forest in April 2015, told Human Rights Watch the insurgents had detained them in schools around Gwoza for many months.<sup>[127]</sup> A 15-year-old girl who had been abducted in December 2014 by insurgents with her younger siblings from Baza in Michika, Adamawa state, described her ordeal:

We were locked with up to 60 other women and children in the classroom of a school in Ville, just outside Gwoza. They never let us out of that room. When a pregnant woman in our midst fell into labor we pleaded for hours before they gave us hot water, which the older women used to assist the delivery. But three weeks later, they hurriedly chased us out with canes as military jets flew overhead. Bombs just started dropping from the sky, and the school buildings caught fire. Many of us, including my three year-old sister, were badly injured. She died within a few hours. Then Boko Haram abandoned us under a tree for a while, but returned to force us to trek for days to another camp in Sambisa where soldiers found us three months later.<sup>[128]</sup>

Insurgents have also used schools to store stolen materials and as sites to harbor and kill captives. One witness described how Boko Haram destroyed the two primary schools and a junior secondary school in Abadam, northern Borno, near the Niger border. The insurgents then used the senior secondary school to store looted property and as a base station for two months before Chadian soldiers chased them away.<sup>[129]</sup>

A teacher from Government Day Secondary School, Ashigashiya, told Human Rights Watch that her own school became a “Boko Haram slaughtering ground.” “Anyone they caught, they will bring to the school and kill them,” he said.<sup>[130]</sup>

According to media reports in December 2014, Boko Haram insurgents rounded up and killed at least 50 elderly people in Government Day Secondary School and Uvage Central Primary School in Gwoza.<sup>[131]</sup> In the same month, Boko Haram released a video in which rows of men lying face down in what appeared to be an undisclosed dormitory were shot and killed. An insurgent interviewed in the video claimed the location was Bama, a Borno town.<sup>[132]</sup> Teachers displaced from Bama identified the school in the footage as the Umar Ibn Ibrahim El Kanemi College of Education, Science and Technology, Bama.<sup>[133]</sup>

Victims of Boko Haram abduction told Human Rights Watch that they were held captive in classrooms, hostel, and teachers' quarters. In Yobe state, a teacher at the College of Agriculture, Gujba said that insurgents used the school to detain abducted victims for three to four months after students were evacuated following the 2013 brutal attack. Scores of insurgents reportedly lived at Government Science Boarding School, Goniri, after the school relocated to Damaturu in 2013. A school administrator said:

I went back to pick some of my personal property in Goniri a few months after we moved but I could not get near the school. The insurgents were there in large numbers. People in the town told me Boko Haram took over the school and used it as a base to fight the soldiers once we left.<sup>[134]</sup>

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### III. Boko Haram Attacks on Teachers

School teachers who are teaching Western education? We will kill them! We will kill them!

—Boko Haram leader Abubakar Shekau, in a July 2013 video<sup>[135]</sup>

**H**uman Rights Watch documented targeted attacks on teachers directly related to their occupation. According to figures released by the Nigerian Union of Teachers in October 2015, a staggering total of 611 teachers have been killed in Boko Haram attacks since 2009, including 308 teachers in Borno, 75 in Adamawa, 18 in Yobe, 25 in Kaduna, 120 in Plateau, 63 in Kano and two in Gombe states.<sup>[136]</sup>

## Intimidation and Harassment of Teachers

Teachers and school staff told Human Rights Watch that insurgents quietly began intimidating and harassing them in many parts of Borno and Yobe states from late 2012. Public school teachers were the initial targets of threats for being government workers and teachers in Western-style schools. Many received personal visits from insurgents to warn them to stop teaching. A teacher-turned-businessman explained:

[Boko Haram] is not going after students, they're going for the teachers. They know that if the teacher goes to school the students will come. But if there are no teachers then nobody will go to school. One of them came to my shop. He said, 'I know you are working with the local education authority.' He told me to choose teaching or business. I said I will choose business. Because I knew if I chose teaching he would kill me. When he was heading out, he lifted up his shirt and showed me that he was carrying an AK47. He said, "Any time you choose government work then this gun will be for you." Many of them were teachers before, so they know us because they're teachers like us.<sup>[137]</sup>

Another teacher, from Jaudari Primary School, Bama Borno state said:

Boko Haram came to the school to warn us. It was 8:30 in the morning. They gathered us all together. They were holding guns, nine men. They were wearing military uniforms, and they came on bikes, two per motorbike. They covered their heads and their eyes were exposed. They used red, black, or white scarves. The children became scared and ran out of the school. When they said if we would not stop teaching then they would kill us, we all agreed that we would stop and left the school. After that we stopped teaching completely. We never went back.<sup>[138]</sup>

Insurgents appeared to understand the importance of certificates as evidence of qualification for workers, including teachers. Long before killing teachers, the destruction of teaching certificates was employed as a tactic to stop teaching. A 40-year-old teacher from Gwoza, Borno described his experience:

At first we thought the attacks were mere robberies. When they came to my house, it was around 2 a.m. in November 2012. Two boys broke into my house. They had a gun and said, "You are teacher. Bring out your certificate now since you do not want to listen to the warning to stop teaching." They made me tear my NCE [national certificate of education] and WAEC [West Africa Examination Council] papers. They stole our phones, money, and my wife's jewelry.<sup>[139]</sup>

There were instances where merely having anything that looked Western was considered sacrilegious and punishable with death. Insurgents rounded up about 50 men as they attempted to escape from Bama after they seized the town on September 1, 2014.<sup>[140]</sup> They searched the men and anyone found with documents written in English was killed. A 48-year-old teacher from the town narrated his experience:

I panicked when I saw them kill others with English papers because all my teaching certificates were on me. Somehow I put them in my trousers. At the back. The man standing in front of me had an invoice for something he bought. They asked him to lay down and shot him in the head. They did not find my papers but took all the money I had on me. My legs were shaking when they left.<sup>[141]</sup>

## Targeted Killing of Teachers

Boko Haram is particularly active in northern parts of Borno close to the shores of Lake Chad where the insurgents set up camp as early as mid-2011.<sup>[142]</sup> They scared away the local fishermen and farmers but would patronize markets in Abadam, Ngazai, Monguno, Kukawa, Dikwa, Marte and Baga.<sup>[143]</sup> By 2012, they began to set up roadblocks on the roads to those communities especially on market days to rob traders of money and food items. Travelers identified as government workers or teachers were immediately executed.<sup>[144]</sup>

Insurgents sometimes went into mosques to preach against teachers, urging parents to withdraw their children from school.<sup>[145]</sup> After prayers they searched the towns for teachers who they either killed or abducted. Mallam Dauwa Bukar, a teacher at Abadam Central Primary School, was lucky. He was abducted in November 2013 but released when he promised to stop teaching.<sup>[146]</sup>

On September 6, 2013, when Boko Haram attacked Ngazai, the first structures they destroyed with fuel and bombs were the house of the principal of Government Secondary School Gajerai and the school science laboratory.<sup>[147]</sup> The school principal, Goni Modu, was abducted but escaped as the group moved around the town in search of other teachers.<sup>[148]</sup> They captured six students who they used as guides to point out homes of teachers and local education administrators.<sup>[149]</sup> Any teacher unfortunate enough to be at home was killed and his certificates destroyed.<sup>[150]</sup> When done, they took away one of the guides and killed the other five.<sup>[151]</sup>

On March 12, 2013, two armed men walked into Dan Maliki Primary School, in Kumbotso area of Kano, northwest Nigeria. Witnesses described them as adult men, dressed in long caftans called “shaddah” and one of them wore a face mask. A 36-year-old teacher said:

I came out of the headmaster’s office after signing the attendance register at about 8:30 a.m. As I stood outside my classroom talking to some young primary 1 pupils, I heard someone come up behind me and say, ‘Malam [scholar].’ I turned around to

face the nozzle of a gun, and heard an order in Hausa to lie down on the ground. I hurriedly told the pupils to go into the class, while I obeyed their order. Four more teachers, and later the headmaster joined me on the ground before they began to rain bullets on us. I felt no pain but saw so much blood I was sure I had died. We remained in that position for what seemed a long while. I never knew when the insurgents left. The noise of students who ran crying in panic into the community brought us help. We were all taken to hospitals and soon recovered, except for the headmaster who sustained spinal cord injuries.<sup>[152]</sup>

Boko Haram insurgents have shown particular distaste for certain subjects like geography and science. Analysts and researchers explained that insurgents were taught to believe that aspects of science, such as the theories of evolution, and the principles of evaporation in geography contradicted Quranic text.<sup>[153]</sup> Teachers of these subjects were targeted. When insurgents attacked Mafoni Government Day Secondary School Maiduguri on September 25, 2012, they set their sights on the geography teacher:

We did not know that the insurgents had apparently been lurking around the school. I was standing at the gate with the geography teacher Malam Anjili Mala, to apprehend students arriving late. At about 7:15 a.m. I turned around to go to assembly when the shots rang out. I dove for protection but the gunmen had simply rained six bullets into the teacher and calmly walked away. No one else was touched.<sup>[154]</sup>

Teachers responsible for discipline or examination of students also appear to have been especially targeted by Boko Haram insurgents. When insurgents returned to the Mafoni School on March 18, 2013, their target appeared to be the school's examinations officer. They headed straight for his office, but he had stepped out before they arrived and escaped death.<sup>[155]</sup> However, a female teacher Malama Ya'ara and two female visitors waiting in his room were killed. On the same day at Yerwa Central Primary School Maiduguri, the assistant head teacher was the target. He also doubled as the school disciplinarian and may have earned the ire of former students-turned insurgents. A witness described what happened:

It was around 10 or 11 a.m. There were seven of them with guns. At the back gate. One teacher saw them and tried to quickly close the gate. He was the first they killed. They went directly to the disciplinarian's office. On the way, they noticed a female teacher trying to run and shot her on the buttocks. Two of them set the disciplinarian's car on fire. Another two shot him and the Arabic teacher who was with him. The whole school was in chaos: Teachers trying to hide among screaming children.... I was hiding in a corner. They did not see me. Soldiers arrived as this was happening. They shot one of the insurgents. Then we recognized him as our former student.<sup>[156]</sup>

The gunmen that attacked the Federal College of Education Kano appeared to have targeted the social science department specifically. Located on an upper floor, the men believed to be Boko Haram insurgents walked past other departments stopping only to shoot through the door and kill Mr. Adamu, the Christian studies, lecturer before heading up to social sciences.<sup>[157]</sup> They shot a female geography lecturer in the legs after warning her to stop teaching the subject or she would be killed.<sup>[158]</sup>

Teaching subjects such as Christian religious knowledge or English has also earned the wrath of insurgents. Witnesses of the September 17, 2014, Boko Haram attack on the Federal College of Education, Kano, told Human Rights Watch that the insurgents shot and killed Dr. Adamu, because one of them read the sign on his door indicating he was head of Christian Religious Studies department.<sup>[159]</sup> In Bama, a female English teacher at Kasigular Primary Cchool, said she stopped teaching the subject even before the school was closed in September 2013:

The insurgents would always come to the school. They said they don't want female teachers and students attending school. One day they told me, "Stop teaching 'turenchi' [English] only Arabic is allowed." They also said I should wear long veils called 'Kihimar.' I was still going to school but was too afraid to teach. They killed two male teachers when they came back later. By then we all just stopped going to school. <sup>[160]</sup>

Some Arabic teachers and clerics whose teachings or sermons contradicted Boko Haram ideology were also targeted for killing. Malam Shetu, an Islamic preacher and Islamic Studies teacher at Baga Central Primary School, Borno was accused of preaching against Boko Haram during his classes and sermons. In 2011, a letter was delivered to him via a colleague from the insurgents warning him to desist or be killed. He was shot dead three days later at home.<sup>[161]</sup>

## Attacks on Female Teachers

In addition to the targeted killings and harassment suffered by male and female teachers alike, insurgents have abducted female teachers for forced conversion, rape, and forced marriage and also harassed them to dress in prescribed manner. When Boko Haram fighters attacked Ngoshe, a town in Gwoza local government, in February 2014, a number of schools were still operating because of the presence of soldiers in the town. A 32-year-old teacher who was with her primary school children was unable to flee with others:

It was around nine in the morning. People started running. But I could not. My pregnancy was in the last month. Then the insurgents started bringing people into the school. Men to one side.... They shot them. I could not look. Then they said, 'Any woman that is not ready to convert, we will take them away.' I was among 30 who refused. They took us away. They used military trucks. There were up to 17 children with us. We got to Limankara, close to the Mobile Police Training Academy. Three

days later they took us to Junior Secondary School, Ville near Tashan Damboa. They locked us up. Inside the teachers' quarters. We were fasting and praying every day. When I went into labor, the older women helped me bring out the baby. Then after we had been there for like two months one woman said, 'Let us run away.' I agreed. That night 25 of us escaped with seven children. The Boko Haram were saying prayers so they did not see us.<sup>[162]</sup>

A 29-year-old female teacher from Chikide, Borno state, described how she was captured in November 2014, when Boko Haram fighters stormed her school:

They set the classrooms on fire as everybody ran in different directions. Unfortunately, 11 children from the youngest class could not run fast enough, so they and three of their teachers—John, Sarah, and Mary—were burned to death in a classroom. Two insurgents caught me as I ran to the hills. They blindfolded me. They took me and many other women and children to a camp in a heavily wooded area. They told me the reason they did not kill me since I was a teacher is that one of them was ready to marry. So he wants to marry me. But I have to become a Muslim. When I refused to convert, they beat me with tree branches, tied my hands and feet and gave me no food for two days. I thought I would die.... Two months later when I was sent to fetch water at a nearby stream, I ran away.<sup>[163]</sup>

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## **IV. Abuses by Government Forces**

In operations to counter Boko Haram, government security forces have also been implicated in abuses against civilians, including teachers in formal and religious schools, and against suspected and real Boko Haram members. There is also evidence that, contrary to Nigeria's international commitment to end the use of schools for military purposes, government forces continue to use schools as military bases.

Many young men also formed vigilante groups to protect themselves and their communities from Boko Haram attacks and forced recruitment. These groups also protected members from indiscriminate arrests by cooperating with the military to hunt and arrest Boko Haram suspects. Such vigilante groups have also been implicated in forceful recruitment of school-age children, as well as the use of torture and extrajudicial killings of Boko Haram suspects.<sup>[164]</sup>

## Harassment and Arrest of Quranic School Owners and Students

In several videos released to journalists, Boko Haram has justified its attacks on schools as retaliation for the intimidation, harassment, arrest, and detention of the operators and students of Quranic schools or *Tsangayas* in Borno and Yobe states.<sup>[165]</sup> In a number of cases, security forces may have acted on the assumption that *Tsangayas* are locations where juveniles and religious extremists are incited to violence.<sup>[166]</sup> In a YouTube video posted in August 2013, Boko Haram leader Shekau claimed that the group's attacks on western schools was in retaliation for the destruction of Quranic schools by government security forces (see below for further information).<sup>[167]</sup>

In a 2012 report, Human Rights Watch documented widespread raids and arrests by government security forces on young men and boys in Quranic schools, mosques, and communities where Boko Haram was active.<sup>[168]</sup> Thousands were hauled off to military detention, forcibly disappeared, tortured, or extrajudicially killed. In July and September 2015, the military released 310 men and boys who had been detained in Maiduguri's Giwa military barracks for more than two years without charge.<sup>[169]</sup>

The head of a Damaturu-based *Tsangaya* (Quranic School) in Damaturu, Yobe state, told Human Rights Watch that beginning from August 2013, he faced unrelenting harassment from security forces, although he was never charged with any crime:

About 50 soldiers came to the school in two big military trucks. They searched everywhere then arrested me. At Guantanamo [Sector Alpha - a military detention facility in Damaturu] their commander let me go one day after questioning me about my students. But another team came the next day, searched the place again, then left. I was worried. Two days later four more soldiers came and asked for my students' names. I gave them the list. Then one week later, police came saying the children were noisy, which was a lie. For one year different soldiers would come and ask questions. Then in December 2014, soldiers came and told me I must pack up and move away because they wanted to put a checkpoint there but they didn't trust my students. Before I could find where to go, they returned two days later and

forced my students to demolish the school. Some of my students left the school. They were afraid of the soldiers. I now operate from two rooms donated by a neighbor.<sup>[170]</sup>

Another operator of a Quranic school described how his problems started in March 2013:

The first time it was Mopol [Mobile Police]. They came in trucks, shouted that we should come out. They said people like us are Boko Harams. I said, “It is not true. Go and ask the neighbors. We don’t make any trouble.” So they left. Two weeks later, they came to threaten us again. That’s what they were doing anytime Boko Haram attacked the town. When it was too much I relocated my students to Bauchi [state] in November 2014. When I returned one week later to pack some of our clothes, I saw soldiers destroying the school. They did not allow me to take anything.<sup>[171]</sup>

## Killing of Teachers

Human Rights Watch documented the extrajudicial killing of three teachers and two non-teaching staff whom government forces suspected to be Boko Haram members. At least six witnesses from Ngoshe described the arrest and killing of Mohammed Usman, the vice principal of Government Girls Secondary School Ngoshe, in June 2014. His colleague said:

A soldier told me he [Usman] was suspected of being a Boko Haram sponsor because he told students that insurgents would come to attack the school. So the community was not happy with him and reported him to the military. The soldiers arrested him at night in his house. They took him to a river between Ngoshe and Amuda. My soldier friend told me they (soldiers) shot and killed him.<sup>[172]</sup>

In Potiskum, friends and family of Ali Audu—a teacher at Central Primary School—were worried because by December 2012 he had been missing for months.<sup>[173]</sup> Three weeks later, another missing teacher resurfaced in January 2013 to describe his arrest, detention, and torture at the dreaded Sector Alpha (Guantanamo) military detention facility in Damaturu.<sup>[174]</sup> He had seen Ali Audu in the cells, revealing how he saw Audu and several others die from the brutal torture at the hands of soldiers.<sup>[175]</sup>

Witnesses also described how security forces killed Lawan Adamu, a teacher at Garbawa Primary School Potiskum, and Zakaria Ali Gwarzo, a non-teaching staff member at Potiskum local education authority, in the full glare of neighbors at their homes during military raids in September 2013.<sup>[176]</sup> Teachers in Potiskum

lamented the military's failure to carry out investigations before executing their colleagues.<sup>[177]</sup> According to them, none of the deceased individuals were members of Boko Haram.<sup>[178]</sup>

In Damaturu, security forces allegedly lured a 65-year-old school security guard of Government Girls Secondary School, Buni Gari, known as 'Baba' to Government Secondary School, Damaturu, where the school had been relocated in February 2014.<sup>[179]</sup> A school staff told Human Rights Watch that the man was suspected of holding a second job, as a Boko Haram informant.<sup>[180]</sup> In June 2014 when he showed up at Damaturu to collect his salary, witnesses said school staff intervened to stop soldiers killing him in the school yard.<sup>[181]</sup> One of the witnesses at the school said he was informed by local vigilantes that 'Baba' was taken to a dump site on the outskirts of Damaturu and shot and killed by soldiers in the presence of the vigilantes.<sup>[182]</sup>

## Use of Schools for Military Purposes

Human Rights Watch research shows that Nigeria's security forces were temporarily stationed in some schools in Borno in 2013 and 2014, before the government closed all schools in the state. As of late 2015, forces continued to use schools in parts of the state where military operations against Boko Haram was ongoing.<sup>[183]</sup> In at least three of those cases, Boko Haram apparently attacked the schools due to the presence of the military.

Witnesses told Human Rights Watch that in rural areas of Borno state there were few permanent structures where large numbers of soldiers could lodge besides schools.<sup>[184]</sup> In many cases, soldiers moved in after the schools had closed due to incessant Boko Haram attacks. However, at the Teachers Training College in Gwoza, a witness said:

[Military soldiers] were the ones who closed the school because it was at the entrance to the town. Boko Haram always attack it first when they come to Gwoza. So soldiers closed it. They stayed there for nearly one year until Boko Haram drove everybody from Gwoza.<sup>[185]</sup>

Some witnesses justified the presence of security forces in the school to dispel students' fears of Boko Haram attacks. An administrator at Government Day School, Ngoshe, said:

The soldiers were inside the school to protect people from Boko Haram. They were using it as a base. When the soldiers were there I was able to register students for WAEC and NECO [West African regional and national exams]. They wrote the exam at the school in May, June, while the soldiers were there. Although the soldiers encouraged us to do classes, but some of the students were fearful. Because Boko Haram was around.<sup>[186]</sup>

This objective might in some cases have been defeated by conduct of the soldiers. In Kaigamari Junior Day Secondary School Bama, a teacher complained:

Soldiers were based in our school. They moved in February 2014. There were 25 militaries [soldiers] in our school to protect the school children. Sometimes they would bring their friends, or their ladies would come too. When the soldiers heard an attack outside of the town, they would shoot their guns, and then the children would get scared and run around shouting. One of their commanders had to come and tell them to stop doing that.<sup>[187]</sup>

A witness from Chinene, near Gwoza, where soldiers occupied a public primary school for six months from November 2013 to May 2014 described the soldiers conduct:

They used to go to the village to drink [alcohol] and carry women. They take them back to the school to sleep there. Those boys [Boko Haram] were watching them. This is what they [Boko Haram] don't like. I was not surprised when Boko Haram attacked the school.<sup>[188]</sup>

Locals who had welcomed, and in one case invited, soldiers to lodge in their schools as a preventive measure against impending Boko Haram attacks, found the contrary to be the case—the schools were attacked specifically because of the presence of soldiers.

Witnesses said that Boko Haram attacked Comprehensive Primary School, Pulka, and Government Day School, Ngoshe, in Gwoza, to get at soldiers stationed who had been stationed there for about three months, and to steal their arms.<sup>[189]</sup>

In Ngoshe, witnesses said the insurgents killed one soldier, and burned classrooms and hostels as the others fled to the nearby hills during an attack on April 24, 2014.<sup>[190]</sup>

Human Rights Watch also documented the use of Best Center, a vocational school, and Government Secondary School by soldiers in Goniri, Yobe state from March 2015 until time of writing.<sup>[191]</sup> The village and surrounding areas had been under Boko Haram control since late 2013.<sup>[192]</sup> An April 2015 YouTube video showed Nigeria government forces operating out of a school in Konduga, Borno state. No students appear to be in the school. The footage shot while a Vice News journalist was embedded with the Nigerian army showed forces engaged in a firefight with Boko Haram combatants stationed in another school.<sup>[193]</sup>

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## V. Impact on Education

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) estimates that 1 million children affected by the Boko Haram insurgency are in urgent need of education.<sup>[194]</sup> The devastating effect for the future of these children out of school and their lost years of education will be a huge challenge for the government to rectify.

### Fear-Induced Withdrawal from Schools

Many schools in the northern border areas of Borno state closed involuntarily between 2012 and 2013 because of Boko Haram attacks or the pervasive fear of violence. A teacher at Mobbar Central Primary School, in Damasak local government, painted a dismal picture of the situation in the northern part of the state:

Even before we were attacked parents stopped sending children to us [school]. Fear that those things that had been happening in other areas had come to our town. Sometimes we would go to school and do nothing because no children were coming to school. The school was not closed but no students were coming. Some parents had sent their children to Niger to be refugees there.<sup>[195]</sup>

As the fighting and attacks intensified, enrollment and attendance levels dropped dramatically across the state.

At first, private schools benefited from the insurgent's concentration on government owned schools. At the Redeemer's Heritage School Banyan Dutse, a private church-run primary school, enrollment increased from 50 to 80 in 2013 as parents transferred their children from public schools where teachers were being threatened.

By mid-2013 the situation changed as Boko Haram began seizing control of towns and villages in Gwoza.<sup>[196]</sup> Long before the sweeping takeover of Gwoza in June 2014, school attendance had become sporadic in much of the area. A primary school teacher in Chikide, near Gwoza said:

Before they attacked our village we had 300 students in the school. After the attack only about 140 students came back. Teachers were coming because the rule was that

you will not get salary if you don't come to school. They were writing down the names of those that did not come.<sup>[197]</sup>

## School Closure and Relocation

No schools have operated in 20 out of 27 local government authorities that make up Borno state since March 2014.<sup>[198]</sup> Most people displaced from the 20 local government areas relocated to Maiduguri, apparently the most secure location in the state.

A resolution passed by the Federal House of Representatives on June 2015 noted that Boko Haram insurgents have destroyed 95 percent of schools in Borno state outside Maiduguri.<sup>[199]</sup> Most public schools in Maiduguri only reopened in February 2016 having been closed since March 2014. Displaced people housed at the schools were moved so that those schools could reopen.<sup>[200]</sup> The UN pledged in November 2015 to assist the government to build temporary homes to accommodate the displaced so schools could open again and education resume.<sup>[201]</sup>

According to Yobe state education authorities, up to 60 percent of schools in Damaturu, the state capital, were destroyed by Boko Haram, some of which have been rebuilt by the state government.<sup>[202]</sup> Since 2013 when attacks on schools peaked, all schools have been closed in Gujba and Gulani local government areas of the state.<sup>[203]</sup> Public secondary schools in the area were relocated to Damaturu after the 2013 attacks on Federal Government College Buni Yadi and the State College of Agriculture. At time of writing, Government Secondary School, Damaturu, hosted five of the relocated schools: Government Junior Secondary School Goniri; Government Day School Buni Yadi; Government Junior Secondary School Bularafa; Government Junior Secondary School Gulani; and Yobe State College of Agriculture Gujba.<sup>[204]</sup>

Although schools never closed in Yobe state for more than two weeks after each attack, except in Gujba and Gulani, student numbers fell drastically even in Damaturu. According to teachers at a private nursery and primary school in Damaturu, the attacks caused numbers of both students and teachers to immediately plummet, although they were beginning to rise once again in late 2015—with 450 out of the original 600 students, and 28 out of 50 teaching staff, back in the classroom.<sup>[205]</sup>

School staff at a government secondary school in Damaturu told Human Rights Watch that the student population dropped from 2,000 students to barely 100 by 2013, but back up to over 700 by late 2015.<sup>[206]</sup> A primary school in Potiskum went down from 10,000 students to 3,000 at the peak of crisis. A teacher in the school elaborated:

The setback has been incredible for many students. For instance, a boy admitted in 2011 to JSS 1 [year nine] but never took it up returned today asking to be admitted to year 12. It is not possible. He has already lost those years. He cannot jump ahead. He must start from the right class. Even for teachers it is hard. We have no textbooks as

all were burned. Teachers are encouraged to buy and apply for refund.<sup>[207]</sup>

Schools relocated from conflict areas of the state to Damaturu where most schools are fortunately operating, but severe shortages are hampering the quality of teaching. An administrator in one such schools lamented:

We moved to Damaturu with nothing. We are displaced people but receiving none of the help given to IDPs. Three blocks of three classrooms is what we use here for 600 students. You just think of the 48 classrooms in our own school. We heard Boko Haram moved into the school after they burned the science laboratory. Even if the war ends I doubt there will be anything left there. We don't know where to go from here.<sup>[208]</sup>

As the security situation improves in Damaturu and Potiskum, Yobe, many schools are experiencing increases in applications for enrollment of students, a testament to the desperation of parents to ensure that their children receive education. However, many schools do not have the capacity to cope with the present population, much less take on more.

In a public primary school in Potiskum, for example, the number of students had jumped from 1,461 in 2013 to 3,004 at time of writing. The only structure in the school is a fence erected after an attack on the school, so students learn under trees.<sup>[209]</sup>

Despite Boko Haram's desperate fight to keep children out of school, interviewees told Human Rights Watch they still wanted a formal education. A 20-year-old mother of four considers it as a vital tool in combating Boko Haram and assuring a future for her children:

I have only ever attended Quranic school. I got married when I was 12. My husband has never gone to school either. My children did not go to school before now. It just was not common in Bama. But now we know education is good. People are suffering because they don't know anything. Whatever Boko Haram tells young boys, they believe. My children must not suffer like me. With education they can become anything.<sup>[210]</sup>

## VI. Government Response

The responsibility for education in Nigeria is shared by the three tiers of government: federal, state and local government.<sup>[211]</sup> Basic primary education is managed by local education authorities supported by the federal government's Universal Basic Education Program.<sup>[212]</sup> The program also provides support for junior secondary education in partnership with state governments.<sup>[213]</sup> Federal and state authorities have concurrent responsibilities to provide senior secondary and tertiary education.<sup>[214]</sup> The duty to protect school perimeters thus rests on security forces who should work in collaboration with communities as well as all actors in education, including private school operators.

### School Security

Human Rights Watch investigations suggest that some of the attacks on schools might have been prevented by better physical protections and an enhanced security response to early warning signs and threats.

Even as the spate of attacks on schools increased in the northeast, especially in remote rural places, many schools and dormitories had no perimeter fence or secure gates. In many cases, the insurgents had warned the schools and sometimes local authorities of their intention to attack, but it appears the threats were either ignored or not taken seriously enough.<sup>[215]</sup>

For example, on March 15, 2014, teachers and students of Gava Primary School, near Gwoza, found a handwritten notice from Boko Haram threatening to kill any teacher or child who dared show up in the school.<sup>[216]</sup> Village elders sent a team of people to ask help from security forces based in Gwoza, yet the soldiers declined to visit the village because they had not received orders to leave Gwoza.<sup>[217]</sup> When security forces did not arrive, all the villagers fled and Boko Haram gradually took control of the entire village.<sup>[218]</sup>

Boko Haram insurgents wrote letters in Hausa twice to the Government Science and Technical College, Potiskum, in 2014 threatening to kill at least 50 students if the school was not closed.<sup>[219]</sup> Security forces were posted to the school for short periods afterwards, but left after complaining that the lack of a perimeter fence made the boarding school porous and difficult for them to effectively secure.<sup>[220]</sup> There was no security in the school or in the nearby village when the insurgents made good on their threat and attacked. At least 26 students were killed and 81 others injured on November 10, 2014.<sup>[221]</sup>

When Yobe state governor eventually ordered that security be posted and a fence constructed around Government Secondary School, Mamudo, it was too late. All the students and staff had fled after insurgents carried out their threatened attack and killed 21 students on July 6, 2013.<sup>[222]</sup> During the attack, students had

been forced to lie on the dormitory floor before being shot in the head.<sup>[223]</sup>

Human Rights Watch documented lack of security as a factor in the ease with which Boko Haram carried out the abduction of 276 schoolgirls from Government Secondary School, Chibok, in April 2014. The girls were sleeping in dormitories that had no electricity or perimeter protection.<sup>[224]</sup> The gate to the dormitories was broken and the lone elderly civilian guard fled when the insurgents arrived, leaving the girls vulnerable and unprotected.<sup>[225]</sup>

Where security fences have been built, education is still a challenge. As noted above, in Nahuta Primary School, Potiskum, the government constructed a perimeter fence around the school but left the damaged classrooms and offices untouched. The students have been having lessons underneath trees or other available shades for over three years. A 12-year-old class six student of the school expressed his sadness about the situation:

I was in class three when Boko Haram burned all our classrooms in 2012.... We were all excited when the fence was built last year. We looked forward to going back into our classrooms. But the work stopped with the fence and nice gate house. We still have no classrooms. Most days we close early at 12 noon when the heat of the sun becomes unbearable. On rainy days our teachers also send us home. I feel I am not getting the right amount of education because classes depend on the weather.<sup>[226]</sup>

Borno and Yobe state governments supplied hand-held body scanners to public schools to detect the presence of metals. Some private schools also heeded government advice to do the same. School authorities told Human Rights Watch that the scanners were either faulty and not in use or the school had no personnel with appropriate skills for effective usage. When civilian guards are employed to man school gates or provide security they tend to be retired government workers who lack basic security skills.<sup>[227]</sup>

Students at the Federal College of Education, Kano, told Human Rights Watch that they have taken charge of their security in the school as those employed by the government appeared inept. They cited instances where strangers posing as beggars arbitrarily show up during lectures to solicit for alms without being stopped by guards.<sup>[228]</sup> A few private schools that could afford to pay, employed civilian vigilante members or soldiers to provide security.<sup>[229]</sup>

A private school staff in Yobe said, “We have a few security gadgets but they spoil easily. We have replaced them many times. The problem is with getting genuine ones. They are costly and we don’t have money. Many students are not paying because their parents have no money. What can we do?”

Teachers too have suffered from lack of attention by the government to their security situation. Despite the unrelenting threats and harassments targeted at public school teachers in many parts of Borno state, teachers interviewed by Human Rights Watch said they were forced to continue attending schools in order to collect their salaries.<sup>[230]</sup> A teacher at Mobbar Central Primary School, Mobbar, said:

The school was not closed, but no students were coming. So teachers would just go and stay but always looking out to make sure nothing would happen to you...<sup>[231]</sup>

Some teachers in Borno state said that before the Boko Haram attacks that finally sacked their communities, the salaries of teachers who failed to report daily for work would be stopped by their state and local government employers.<sup>[232]</sup> A teacher in Chikide Primary School described the desperate situation:<sup>[233]</sup>

By November 2013, only about 50 percent of the students were coming to school. But we teachers must come every day because the rule was that you would not be paid if you don't come to school. The village was not safe. Many people ran away because Boko Haram was killing prominent people and government workers especially teachers. I sent my wife and children to Maiduguri. It was a sad and scary time but I could not leave because of my job. When the insurgents took over the village and burned the school that is when I escaped too.

## Education for IDP Children

According to the UN, of the 2.5 million people who have fled their homes in northern Nigeria due to the Boko Haram insurgency, 2.2 million are internally displaced.

### Effectiveness of IDP Learning Spaces

Human Rights Watch carried out research in five IDP camps and one host community in Maiduguri, Borno state, and two in Damaturu, Yobe state. For about 10 percent of displaced children, who are living in camps, there is some access to primary and secondary education, though it is far from adequate. According to UNICEF, in 2015, 29,094 out of over 980,000 displaced school-age children were able to access education in the northeast.<sup>[234]</sup> Human Rights Watch documented the existence of educational classes in the five camps visited in Maiduguri, Borno state. In Yobe state, Human Rights Watch documented the accommodation of IDP teachers and students from Gujba and Gulani local government areas who also attend in two secondary schools in Damaturu: Government Secondary School and Government Girls Secondary School. Children in host communities have even less access to education.<sup>[235]</sup> While UNICEF provided 100 schools in a box kits to a few communities in Borno state, many of the children Human Rights Watch interviewed who are living with friends or family are not attending school.<sup>[236]</sup> The northeast director of the National Emergency Management Agency, Alhaji Mohammed Kanar, said all the 22 camps in Maiduguri organized classes for children of different age groups, starting from kindergarten.<sup>[237]</sup>

A 17-year-old girl from Bama, Borno state said:

I'm being taught in a classroom here [at the camp]. We appreciate what they are doing for us here, but I enjoyed classes more back in Bama. There we went to school with uniforms and bags. Here we get bags from UNICEF. I enjoy all my classes, but I prefer English and Math.<sup>[238]</sup>

For parents, the poor quality of teaching at the camp learning spaces evokes nostalgia for what they left behind in their violence-ravished communities. A father of nine lamented:

There is no school here. What we have is rubbish. The children go for some hours and come back. They are not learning anything. No books. Only writing paper. It is not worth keeping my children here [in Maiduguri]. When I have chance we will go back to our village.<sup>[239]</sup>

A 28-year-old mother of two said: “Teachers in the camp don’t come often. It makes the children lose interest. They have no textbooks, only writing and drawing books UNICEF gave them.”<sup>[240]</sup> Minutes of a November 2015 meeting of the Education in Emergencies Working Group noted the inconsistent attendance of teachers which it blamed on the travel distance from their homes to the camps.<sup>[241]</sup> Some teachers also said irregular payment of salaries by the government was a demotivating factor.<sup>[242]</sup>

To some others, the classes in the camp present the opportunity to enjoy a right that was never available to them back home. A woman from Gwarzo told Human Rights Watch:

When my children saw classes in here, they were happy.... I am satisfied with the lessons. Me too, I have joined the adult class. I like Math, English, and Hausa. I only finished primary school before I married.<sup>[243]</sup>

For a mother of seven whose husband was killed by the insurgents, the adult learning classes in the camp renewed her hope of earning a living to provide for her children. She said, “I never went to school, and I did not learn any trade. Now my husband is dead, I have been afraid but now I am in school here. I know how to count and write my name.”<sup>[244]</sup>

Displaced people in Maiduguri are camped according to their town of origin, and also according to gender—which camp managers explained is in keeping with the religious tenant of IDPs.<sup>[245]</sup>

The education programs in camps utilize public school teachers from the same areas as the children they teach.<sup>[246]</sup> While the state government has continued to pay its workers even when they have been displaced and unable to work, in some cases for up to two or more years, displaced private school teachers are left

without help.<sup>[247]</sup> Some public school teachers told Human Rights Watch that they were enthusiastic to work in the camp schools while others resented being made to work. A teacher from Damasak explained:

Our education secretary arranged us. Told us that these children running about all day doing nothing is not so great. So we must go and teach them. We are just managing. ...Some of the students are too small. Some are having 5 years to 6.5 years.....<sup>[248]</sup>

In a camp designated for women and children, a female teacher said:

I am teaching English and Math here [camp]. It is supposed to be for three days from 9 a.m. to 12 noon. But I made it five days because there is no other teacher in this camp. The local government and UNICEF teachers no longer come to this camp. There are almost 4,000 children here.<sup>[249]</sup>

A male teacher who opposes the initiative complained about infrequent payment of salaries: “Government pays my salary but very infrequently. It is not enough to provide for my family and the other people with us. I am not teaching at the camp. I have to go outside to look for work so that we can eat.”<sup>[250]</sup>

Teachers at private schools before their displacement feel the distinction more acutely, because they neither get paid nor enjoy the opportunity of teaching in the camp. A teacher from a Gwoza private school said:

When they [his children] were attending our school they were very brilliant, but now they have forgotten so much. When I ask them questions they cannot tell me answers, not like they used to do when we were back there [Gwoza]. Because of how they teach here and when they are used to going to school. At our school, the teachers were very committed. Here, I don't think they are.<sup>[251]</sup>

## **Interventions by Religious Groups**

Religious groups appear to play an important role in providing services to IDPs in Maiduguri, Borno state.<sup>[252]</sup> The Catholic Church, which had to close 19 of its schools in the northeast and lost about 30 percent of teaching staff due to migration from the northeast, has settled more than 7,000 of its members in private homes, preferring to keep them out of camps which are prone to attacks.<sup>[253]</sup> It is also involved in providing relief materials to IDP camps, including scholarships to Catholic and other schools through its Justice Development and Peace Committees, JDPC.<sup>[254]</sup>

The Ekklesiyar Yan'uwa a Nigeria, EYN, or Church of the Brethren which is the biggest denomination in southern Borno and northern Adamawa runs camps for people displaced from those areas.<sup>[255]</sup>

The Federation of Muslim Women is one the most active faith based, women's rights organizations in northern Nigeria.<sup>[256]</sup> The group provides support to IDPs in the northeast to improve education for Muslim girls, and to integrate literacy and vocational studies into Quranic education.

In Maiduguri, the Future Prowess Islamic Foundation funded through a grant from the Swiss Embassy provides free education for children orphaned by the conflict, including children of Boko Haram suspects killed by government forces and civilians killed by Boko Haram.<sup>[257]</sup> It liaises with the Ministry of Women Affairs to provide assistance to 350 orphans of all faiths in federal government colleges, and another 40 under the Safe Schools Initiative.<sup>[258]</sup> According to the director of the foundation, more than 1,000 orphans have been registered in Maiduguri IDP camps.<sup>[259]</sup>

## Safe Schools Initiative

The Safe Schools Initiative was launched by Gordon Brown, the former United Kingdom prime minister and UN special envoy for global education, in Nigeria on May 7, 2014, to help protect schools in the wake of the worldwide condemnation that followed the Chibok school abductions.<sup>[260]</sup> (Despite the similarity in names, the Safe Schools Initiative is not formally linked to the Safe Schools Declaration referred to earlier in this report).

At its launch, the initiative sought to reach more than 500 schools in the northern states of Nigeria.<sup>[261]</sup> It aimed to raise funds through a \$10 million pledge by a coalition of Nigerian business leaders, working with Gordon Brown, the Global Business Coalition for Education, and the campaign "A World at School."<sup>[262]</sup> The implementation of the three components: transfer of secondary students to safe areas and boarding schools in other states; piloting of a safe school model in 10 schools in each of the 3 states; and provision of quality education to conflict-affected children living in IDP camps and host communities.<sup>[263]</sup>

To date, the government says that only a fraction of the pledges from Nigerian business leaders have been received. Support from other donors has been more forthcoming. The United States Agency for International Development (USAID) donated \$2 million to support the initiative for two years.<sup>[264]</sup> The UK Department for International Development (DFID) contributed \$ 737,389 for the implementation of its component of piloting a safe schools model.<sup>[265]</sup> An additional \$ 12,852 was donated by an unnamed non-profit organization.<sup>[266]</sup>

The initiative operates as a part of the Presidential Initiative on the North East, which was launched by former President Goodluck Jonathan in November 2014 to address social and economic challenges caused by the conflict in northeast Nigeria.<sup>[267]</sup> It is coordinated by a technical committee made up of officials of the federal government and governments of Adamawa, Borno, and Adamawa states supported by international development organizations including UNICEF, DFID, USAID, the German Agency for International Cooperation (GIZ), the World Bank, and the African Development Bank.<sup>[268]</sup>

Some aspects of the three components have made little progress and others suffered setbacks in implementation. According to the government's National Emergency Management Agency (NEMA), to date only 800 students from Borno, Yobe, and Adamawa states have benefited from the transfer of students program.<sup>[269]</sup> As part of the Safe Schools Initiative, then minister of finance Dr. Ngozi Okonjo-Iweala laid the new foundation for the Borno state-owned Government Girls Secondary School, Chibok on March 6, 2015.<sup>[270]</sup> The plan to rebuild the school was rejected by the Chibok community because of the government's failure to rescue the missing 219 girls.<sup>[271]</sup>

According to UNICEF, 46,453 school-age children displaced in Adamawa, Borno, Gombe, and Yobe states have been enrolled into schools in other parts of the country.<sup>[272]</sup> This represents less than 10 percent of the over 800,000 displaced out-of-school children. The agency also reported the distribution of education materials, school bags and eight school tents to 22,436 IDP children.<sup>[273]</sup>

Human Rights Watch investigations found that awareness of the Safe Schools Initiative was low among government officials and IDPs in the northeast. A 15-year-old girl in a Maiduguri IDP camp told Human Rights Watch that she and seven other teenagers from Gwoza were granted tuition-free admission to a federal government college in northwest Nigeria. According to her, of the eight displaced students, she alone resided in an IDP camp. She however lamented that because of her negative experience during the one term she spent in the federal government college, she would rather not go back to the school:

The entrance exam and interview in Maiduguri were all in Hausa. But when we got to school [in the northwest] we were told to only speak in English yet we do not speak or understand it well. We cannot cope with our studies and cannot make friends with others so they can help us because we can't communicate. It is humiliating. I don't want to go back.<sup>[274]</sup>

Neither the student, her mother, nor the IDP camp officials could confirm that the scholarship awarded to her was part of the Safe Schools Initiative.

Some members of the Joint Humanitarian Action Plan's Protection Working Group, who are also members of the Education in Emergencies Working Group (details below), confirmed to Human Rights Watch that there are several challenges with the implementation of the initiative.<sup>[275]</sup> Key constraints include lack of competent teachers, inadequate teaching materials, difficulties in data collection due to fluid movement of IDP population, and limited funding for education services.<sup>[276]</sup> The group hopes that the second phase of the project planned for 2016 will address these challenges and improve the reach and quality of delivery of education services by all actors to children in the northeast states most affected by the conflict.

The federal government is supplementing the Safe Schools Initiative and other initiatives with practical projects, including mobile classrooms. On September 29, 2015, the federal government launched a "mobile containerized schools" in Borno state. At the launch, a 50-foot or 15.24-meters long mobile classroom was

supplied to the Dalori IDP camp in Maiduguri. A new Social Protection Plan established in January 2016 indicates that the government recognizes the urgent need to address challenges in education.<sup>[277]</sup>

The plan, with a budget of 60,000 billion Naira (US\$302 million), is supported by the World Bank.<sup>[278]</sup> It includes a scheme to improve the quality of teaching; a school feeding program; conditional cash transfers to encourage school enrollment; and immunizing children from extremely poor families.<sup>[279]</sup>

## **Education in Emergencies Working Group Nigeria**

UNICEF established a group, known as the Education in Emergencies Working Group in late 2015 as a coordination forum for operators of education programs in four northeast states - Adamawa, Borno, Gombe and Yobe. Partners include more than 70 government agencies and programs, national organizations, faith-based and community organizations, donors, UN agencies, as well as other international development and humanitarian agencies. The working group, is aligned with the Nigerian government's Presidential Initiative on the Northeast and the Safe Schools Initiative.<sup>[280]</sup>

## **Education Crisis Response Program**

The Education Crisis Response is a three-year USAID funded program scheduled to run from 2014 to 2017. The program aims to provide non-formal education opportunities for internally displaced out-of-school children in northeast Nigeria.<sup>[281]</sup> It is implemented by a consortium of international organizations and local organizations including the Civil Society Action Coalition on Education for All and the Federation of Muslim Women Association in Nigeria.<sup>[282]</sup> Initially focused on displaced children and their hosts in local communities in Adamawa, Bauchi and Gombe states, it expanded in 2015 to Yobe state, where it has enrolled 209 IDP children in four temporary learning centers in Damaturu, the state capital.<sup>[283]</sup>

## **Return of IDPs**

Up to 300, 000 refugees are in neighboring Cameroon, Chad, and Niger as a result of the Boko Haram insurgency. An estimated “92 per cent of those displaced are seeking refuge among host communities, where resources and basic services are being exhausted.”<sup>[284]</sup>

While military operations against Boko Haram from early 2015 has forced the group to yield control of some of the territory it seized in Adamawa, Borno, and Yobe states, it is appears that it is still unsafe for most people displaced by the insurgency to return to their homes.<sup>[285]</sup>

Voluntary returns are however taking place, as IDPs in part frustrated by the lack of basic amenities in temporary camps travel to the communities they fled hoping to regain control over their lives.<sup>[286]</sup> Ongoing military operations against Boko Haram has swelled the numbers of displaced people in camps.<sup>[287]</sup> With overstretched facilities, many IDP camps in Borno provide only limited access to clean water, sanitary

toilet facilities, rudimentary education, and basic food and health services, while living spaces are overcrowded.<sup>[288]</sup> By June 2015, more than 220, 000 IDPs out of just over 300, 000 in Adamawa state, had returned home.<sup>[289]</sup> By December an influx of more IDPs from northern Adamawa, Borno, and returning refugees from Cameroon increased the number to 136, 000.

Human Rights Watch documented the return of IDPs escorted by security forces to areas that remained unsafe due to ongoing military operations against Boko Haram.<sup>[290]</sup> On arrival in the towns and villages, many returnees faced recurring Boko Haram attacks as the only security in many places are local vigilantes.

Witnesses told Human Rights Watch that insurgents in August 2015 killed more than 80 returnees to Kukawa, northern Borno. In September 2015, the military announced the re-opening of a primary school for IDP children in Gwoza, a notorious Boko Haram hideout 80 miles southeast of Maiduguri.<sup>[291]</sup> Locals insist that as of September 2015, up to 60 percent of Gwoza, especially the hilly Mayan Dutse, remain under Boko Haram control despite military claims to the contrary.

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## VII. Nigeria's Legal Obligations

Nigeria's 1999 federal constitution provides safeguards for the rights of citizens to life,<sup>[292]</sup> dignity of human persons,<sup>[293]</sup> personal liberty,<sup>[294]</sup> and freedom of thought, conscience, and religion.<sup>[295]</sup> Boko Haram insurgents have repeatedly and mercilessly violated these rights. The government at all levels has the obligation to ensure that Boko Haram does not interfere with the enjoyment of these rights.

Nigeria's Child Rights Act of 2003 also provides extensive protection for children in conflict situations and right to free, compulsory and universal primary education.<sup>[296]</sup> It also prohibits abduction of children, child labor, sexual abuse and exploitation of children.<sup>[297]</sup> Due to the federal system of government, the act is

applicable only in federal capital territory, while the parliament in the other 36 states must pass the law for it to operate in those states. None of the three states under emergency rule have passed the Child Rights Law.

## **International Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict**

In May 2015, Nigeria was among the first states to endorse the Safe Schools Declaration, an international political commitment that lays out certain concrete measures that states can take in order to better protect students, teachers, and schools during times of armed conflict. States who join the Safe Schools Declaration endorse and commit to use the *Guidelines on Protecting Schools and Universities from Military Use During Armed Conflict*.<sup>[298]</sup>

The guidelines are the product of consultation among expert representatives from 14 countries across Africa, the Americas, Asia, Europe, and the Middle East, along with representatives of human rights and humanitarian organizations. The guidelines were produced for the use of all parties to armed conflict, both states and armed non-state groups. They were finalized through a process led by Norway and Argentina, and launched on December 16, 2014.

Though not legally binding, the guidelines draw upon existing obligations under international laws of armed conflict and international human rights law. They urge parties “not to use schools and universities for any purpose in support of the military effort.”

Contrary to the commitment Nigeria demonstrated by signing the Safe Schools Declaration, government security forces continue to use schools as military bases. Human Rights Watch documented in February 2016 the presence of soldiers and military hardware in at least two schools in the northeast: Government Girls Secondary School Soro, Bauchi state, and Maimalari Day Secondary School, Maiduguri.

## **Regional and International Human Rights Law**

Nigeria has ratified many regional and international treaties that mandate the protection of residents from abduction, violence, torture and other ill-treatment.<sup>[299]</sup> These instruments also obligate Nigeria to adopt effective measures for the prevention, investigation, prosecution, and punishment of serious human rights abuses. Under the agreements, Nigeria must ensure its citizens the right to life and education, and provide redress and reparations to victims of serious human rights abuses.<sup>[300]</sup>

## **Right to Education**

The right to education is systematically undermined by Boko Haram's attacks on students, teachers and schools as well as by the use of schools for military purposes. This right is enshrined in the African Charter on the Rights and Welfare of the Child, International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD).<sup>[301]</sup>

The right to education without discrimination is protected in the ICESCR and the CRC, which provide that primary education should be compulsory, available and free to all, and secondary education should be available and accessible, and progressively made free.<sup>[302]</sup>

## **International Criminal Court and Application of International Criminal Law to Boko Haram and Government Security Forces**

Nigeria is a party to the Rome Statute of the International Criminal Court (ICC), which it ratified in September 2001. In November 2015, the Prosecutor of the ICC identified eight possible cases of crimes against humanity and war crimes committed by Boko Haram and two by Nigerian security forces in the northeast insurgency.<sup>[303]</sup> The cases against Boko Haram includes attacks on students, teachers, and school buildings;<sup>[304]</sup> recruitment of school-age children for military operations,<sup>[305]</sup> and; abduction and other abuses of women and girls.<sup>[306]</sup> The ICC is treating the government forces' mass arrests, torture, and extrajudicial killings of boys and young men suspected to be Boko Haram members as war crimes.<sup>[307]</sup>

Nigeria is state party to the four Geneva Conventions of 1949 and the two Additional Protocols of 1977, which impose upon all parties to an armed conflict a legal obligation to reduce unnecessary suffering and minimize harm to civilians. International humanitarian law applies to both government armed forces and non-state armed groups in the areas of the country where an armed conflict is taking place.<sup>[308]</sup>

A fundamental principle of the laws of war is that parties must at all times distinguish between civilians and combatants, and between civilian objects and military objectives. Attacks may only be directed at combatants and military objectives.<sup>[309]</sup>

Civilians are only subject to attack when and for such time as they are directly participating in hostilities. Where there is doubt as to whether a person is a civilian or a combatant, that person must be considered to be a civilian.<sup>[310]</sup>

Military objectives are those targets that "by their nature, location, purpose or use, make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage."<sup>[311]</sup> These include, but are not limited to, military personnel, weapons and ammunition, and places of military deployment and operations.

Civilian objects are buildings and structures that are not considered military objectives.<sup>[312]</sup> In general, the law prohibits direct attacks against what are normally civilian objects, such as homes and apartments, places of worship, hospitals, schools and universities, and cultural monuments, unless they are being used for military purposes.<sup>[313]</sup>

Individuals who commit serious violations of international humanitarian law with criminal intent can be prosecuted in domestic or international courts for war crimes. Among the war crimes set out under the Rome Statute of the ICC is “intentionally directing attacks against buildings dedicated to ... education ... provided they are not military objectives”<sup>[314]</sup> as well as the taking of hostages. States have an obligation to investigate alleged war crimes committed by their nationals, including members of the armed forces, and prosecute those responsible.<sup>[315]</sup> Non-state armed groups also have a legal obligation to respect the laws of war, and thus a responsibility to ensure that their commanders and combatants abide by their requirements.<sup>[316]</sup>

Under Additional Protocol II of the Geneva Conventions, which is applicable during non-international armed conflicts, it is a “fundamental guarantee” that children shall receive an education, in keeping with the wishes of their parents.<sup>[317]</sup>

Schools are normally civilian objects and, as such, shall not be the object of attack unless they become legitimate military objectives.<sup>[318]</sup> To intentionally direct attacks against schools when they are not legitimate military objectives constitutes a war crime. In case of doubt whether a school is being used to make an effective contribution to military action, it shall be presumed not to be so used.<sup>[319]</sup>

The law of armed conflict requires that the parties to a conflict take precautions against the effects of attack. To the extent that schools are civilian objects, parties to an armed conflict shall, to the maximum extent feasible, a) avoid locating military objectives within or near densely populated areas where schools are likely to be located; b) endeavor to remove the civilian population, individual civilians, and civilian objects under their control from the vicinity of military objectives; and c) take the other necessary precautions to protect those schools under their control against the dangers resulting from military operations.<sup>[320]</sup>

Therefore, turning a school into a military objective (for example, by using it as a military barracks) subjects it to possible attacks from the enemy. . Locating military objectives (a military tank, for example) in a school courtyard also increases the risk that the school will suffer incidental damage from an attack directed against those nearby military objectives.

Schools also benefit from special protection as cultural property under customary law, and each party to a conflict must respect and protect buildings dedicated to education that are included in the scope of cultural property.<sup>[321]</sup> This implies a duty of special care to avoid damage to buildings dedicated to education (unless they are military objectives) as well as the prohibition of all seizure of, or destruction or willful damage done to, institutions dedicated to education.<sup>[322]</sup>

Account must also be taken of other relevant rules and principles of the law of armed conflict. Among these are special protections to children.<sup>[323]</sup> If education institutions are fully or partially used for military purposes, the life and physical safety of children might be at risk and access to education is restricted or even impeded, either because children may not go to school for fear of being killed or injured in an attack by the opposing forces, or because they have been deprived of their usual educational building.

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## Acknowledgments

**T**his report was written by Mausi Segun, Nigeria researcher at Human Rights Watch. It was researched by Segun, Bede Sheppard, deputy director in the children's rights division, and Zuarifatu Abbas, Nigeria research assistant.

The report was reviewed and edited by Anneke Van Woudenberg, deputy director of the Africa division; Clive Baldwin, senior legal advisor; Babatunde Olujobi, deputy program director; Danielle Hass, senior editor in the program office; Zama Coursen-Neff, executive director of the children's rights division; Bede Sheppard; and Liesl Gertholtz, executive director of the women's rights division. Joyce Bukuru, senior Africa associate, provided editorial and production assistance.

The report was prepared for publication by Grace Choi, publications director; Olivia Hunter, photo and publications associate; and Fitzroy Hepkins, administrative manager. Sakae Ishikawa, senior video editor, Pierre Bairin, multimedia director, and Connor Seitchik, multimedia associate, facilitated and produced the multimedia portion of this report.

Human Rights Watch wishes to thank the victims, witnesses, and other individuals who offered evidence and other information for this report. Human Rights Watch also expresses its gratitude to individuals and organizations who have generously supported its work on Nigeria.

Region / Country Nigeria

Topic Education and Conflict

Tags Boko Haram