

General allegation

120th session (10–14 February 2020)

Nigeria

14. The Working Group on Enforced or Involuntary Disappearances received information from reliable sources on obstacles encountered in the application of the Declaration on the Protection of All Persons from Enforced Disappearances in Nigeria. This general allegation focuses on the alleged enforced disappearance of children detained by the military for suspected involvement with Boko Haram in Northeast of the country.

15. According to the information received, the Nigerian military has arrested and detained thousands of children, some as young as five, for suspected involvement with the armed Islamist group Jama'atu Ahlis Sunna Lidda'awati wal-Jihad, more commonly known as Boko Haram. The source affirms that between January 2013 and March 2019, Nigerian authorities detained at least 3,617 children for association with Boko Haram, including 1,617 girls. In 2017 alone, authorities detained over 1,900 children.

16. The Working Group received a report that describes the documentation of the arbitrary detention and enforced disappearance of 32 children and youth who had been deprived of liberty as children at Giwa military barracks in Maiduguri, the main military detention facility in Borno State. The children and youth included 25 males and 7 females who said they had been detained for periods ranging from a few weeks to three years and four months. Fifteen of the 32 were detained for more than a year, and nine were detained for more than two years.

17. It was reported that none of the 32 children were taken before a judge or appeared in court, as required by law. None were aware of any charges against them and only one said he saw someone who he believed might have been a lawyer. Furthermore, none of the children had contact with family members outside the detention center and their families were not notified by the authorities of their arrest or detention. According to the information received, after their release, some children discovered that their families had no idea where they had been, or they believed that they were dead. In some cases, parents witnessed the arrest of their children but also received no information on where their child was being taken or when they would be released.

18. The source reports that since the Boko Haram insurgency began in 2009, government forces have apprehended children suspected of Boko Haram involvement in a variety of ways: during security sweeps, military operations, screening procedures outside of camps for internally displaced persons, arrests from the camps themselves, and based on information provided by informants. It is alleged that authorities often arrest children with little or no evidence.

19. It is stated that the military may hold children for short periods in local prisons or detention facilities, but eventually transfers most of the children to Giwa military barracks in Maiduguri. Some, though not all of the children were interrogated at Giwa, and soldiers recorded their names and other information they provided.

20. The report received by the Working Group shows that fourteen of the 32 children and youth were arrested with other family members, including siblings and/or parents. In some cases, they were detained with other family members in the same cell, and in other cases, they were separated with little or no opportunity for contact. Whether or not they were detained with family members, none of the children and youth reported any contact with family members outside of the detention center.

21. The report received by the Working Group includes the following examples of the documented cases:

22. A 14-year old girl, detained for nearly two years, whose arrest was witnessed by an older man who told her mother what had happened. She learned after her release that her mother had gone to Giwa barracks to try to see her, but that the military refused to let her enter and threatened to put her in a cell if she did not leave.

23. A 15-year old boy was detained at Giwa barracks for ten months with no contact with his family. After his release, he was reunited with his father and mother, who did not know he was at Giwa barracks and if he was alive or dead.

24. A 16-year old boy was arrested with his brother, who subsequently died in detention. He learned that his parents did not know that he had been held at Giwa, or that his brother had died, so he had to tell them once freed.

25. According to the information received, Nigerian security forces have released at least 2,220 children from military detention between January 2013 and March 2019. Since September 2019, they have released an additional 112 children and youth.

26. It is also reported that after their release, all of the children were taken to a transit center in Maiduguri that is operated by the Borno State Ministry of Women Affairs and Social Development. The children typically stay at the center for two or three months, receiving psychosocial support. During that time, social workers also attempt to trace their families, based on information provided by the children and/or photographs. The information received suggests that military authorities did not provide any useful information for this purpose.