

INSURGENCY, COUNTER-INSURGENCY AND HUMAN RIGHTS VIOLATIONS IN NIGERIA

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Abstract: Insurgents' activities and government's counter-insurgency operations have claimed hundreds of lives and destroyed many human habitations and sources of livelihoods across Nigeria. Essentially, the rising wave of insurgency has overwhelmed the internal security capacity of the police and has consequently increased the involvement of the military in internal security operations. Over the years various Joint Military Task Forces (JTFs) have been established and mandated to carry out counter-insurgency operations across the country. Insurgents' activities and counter-insurgency operations of the various JTFs have destroyed entire communities and killed hundreds of Nigerians including innocent civilians. The essay examines the human rights implications of government's counter-insurgency initiatives in Nigeria, and concludes that the operations of the JTFs have actually protracted the spate of violence against the civilian populations they are meant to protect. The essay proposes that the desirability of a counter-insurgency strategy should be determined by its capacity to protect civilians from human rights abuses and violent attacks.

Keywords: Insurgency, Counter-Insurgency, Joint Task Forces, Human Rights, Nigeria.

Summary: I. INTRODUCTION; II. INSURGENCY IN NIGERIA; III. JOINT MILITARY TASK FORCES AND COUNTER-INSURGENCY IN NIGERIA; IV. COUNTER-INSURGENCY OPERATIONS AND HUMAN RIGHTS PROTECTION; V. THE HUMAN RIGHTS IMPLICATIONS OF JTFs OPERATIONS IN NIGERIA; VI. THE CIVILIAN JTF, COUNTER-INSURGENCY AND HUMAN RIGHTS VIOLATIONS; VII. THE WAY OUT; VIII. CONCLUSION

I. INTRODUCTION

There has been an upsurge in insurgent activities in Nigeria since 1999 when the country returned to democratic governance. The police which are the primary institution responsible for law enforcement and internal security have been overwhelmed by the rising waves of insurgency, and this has resulted in an increasing internal security role for the military. Apparently, government has come to rely on incessant deployment of military-dominated Joint Task Forces (JTFs) to perform internal security duties across the country. Over the years various joint military and security task forces have been established and mandated to perform counter-insurgency operations across the country. The Army, Navy, Air Force and paramilitary Police are regularly deployed for internal

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security roles. But regrettably, the military often respond to insurgent activities primarily with a brutal show of force that often results in high civilian casualties. To recall, in November 1999, barely six months after the transition to democracy, hundreds of civilians were killed when a detachment of the Army bombarded Odi community in the Niger Delta, in an apparent retaliation for the death of about six policemen who were killed in a clash with local insurgents (Human Rights Watch 1999, p.14).

In October 2011, two years after the Odi incident, a detachment of the Nigerian Army once again invaded Zaki Biam in North-Central Nigeria and executed many unarmed civilians in reprisal for the killing of 19 soldiers who were earlier sent there to restore peace following ethnic violence (see Human Rights Watch, 2002). Since then, misdirected retaliatory assaults against civilian populations have destroyed entire communities and killed hundreds of Nigerians. This essay argues that the disproportionate use of force by JTFs in combating insurgency has protracted and exacerbated the level of violence against civilian populations of host communities. The essay therefore analyses key JTFs' counter-insurgency operations and examines their human rights impacts on the civilian population in Nigeria. Firstly, the essay explores the nature of insurgency in Nigeria. Secondly, it evaluates the JTFs approach to counter-insurgency. Thirdly, it analyses international humanitarian law provision for human rights protection while countering insurgency. Fourthly, it examines the human rights implications of JTFs operations in Nigeria. Fifthly, the essay critically examines the human rights impacts of the 'Civilian JTF' counter-insurgency operations in north eastern Nigeria. Sixthly, the essay proposes some policy options for mitigating the security and human rights impacts of JTFs counter-insurgency operations. The final section concludes the essay.

II. INSURGENCY IN NIGERIA

The rising wave of insurgency has assumed a crisis dimension in Nigeria – resource-based and sectarian insurgency have claimed many lives, destroyed sources of livelihood, and created a climate of perpetual fear and insecurity across the country. In the Niger Delta, resource-based insurgency has intensified since the 1990s when series of protests by environmental activists and resource control agitators were violently repressed by security forces. These cycles of protests started in December 1998 when a group of youth activists in the Niger Delta held a conference to strategise for the survival of their ethnic nationality. From the conference which was held in the town of Kaiama in Bayelsa state, the participants, who were mainly ethnic Ijaw, came up with the 'Kaiama Declaration' in which they affirmed their right over natural resource control and land ownership. The Federal Government perceived this as a threat to its authority and responded with considerable force through the military, resulting in violent confrontations between youth activists and security forces. In the ensuing confrontations, numerous youth activist movements emerged and later transformed into ethnic militia organisations (Forest 2012, p.47). Between late 2005 and early 2006, leaders of several militia groups in the region came together and formed a number of umbrella resistance organisations in an attempt to combine their efforts to more

effectively match the capabilities of the security forces, especially the Nigerian Army (Forest 2012, p.48).

Notable among these umbrella militant groups were the Niger Delta People's Volunteer Force (NDPVF) led by Alhaji Mujahid Dokubo-Asari, and the Movement for the Emancipation of the Niger Delta (MEND) whose operations was coordinated by its spokesperson who goes by the stage name, 'Jomo Gbomo'. The emergence of these umbrella militia organisations resulted in an armed resistance which later degenerated into hostage taking, bombing of oil facilities and kidnapping for ransoms (Chiluwa 2011, p.197-208). As usual, Government responded with massive deployment of special military and security task forces in the region. Attempts by security forces to curtail militant activities however led to increased violent clashes between government forces and militant groups (Malina, n.d.).

The continuous deployment of special military forces and regular violent clashes between these security forces and armed insurgents eventually militarised the Niger Delta region –insurgents responded with large scale violence through the accumulation and use of sophisticated weapons with which they engaged security forces in bloody clashes that often results in many cases of human rights violations and high civilian casualties. However, the rate of human rights violations resulting from insurgency and counter-insurgency operations in the Niger Delta has subsided since October 2009 (Malina, n.d.), when the Federal Government launched the Presidential Amnesty Programme for ex-insurgents.

While insurgents' activities have relatively subsided in the Niger Delta, there is an ongoing sectarian insurgency in parts of northern Nigeria, especially in the North-East, where escalation in violent confrontations between security forces and sectarian insurgents have resulted in high civilian fatalities and the destruction of many human habitations and livelihoods. Specifically, violent confrontations between state security forces and the *Jama'atu Ahlis Sunna Lidda'awati Wal-Jihadl* group, also known as Boko Haram, have increased since 2009 with high civilian casualties and many incidences of human rights abuses. Although Boko Haram emerged around 2002, violent confrontations between the group and security forces began in June 2009 when an encounter between members of the sect and a joint police and military unit known as 'Operation Flush' over the enforcement of a government law that requires the mandatory use of helmets by all motorcyclists, turned violent. During the confrontation, about 17 members of sect were shot and injured by security operatives (Forest 2012, p.63). Angered by what they considered as police brutality against its members, the sect resorted to sporadic violent attacks against the police and other Government institutions across the north-eastern states of Nigeria. Subsequent clashes between members of the sect and security forces left more than 800 people dead, including the extra-judicial execution of the leader of the sect, Mohammed Yusuf in July 2009 (Forest 2012, p.64). The extra-judicial killing of its leader marked a turning point in the radicalisation of the leadership and operations of the group; after a short period of inactivity following the death of its leader, members of the sect regrouped under a more radical leader, Abubakar Shekau, who was formerly Mohammed Yusuf's deputy. Since then, the sect

has carried out more violent attacks, including targeted killings and suicide bombings across the North-East and North-Central parts of the country (see IRIN News, 2013), causing Government to deploy joint military and security task forces to the affected States.

III. JOINT MILITARY TASK FORCES AND COUNTER-INSURGENCY IN NIGERIA

The police which are the primary institution responsible for internal security in Nigeria have been overwhelmed by the rising wave of insurgency largely because they lack requisite training and expertise in counter-insurgency operations (Francis et al. 2011, p.110). Consequently, government have relied on the military which are widely perceived to be better trained and equipped to take a leading role in law enforcement and counter-insurgency operations. Over the years various task forces including Special Task Forces (STFs), Military Special Operations Forces (MISOs), Joint Security Task Forces (JSTFs) and Joint Military Task Forces (JMTFs) have been established and mandated to carry out counter-insurgency operations in different parts of the country. Although a typical Joint Task Force (JTF) in Nigeria comprises the Army, Navy, Air Force, Police, State Security Services (SSS) and sometimes immigration and custom officials (Francis et al. 2011, p.109), they are mostly dominated by the Army.

The first military task force established for internal security operation in contemporary Nigeria dates back to 1993 when an Internal Security Task Force (ISTF) was deployed in Ogoni land in the Niger Delta to suppress protests by oil producing communities against Shell Petroleum Development Company (SPDC) over environmental injustice (Boele et al, 2001). The operations of the ISTF were characterised by extra-judicial executions and widespread human rights abuses, including the widely condemned arrest and eventual execution of Ken Saro-Wiwa and eight other members of the Movement for the Survival of Ogoni People (MOSOP) in 1995 (Forest 2012, p.25). The execution of Saro-Wiwa and other eight members of MOSOP (a.k.a. Ogoni Nine) by the then military junta of General Sani Abacha, was widely condemned by members of the international community and human rights organisations, including Amnesty International (Boele et al, 2001, p.80-81).

In addition to the ISTF, two JTFs code named 'Operation Salvage' and 'Operation Flush I, II and III' in Bayelsa and Rivers states respectively, were established in 1997 (Francis et al. 2011, p.32). However, the first major JMTF in the Niger Delta was established in 1999 and code named 'Operation HAKURI II'. Basically, 'Operation HAKURI II' was a punitive military operation that resulted in massive destruction of lives and property after two days of continuous bombardment of Odi community in the Niger Delta (see Human Rights Watch 1999). At the height of the now-abated Niger Delta insurgency, the JTF code named 'Operation Pulo Shield' (formerly 'Operation Restore Hope') was established in around 2004 under the command of a Major General, with the mandate of countering insurgency, illegal oil bunkering, piracy, kidnapping and hostage taking in the creeks and coastal areas of the Niger Delta and other adjoining states (Azuatalam, 2012). The activities of 'Operation

Pulo Shield’ are usually fraught with allegations of arbitrary killings and human rights abuses against the host communities.

Apart from the Niger Delta region, a number of JTFs have been established in parts of northern Nigeria as a result of the increasing incidents of ethnic and sectarian violence in the region. Since 1999 when Nigeria returned to democratic governance, the North-Central part of the country has witnessed ethnic and sectarian violence, mainly involving Christians and Muslim adherents, particularly on the Jos Plateau and in Kaduna state. In response to the breakdown of law and order that resulted from Muslim-Christian strife on the Jos Plateau, a Security Task Force (STF) code named ‘Operation Safe Haven’ was established sometime in 2010. The STF was commanded by a Major General and its operatives includes personnel from the Army, Navy, Air Force, Mobile Police (MOPOL), Anti-terrorism Squad (ATS) from the Nigerian Police Force (NPF), and other personnel drawn from the SSS and the Nigeria Security and Civil Defence Corps (NSCDC). The STF was mandated to curtail the spate of killings by ethnic militiamen on the Jos Plateau and its environs. In addition, with the emergence of Boko Haram insurgency, a JTF code named ‘Operation Restore Order’ was established in June 2011, and deployed in Borno and Yobe states. Specifically, the mandate of ‘Operation Restore Order’ is to “restore order to the north-eastern part of the country with emphasis on Maiduguri” (Mohammed 2012, p.28). The JTF whose counter-insurgency operations were initially limited to Borno and Yobe states had its mandate extended in September 2011 to include a range of states where Boko Haram insurgents are known to be active, excluding Plateau state which falls within the operational domain of the STF.

IV. COUNTER-INSURGENCY OPERATIONS AND HUMAN RIGHTS PROTECTION

Human rights are those universally recognised values and freedoms, and the legal guarantees that safeguard individuals and groups against the actions and inactions of the State, agents of the State or other individuals that interfere with their natural entitlements and human dignity. As universally recognised values, the protection of human rights and fundamental freedoms are usually included as essential provisions of international law, especially human rights law and international humanitarian law, and these are reflected in major international human rights treaties notably, the Universal Declaration of Human Rights (UN, 1949). As essential component of international law, human rights provisions are usually reflected in treaty obligations of States. Accordingly, the security of the individual is universally regarded a basic human right, and the protection of the individual against human rights violation is accepted as a fundamental obligation of every State. Consequently, human rights law obliges States to take certain actions to respect, safeguard and guarantee human rights of citizens.

Human rights law and international humanitarian law require States to promote and protect human rights and fundamental freedoms while countering insurgency (UN, 2013). Any counter-insurgency or counter-terrorism strategy adopted by States must therefore comply with the provisions of international human rights law and humanitarian law. In this regard, counter-insurgency or counter-terrorism strategy is any

measure adopted by States to prevent, pre-empt, counter and respond to insurgency and terrorism. Though counter-terrorism and counter-insurgency differs in certain aspect, they generally include any step taken to disrupt, dismantle and ultimately, defeat insurgents and terrorist organisations (Rineheart, 2010). It is the right and duty of every State to take effective counter-insurgency measures to ensure public security. By their nature however, most counter-insurgency operations are characterised by violence and violation of the human rights of the civilian population. Hence, as part of global efforts to mitigate incidents of human rights abuses associated with counter-insurgency operations, the international community has taken certain measures to ensure that any strategy adopted by states to counter insurgency and terrorism complies with their treaty obligation under international law (see UN, 2006; Melzer, 2009).

Human rights law and International humanitarian law oblige States to be accountable for human rights violations committed by their security forces while combating insurgency and terrorism. In this regard, a global counter-terrorism strategy was adopted by the United Nations' General Assembly in Resolution 60/288 of 2006, in which certain steps were taken to ensure that all counter-terrorism and counter-insurgency measures complies with international humanitarian law. The global counter-terrorism strategy considers human rights protection and effective counter-terrorism measures as "complementary and mutually reinforcing objectives which must be pursued together as part of States' duty to protect individuals within their jurisdiction" (UN, 2008, p.19). Hence, in his report to the 66th Session of the General Assembly on 'Counter-Terrorism and Human Rights', the UN Special Rapporteur on the protection of human rights in the fight against terrorism, Ben Emmerson, stated that;

It is essential that the protection of human rights of victims of terrorism is seen as a genuine legal duty resting primarily on States, and that it is not misused as a pretext for violating the human rights of those suspected of terrorism, for taking emergency measures which provides for excessive and disproportionate executive powers, or for other essentially political objectives (UN, 2011).

Moreover, as part of measures to protect human rights and fundamental freedoms while combating terrorism and insurgency, States are obliged by international humanitarian and human rights laws to strictly adhere to the "principles of distinction, proportionality and precaution" (UN, 2013, p.62), particularly in counter-insurgency operations against irregular armed groups that blend with civilian population. Thus, the protection of victims' right is an integral part of the war against terror, and by extension human rights law and international humanitarian law oblige States as part of their treaty obligation, to protect human rights while countering terrorism and insurgency.

V. THE HUMAN RIGHTS IMPLICATIONS OF JTFs OPERATIONS IN NIGERIA

Ideally, JTFs operations are intended to protect civilians from violence, and their presence often creates the expectation among host communities that they will be protected from violence and human rights abuses. However, internal security operations of JTFs have become notorious for bombing insurgents in civilian populated areas

thereby killing innocent people and destroying human habitations and sources of livelihood (Lawan, 2013; Amnesty International, 2012). The brutal nature of JTFs operations was aptly demonstrated in the 20 November 1999 bombardment of Odi community in Bayelsa state by operatives of ‘Operation HAKURI II’. To recall, after two days of intense bombardment with heavy artillery, aircraft, grenade launchers, mortar bombs and other sophisticated and deadly weapons, about 2,483 persons mainly women and children were killed and numerous buildings destroyed (Courson 2006, p.3).

The atrocious spectacle of Odi was replayed on 22 and 24 October 2001, when a detachment of the Nigerian Army invaded Zaki Biam and neighbouring communities in North-Central Nigeria, in a reprisal attack that resulted in the extra-judicial executions of many unarmed civilians and the destruction of numerous property (see Human Rights Watch, 2002). The killings in Odi and Zaki Biam are clearly arbitrary and thus a violation of the human rights of the inhabitants of those communities, because those were killed were neither insurgents nor organised armed groups. Organised armed groups, according to the ‘Interpretive Guidance’ of the International Committee of The Red Cross (ICRC), are those that recruit their members mainly from the civilian population and possess the capacity and military organisation to either ‘take a direct part in hostilities’ or conduct hostilities ‘on behalf of a party to the conflict’ (Melzer, 2009, p.69-72). These attacks were generally condemned as a violation of human rights law and international humanitarian law (Human Rights Watch, 1999; 2002).

In spite of the general condemnation that however followed the Odi and Zaki Biam military bombardments, operatives of the JTFs have continue to use lethal force against civilians even when it is necessary to protect lives. For example, in May 2009 the JTF code named ‘Operation Restore Hope’ destroyed seven communities suspected of harbouring militant camps in Delta state. Subsequent hostilities between MEND and men of ‘Operation Restore Hope’ in Gbaramatu kingdom in Delta state claimed more than 500 lives and displaced about 5,000 people (Francis et al. 2011, p.200). This particular operation was very atrocious because it was a coordinated land, water and aerial bombardment, involving a combine force of the Army, Air Force and Navy personnel. The bombardment which lasted for two weeks –from 13 to 27 May 2009– caused the violent death of many people, mostly women, children and the aged, and endangered the lives of many others who were forced out of their communities into forests and swamps (Francis et al, 2011). Ironically, the use of excessive force by operatives of ‘Operation Restore Hope’ actually intensified the level of organised violence in the Niger Delta as it triggered a cycle of attacks and counter-attacks that eventually resulted in high civilian fatalities (Chiluwa, 2011).

Up till now, human rights violation by JTF operatives continues unabated across the country. To recall, in April 2013 about 185 civilians were killed by operatives of the Multi-National Joint Task Force (MNJTF) in Baga village, Borno state, during a bloody clash between Boko Haram insurgents and operatives of the task force (Wisdom Patrick, 2012). The military operation which decimated almost the whole village, was widely condemned by members of the international community including the United

Nations' Secretary General, Ban Ki-moon, who said he was "shocked and saddened" by the arbitrary killing of civilians in Baga (UN News, 2013). Though the leadership of the task force claimed that those killed were either Boko Haram members or those associated with the sect, and thus regard such operations as an accomplished mission, the operation violated the principle of 'targeting intelligence' (UN, 2013). In an asymmetrical conflict such as this accurate 'targeting intelligence' is necessary to distinguish insurgents from neutral civilians. Besides, the operation did not adhere to the principles of 'proportionality and precaution' (UN, 2013), thereby resulting in high civilian fatalities.

More tellingly, while commenting on a joint military task force operation in which over 200 suspected insurgents were killed in Giwa Barracks, when Boko Haram insurgents attempted to release their colleagues from a military detention centre in 14 March 2014 (BBC News, 2014), the Director of Defence Information, Major General Chris Olukolade, stated that "the attack has been successfully repelled with heavy human casualties on the terrorists" (Mamah et al, 2014). It thus appears the JTFs measure their success by the number of insurgents they kill –they give regular accounts of scores of insurgents killed almost on a daily basis (Monguno, 2013). It is worthy to note that both the attackers and the detainees were killed, so even if the attackers were assumed to be insurgents, it is very likely that some of the detainees were innocent civilians because the military authority later admitted that over 1,400 suspected insurgents were detained for many months without trial (Mutum, 2013). While it is admitted that it is not easy to distinguish between insurgents and neutral civilians in an irregular conflict involving elusive insurgent group whose members easily blend with the civilian population, these killings are nonetheless, a clear violation of the "principles of distinction, proportionality and precaution" in asymmetrical conflict (UN, 2013).

Over the years, the undisciplined and brutal nature of JTFs counter-insurgency operations have resulted in hundreds of extra-judicial killings, forced disappearance and burning of houses, especially in the north-eastern part of Nigeria (see Amnesty International, 2009; 2011). Instances abounds where insurgents' attacks on security forces are revenged on innocent civilians. For example, on 9 July 2009, after some persons suspected to be Boko Haram insurgents allegedly attacked an army patrol van in Borno state and injured two soldiers in the process, it was reported by local residents that operatives of the JTF began shooting sporadically and breaking into houses, singling out male occupants and shooting them and driving women out of their houses which they later set ablaze (United Nations Integrated Regional Information Network [IRIN] News 2011).

Also in its report "Nigeria: Trapped in the Cycle of Violence" Amnesty International documented series of human rights abuses committed by operatives of the JTFs who habitually use disproportionate force against civilians even when there are no imminent threats (Amnesty International, 2012). This development was aptly reflected in the killing of five people on 9 March 2012, when operatives of JTF opened fire on innocent civilians at the Nigerian National Petroleum Corporation (NNPC) petrol station in Kano state (see Amnesty International, 2012). Evidently, intimidation,

harassment and extra-judicial killing of civilians by operatives of JTFs have undermined peoples' fundamental human rights and freedoms, destabilised communal and familial ties and displaced many people.

The United Nations refugee agency (UNHCR) was alarmed by the high number of refugees and internally displaced persons as a result of upsurge in violent attacks in North-East Nigeria. Adrian Edwards, spokesperson for the United Nations High Commissioner for Refugees (UNHCR), stated that refugees and internally displaced persons from Nigeria have reported cases of extreme violence against them. According to him, "There is mention of people being caught in fighting between insurgents and armed forces, arbitrary arrests under the suspicion of belonging to insurgent groups, and other serious alleged crimes including, reportedly, summary execution" (UN, 2014). This shows that civilians are often trapped in the cycle of 'retaliatory violence' perpetrated by JTFs and insurgents, and their human rights and freedoms are violated by both the insurgents and operatives of the JTF.

Apparently, frequent lethal attacks by Boko Haram insurgents and the worsening state of national security which resulted in the declaration of a state of emergency in the north-eastern states of Borno, Yobe and Adamawa, have given the military-dominated JTF the discretion to perpetrate human rights abuses in the affected states. As a report by the Associated Press (AP) indicated, within the first six months after the declaration of a state of emergency in 2013, a total of 3, 335 corpses were deposited by the operatives of the JTF in just one hospital –Sani Abacha Specialist Teaching Hospital in Maiduguri, Borno state (see Lawan 2013). According to the AP report, "the number of detainees who died in military custody more than tripled" in June, just a month after a State of Emergency was declared on 14 May 2013. Moreover, over 950 people suspected to be members of or associated with the Boko Haram sect were reported to have died in detention facilities operated by the JTFs in the north-eastern cities of Maiduguri and Damaturu, in Borno and Yobe states respectively (Amnesty International, 2013). According to Amnesty International, most of the detainees died because of the deplorable nature of the detention facilities where they were kept –the detention facilities were mostly overcrowded and there were reported cases of torture and denial of access to medical treatments and lawyers.

It was further reported that detainees died on a daily basis from starvation, injuries from beating and suffocation from over-crowding (Amnesty International 2013). Besides, there were reported cases of summary executions and enforced disappearance of suspected insurgents (Amnesty International 2012). In a recent incident, 10 civilian squatters in an uncompleted building in Apo legislative quarters in the Federal Capital Territory (FCT) Abuja were killed by security forces on the allegation that they were terrorists (Nwabughio 2013). Not surprisingly, the cycles of human rights abuses and retaliatory executions of civilians have led to resentment of JTFs operations by the host communities including members of the general public. As a case in point, on 12 July 2011, members of the Bornu Elders Forum called for the withdrawal of JTF troops from the city, arguing that the task force has worsened the security situation in the state (United Nations Integrated Regional Information Network

[IRIN] News 2011). Perhaps, the advent of the armed volunteer Borno Youth Vigilante Group popularly known as Civilian JTF, which is currently assisting the official JTF in the fight against Boko Haram insurgents, is an attempt by local communities to curb the excesses of the official JTFs counter-insurgency operations.

VI. THE CIVILIAN JTF, COUNTER-INSURGENCY AND HUMAN RIGHTS VIOLATIONS

Since the declaration of a State of Emergency in the North-Eastern states of Adamawa, Borno and Yobe on 14 May 2013, the violent conflict in Maiduguri, the Borno state capital has taken a different dimension. Bands of youths brandishing dangerous weapons such as cutlasses, knives, swords, sticks, axe, cudgels, bows and arrows, have appeared on the street of Maiduguri, the state capital (Olugbode, 2013). These are members of the Borno Youth Vigilante Group who have emerged to assist the official JTF deployed to curb the menace of Boko Haram insurgency in the state. The youth vigilante group is popularly known as Civilian JTF because the group has the implicit endorsement of the official JTF, who allow them to mount road blocks to help fish out alleged Boko Haram insurgents in their neighbourhood (Kawu, 2013). These youths are largely motivated by the understanding that they know the insurgents in their midst, and they decide to collaborate with the official JTF by ‘trailing, capturing and handing over’ known or suspected insurgents to the relevant security agencies (Hamza and Sawab, 2013).

The local vigilante group often receive government support and have conducted numerous attacks against suspected Boko Haram insurgents (Olugbode, 2013). Apparently, they have been useful to the military by supporting their counter-insurgency operations. In the process of supporting the JTF’s counter-insurgency operations, some of the youths have lost their lives. On several occasions some of the youths have been ambushed and killed by Boko Haram insurgents. For example, in July 2013, members of the Civilian JTF invaded the villages of Mainok and Dawashi in Maiduguri in search of insurgents. Following the invasion Boko Haram insurgents killed about 43 members of the vigilante group in a fierce retaliatory attack (Stratfor, 2013; see also Nigeria Watch Database). As a result of this development, the youths have decided to arm themselves with sophisticated weapons.

While the youths’ collaboration with the JTF has so far been helpful in the fight against Boko Haram insurgency, the vigilante group sometimes takes the law into their hands by harassing and arresting suspected insurgents including innocent civilians. As part of their efforts in fishing out Boko Haram insurgents, these youths often dispense justice to their victims in a jungle manner – they have extra-judicially killed many suspected Boko Haram insurgents and raided communities and villages suspected of harbouring members of the sect (Mamah, 2013). The situation is compounded by the absence of direct Government control over the vigilante group which has apparently given them the privilege to take the law into their hands by getting involved in various acts of human rights abuses, including harassment, extortion and extra-judicial killing of suspected insurgents in their neighbourhood.

Human rights abuses by the youth vigilante group has become so endemic that on 13 July 2013, the Nigeria-based Human Rights Monitor (HRM) raised the alarm over the illegal activities of these youths who were alleged to have set ablaze the house of the Chairman of the defunct All Nigeria People's Party (ANPP) in Borno state, Alhaji Othman, for his alleged closeness to some members of the Boko Haram sect (Mamah, 2013). According to HRM, the youth vigilante group have maimed and killed many people suspected to be members or financiers of Boko Haram insurgents in Borno and Yobe states (Mamah, 2013). As a result of the increasing incidences of extra-judicial killings perpetrated by the civilian JTF, there is the public apprehension that the activities of these youths may degenerate into a level of lawlessness (see Olugbode, 2013) that could endanger the security and human rights of citizens in their neighbourhoods and communities.

VII. THE WAY OUT

The counter-insurgency strategy of deploying large number of military forces is an approach that former U.S. ambassador to Nigeria, John Campbell noted, "Could do more harm than good" in the fight against insurgency (Campbell, as cited in Forest 2012, p.93). Heavy deployment of troops has caused individuals and communities in and around the theatre of such operations security anxieties and has resulted in the violation of their fundamental human rights. Therefore, in order for Government to more effectively combat the menace of insurgency with the aid of special joint military task forces with minimal negative impacts on human rights, such operations should be organised and executed in a manner that reduce 'collateral damage' to the barest minimum, and safeguard the security and human rights of the host civilian population. In this regard, operatives of joint task forces must be charged to strictly adhere to clearly defined 'rules of engagement' and avoid any excessive use of force that may amount to violation of human rights.

Although combating insurgency is typically a police function, whenever it becomes necessary for military forces to supplement police efforts, their operations must reflect the low intensity nature of their internal security roles. Whenever the military is deployed as part of its commitments in protecting civilian citizens from violence and danger, whether to suppress an armed revolt or enforce an emergency order, it must be subjected to rigorous controls and adhere to clearly defined rules of engagement (see Blair, n.d.). Their rules of engagement must explicitly state when it is necessary to use force and the control of the use of force during internal security operations.

Security forces in Nigeria are apparently out of control in the fight against insurgency and terrorism –the internal security operations of the military-dominated JTFs are fraught with human rights abuses and extra-judicial execution of civilians across the country. However, the mass killing of people suspected to be affiliated with insurgents does not, in itself, guarantee the elimination of insurgency. In this regard, for the military or any counter-insurgency security task force, to carry out its operations with 'minimal collateral damage' and protect human rights, it must engage the

insurgents on a regular or symmetrical level while leveraging on its technological advantage; collect targeting intelligence on the insurgents; ‘recruit and train indigenous forces’ to combat the insurgents; and devise a counter-insurgency strategy that differentiates between insurgents and neutral civilian population (see Stratfor, 2014). According to Stratfor, in order for a ‘counter-insurgency force’ to separate insurgents from the neutral population, and gain access to important local intelligence, the ‘counter-insurgency team’ ‘needs cultural and political guidance’ (Stratfor, 2014). This local assistance however requires a friendly relationship between the local communities and security forces.

So far, the internal security operations of JTFs have not fostered healthy relationships between security forces and the local communities they are apparently deployed to protect. To date, one of the biggest obstacles to effective counter-insurgency operations in Nigeria is the lack of trust and cooperation from local communities. Notwithstanding the support of the Civilian JTF in Borno state, the relationship between JTF and the host communities is still acrimonious because the youth vigilantes sometimes collaborate with the official JTF in perpetrating human rights abuses against the civilian population. Regrettably, the acrimonious relationship between host communities and security forces makes it difficult to gather important security intelligence in support of government counter-insurgency efforts, and consequently makes it easy for insurgents to win the support and sympathy of local communities that dislike JTF tactics.

Indeed, the current military offensive of JTFs is counter-productive; an appropriate counter-insurgency strategy will have to be defensive in nature, based on a minimum force approach involving a combination of special paramilitary forces, law enforcement agencies, and the weakening of local support for insurgent groups through collaborative intelligence gathering. In this regard, JTFs must strive to win the ‘hearts and minds’ of the local civilian population by ensuring their security and safety during counter-insurgency operations. This should be the way out of the current security and human rights situation because, if indeed JTFs operations are intended to achieve internal security then their effectiveness should be assessed based on the number of vulnerable citizens they are able to protect from violent attacks and human rights abuses.

VIII. CONCLUSION

This article has discovered that upsurge in armed insurgency has resulted in massive deployment of JTFs for internal security operations across Nigeria. However, these extraordinary measures, supposedly designed to achieve public security, have actually exacerbated the level of insecurity across the country. The counter-insurgency operations of the military-dominated JTFs are characterised by brutal show of force that triggers retaliatory violence from insurgents. The brutal nature of JTFs counter-insurgency operations has exacerbated the level of violence perpetrated against civilians –civilians are often trapped in the cycle of retaliatory violence perpetrated by both the JTFs and insurgents.

Civilians trapped in the theatre of violence, especially in the north-eastern part of Nigeria have fallen victims to violent attacks by both security forces and insurgents – attacked by security forces for allegedly harbouring insurgents, and killed by insurgents for assisting security forces with information that often leads to the arrest of their members. The host communities have thus become the common target of both the JTFs and the insurgents who carry out retaliatory attacks on civilian at the slightest suspicion of giving assistance to their adversary. Violent confrontations between operatives of JTFs and insurgents have therefore resulted in a cycle of human rights abuses, extra-judicial executions, forced disappearance of civilians and wanton destruction of human habitations and sources of livelihood.

In summary, beyond the display of lack of capacity to combat the threat of insurgency, the State through the instrumentality of the military and other security forces have, on several occasions, arbitrarily killed many civilians and destroyed entire communities –the punitive bombardment of communities like Odi in Bayelsa, Zaki Biam in Benue, Gbaramatu in Delta, and Baga in Borno, are symptomatic of a State killing its own citizens in the name of national security. It is thus a human rights tragedy that security forces that are mandated by law to protect lives and property, and bring perpetrators of violence to justice turn out to be the major perpetrators of violence in the country. What is more, though the involvement of the Civilian JTF in the fight against sectarian insurgency has been useful to the counter-insurgency operations of the official JTF, the activities of the local vigilante group are fraught with arbitrary killings and human rights abuses. Consequently, JTFs operations have increased the frequency and scale of extra-judicial killings and human rights abuses against civilians, and this has made host communities to resent their counter-insurgency approach, making it difficult for security operatives to gather relevant intelligence from local residents for their counter-insurgency operations. The article suggests that, as part of their counter-insurgency strategy, JTFs must strive to win the ‘hearts and minds’ of the local population, and further advised that the effectiveness of such operations should be evaluated based on the number of vulnerable citizens they are able to protect from violent attacks and human rights abuses.

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