

# NIGERIA



**ARTICLE 5 DEADLINE: 1 MARCH 2012**  
(NEEDS TO REQUEST EXTENSION)

## RECOMMENDATIONS FOR ACTION

- Nigeria should urgently clear any anti-personnel mines, including victim-activated improvised explosive devices (IEDs) on its territory on the basis of humanitarian needs and priorities. It should also take immediate steps to minimise harm to civilian populations, including the provision of risk education.
- Nigeria should inform states parties to the Anti-Personnel Mine Ban Convention (APMBC) of the discovery of any contamination from anti-personnel mines, including victim-activated IEDs, and report on the location of all suspected or confirmed mined areas under its jurisdiction or control and on the status of programmes for their destruction.
- As soon as security conditions permit, non-technical survey should commence in Nigeria's three most conflict-affected provinces, Borno, Yobe, and Adamawa states.
- Where appropriate, Nigeria should encourage and facilitate the provision of assistance and expertise from humanitarian demining organisations.

## CONTAMINATION

In 2016–17, numerous incidents involving both civilian and military casualties from “landmines” and a range of IEDs planted by Boko Haram continued to be reported in the north-east of Nigeria. The majority of the reports appear to describe victim-activated IEDs made by Boko Haram, which function as either anti-personnel mines or anti-vehicle mines.

The extent of contamination from mines and other explosive devices is not known. Incidents involving mines and IEDs have been reported in Borno, Yobe, and Adamawa states, with Borno state the most heavily affected. According to the Nigerian military, the Sambisa forest in Borno state, Boko Haram's stronghold, has been heavily mined, along with “extensive” mine use by Boko Haram around military positions.<sup>1</sup>

The United Nations Mine Action Service (UNMAS) carried out a scoping mission to the three north-eastern states in April 2017 to assess the extent of the threat from munitions, including IEDs, explosive remnants of war (ERW), and “unconfirmed but credible reports of landmines”. It received reports of the use of both anti-personnel and anti-vehicle mines around defensive positions, emphasising that Boko Haram's use of victim-activated pressure-plate operated IEDs functioned as landmines.<sup>2</sup>

UNMAS confirmed that use of explosive devices by Boko Haram was extensive, including body-borne IEDs, vehicle-borne IEDs, pressure-plate-activated IEDs, and to a lesser extent, command wire and radio-controlled IEDs. In particular, Boko Haram had made significant use of simple pressure-plate-activated IEDs “effectively as very large de facto landmines” on main supply routes, primarily to attack military convoys, it said.<sup>3</sup>

A November 2015 assessment carried out in Adamawa and Borno states by international demining organisation Danish Demining Group (DDG) had noted local community reports of a number of local government areas in Borno state they thought needed clearance, including: Dikwa, Marte, Kukawa, Ngala, Bama, Gwoza, and Kala-Balge.<sup>4</sup> Interviewees identified contamination including anti-personnel and anti-vehicle mines resembling Chinese No. 4 anti-personnel mines and Type 72 anti-vehicle mines; a variety of body-borne, vehicle-borne, and remotely controlled IEDs; as well as cluster munition remnants, mortars, rockets, and rocket-propelled grenades, hand grenades, and Man-Portable Air Defence Systems (MANPADS).<sup>5</sup>

In 2015, the Nigerian army warned civilians of the threat of IEDs using adapted submunitions. Caches of French-made air-delivered BLG-66 “Beluga” cluster munitions were reportedly found in Adamawa state, alleged to have been taken from stockpiles of the Nigerian armed forces or smuggled in from Libya.<sup>6</sup>

Contamination from mines and IEDs has had a serious humanitarian impact, preventing the return of internally displaced persons (IDPs) and exacerbating the crisis in the region.<sup>7</sup> In October 2016, the governor of Adamawa state confirmed that many IDPs continued to be unable to return to their farms due to a fear of landmines.<sup>8</sup> Roads were closed to civilian traffic by the military due to the presence of mines or IEDs and there were numerous reports of civilian casualties and farmers who feared returning to work their fields, contributing to sharply worsening food shortages.<sup>9</sup> According to UNMAS, as at April 2017, Borno state hosted 80% – 1.5 million – of Nigeria’s IDP population, and 400,000 returnees were living in areas affected by the conflict.<sup>10</sup> It reported that the security situation in Adamawa and Yobe states had improved gradually, but remained volatile, especially in the north-eastern part of Yobe.<sup>11</sup>

According to UNMAS, in 2016–17, the significant majority of the casualties from locally produced mines and IEDs were soldiers. More than 300 military casualties were caused by IEDs in December 2016–April 2017, according to a Nigerian Brigade Commander.<sup>12</sup> The number of reported civilian casualties remained low, though UNMAS

assessed that this was because most IDPs were still outside former conflict areas or were in secured local government areas.<sup>13</sup> It also reported that the likelihood of explosive accidents might significantly increase with the planned mass return of more than one million refugees and IDPs.<sup>14</sup> It similarly expected a significant threat to UN and humanitarian agencies with the expansion of relief efforts and increased use of main supply routes.<sup>15</sup>

While the number of civilian casualties from mines and IEDs was thought to be low, in 2016–17 several were reported. In June 2017, three loggers were killed outside Abbari village, in Konduga district of Borno state, when their truck struck a mine laid by Boko Haram.<sup>16</sup> In October 2016, a number of IDPs were injured after the Land Cruiser in which they were travelling hit a landmine in Ngom village, 20km from Maiduguri, on the road to Gamboru-Ngala. This incident occurred barely one hour after the military had approved the movement of 200 cars and trucks conveying IDPs and food items along the road to a liberated area on the border.<sup>17</sup> In a number of incidents in 2015–16, civilians were reported to have been killed or injured when returning to villages and attempting to resume agricultural activities.<sup>18</sup>

There were also numerous reports of incidents and military casualties from mines or from vehicles driving over explosive devices planted along main roads, particularly in and around areas held by Boko Haram. In April 2017, a convoy carrying two Nigerian generals encountered a cluster of four IEDs at a crossing point near Firgi, Borno state, which were safely destroyed by the army’s explosive ordnance disposal (EOD) unit.<sup>19</sup> In March 2017, a Cameroonian soldier on a joint military operation with the Nigerian army was killed after his vehicle hit a mine laid by Boko Haram in Kumshe, Borno state.<sup>20</sup> In December 2016, a Nigerian officer and his security detail were reportedly killed after their vehicle detonated mines buried on a road close to Damasak in Borno state.<sup>21</sup> In November 2016, five Nigerian soldiers were injured by a mine during a patrol close to Maiduguri, while in another incident, near the Chibok area of Borno state, two local militia members were killed and two injured after their patrol vehicle hit a mine.<sup>22</sup> In September 2016, four soldiers were killed and sixteen were wounded by an IED planted by Boko Haram outside Maiduguri.<sup>23</sup>

Military casualties have also been reported among soldiers clearing mines. In 2015, two soldiers were killed and two others seriously wounded during clearance operations in Gudumbali town.<sup>24</sup> UNMAS reported in April 2017 that manual render-safe procedures were the primary method used by the Nigerian military EOD teams, which could be contributing to a high number of casualties among EOD personnel.<sup>25</sup>

## PROGRAMME MANAGEMENT

Both Nigeria's armed forces and police carry out EOD activities and ERW clearance. The state police have EOD units that support the army in clearing unexploded ordnance (UXO) and IEDs. The army's ERW clearance is primarily focused on facilitating military operations and clearing roads and areas to facilitate access for troops to carry out attacks on Boko Haram and to keep military supply routes open.<sup>26</sup>

In March 2017, the United States reported donating demining and EOD equipment to Nigeria and providing mine action training for Nigeria's EOD teams at the Nigerian School of Military Engineering.<sup>27</sup> In December 2016, a media source published photos of a "newly-acquired" Slovak-made Bozena demining machine, which it said had been deployed on roads in Borno state.<sup>28</sup> In 2015, it was reported that Nigeria had ordered 10 demining machines from a Slovakian company, with five scheduled for delivery in 2015 and the remainder in 2016.<sup>29</sup> In 2015, 24 Mine-Resistant Ambush Protected Vehicles (MRAPs) were said to have been given to the Nigerian army by the United States.<sup>30</sup>

In April 2017, a senior Nigerian military commander informed UNMAS that due to limited resources, the army's priority was to provide demining support for military operations. Saying that it lacked the capacity to undertake humanitarian demining, he called for additional equipment ongoing support, and refresher training.<sup>31</sup>

In 2016, DDG was providing risk education in IDP camps in the north-east states. It was seeking approval from the Government of Nigeria for access to contaminated areas to carry out non-technical survey, prior to clearance.<sup>32</sup> The International Committee of the Red Cross (ICRC) was also carrying out risk education in IDP camps through local partnerships. Mines Advisory Group (MAG) established an Arms Management and Destruction programme in Nigeria, and was also seeking to commence community liaison and risk education activities in Adamawa, Borno, and Yobe states.<sup>33</sup>

## LAND RELEASE

It is not known how much mine or EOD clearance has been carried out by the Nigerian military. In April 2017, the Chief of Army Staff, Lieutenant-General Tukur Buratai reported that the army was carrying out limited clearance of routes in forested areas to enable troop movements, but said that humanitarian demining of the Sambisa forest as such had not begun. He called for assistance from the UN and NGO demining organisations.<sup>34</sup>

In October 2016, though, in response to returning local residents' fears of landmine explosions in areas formerly held by Boko Haram, another senior Nigerian military commander had given assurances that freed communities in the north-east, once certified by the military, were safe from the threat of mines and IEDs. All efforts were being made to ensure that roads said to have been laid with IEDs were cleared, he said, noting that the army had received a large amount of demining equipment, which would be deployed following the training of personnel.<sup>35</sup>

In February 2015, the military was said to have cleared more than 1,500 landmines laid by Boko Haram around the town of Baga and in the Sambisa forest, using armoured personnel vehicles and armoured tanks with mine-sweeping capabilities.<sup>36</sup> Other media reports in 2015 confirmed that the military was using mechanised demining equipment to clear roads and paths for military operations against Boko Haram in Sambisa forest, but stated that the available machines were insufficient for the vast area concerned.<sup>37</sup> In another account in Adamawa state, it was reported that the military was working to clear mines from recaptured areas, focusing on roads, schools, and clinics, but farms were not considered a high priority despite many casualties having occurred when civilians returned to their fields.<sup>38</sup>

## ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBC, Nigeria was required to destroy all anti-personnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 1 March 2012. In December 2009, Nigeria informed the Second APMBC Review Conference that, "as soon as some limited numbers of anti-personnel landmines were discovered in some parts of Nigeria, we took prompt action to identify and to destroy these mines to protect civilian lives and community livelihoods".<sup>39</sup> At the Eleventh Meeting of States Parties in November 2011, Nigeria declared it had cleared all known anti-personnel mines from its territory.<sup>40</sup>

Under the Convention's agreed framework, in the event a mined area is discovered after the expiry of a state party's Article 5 clearance deadline, it

should immediately inform all other states parties of this discovery and undertake to destroy or ensure the destruction of all anti-personnel mines as soon as possible. Nigeria has not submitted an Article 7 transparency report since 2012.

Nigeria should request a new extended Article 5 deadline, which should be no more than five years. It must also continue to fulfil its reporting obligations under the APMBC, including by reporting on the location of all suspected or confirmed mined areas under its jurisdiction or control and on the status of programmes for the destruction of all anti-personnel mines therein.<sup>41</sup> As at September 2017, Nigeria had not made a public declaration of any newly discovered anti-personnel mine contamination to states parties of the APMBC.

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- 2 Bruno Bouchardy, Field Coordinator, UNMAS Mali, and Michael Hands, Mine Action Officer, UN Office to the African Union, "Mission Report: UNMAS Explosive Threat Scoping Mission to Nigeria 3 to 14 April 2017", April 2017, p. 3.
- 3 UNMAS, "Mission Report: UNMAS Explosive Threat Scoping Mission to Nigeria 3 to 14 April 2017", April 2017, p. 3.
- 4 DDG, "Mine Action Assessment: Northeastern Nigeria (Adamawa and Borno States) 1–15 November 2015", undated, at: [https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/drc\\_ddg\\_mine\\_action\\_assessment\\_nigeria\\_2015\\_12\\_08.pdf](https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/drc_ddg_mine_action_assessment_nigeria_2015_12_08.pdf).
- 5 DDG, "Mine Action Assessment: Northeastern Nigeria (Adamawa and Borno States) 1–15 November 2015".
- 6 "Boko Haram has cluster bombs: Nigeria's DHQ", *The News Nigeria*, 8 October 2015, at: <http://thenewsnigeria.com.ng/2015/10/boko-haram-has-cluster-bombs-nigerias-dhq/>; "Nigeria: Boko Haram Cluster Bomb May Come from Nigerian Military", *AllAfrica*, 14 October 2015, at: <http://allafrica.com/stories/201510141295.html>; and P. Hazlewood, "Boko Haram cluster bombs may come from Nigerian military", *AFP*, 13 October 2015, at: <https://www.yahoo.com/news/boko-haram-cluster-bombs-may-come-nigerian-military-112651761.html?ref=gs>.
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- 8 K. R. Anwar and R. W. Ahmad, "Nigeria: Fear of Landmines Scares Adamawa Farmers, Jibrilla says", *AllAfrica*, 24 October 2016, at: <http://allafrica.com/stories/201610241308.html>.
- 9 Sawab and Matazu, "Nigeria: Boko Haram – Plying Borno Roads Still a Nightmare"; Idris and Sawab, "Nigeria: Liberated Areas – Why IDPs Can't Return Home"; and K. Sieff, "A famine unlike we have ever seen", *The Washington Post*, 13 October 2016, at: <http://www.washingtonpost.com/sf/world/2016/10/13/they-survived-boko-haram-now-millions-in-nigeria-face-a-new-threat-starvation/>.
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- 11 Ibid.
- 12 Ibid., p. 3.
- 13 Ibid., p. 4.
- 14 Ibid., p. 3.
- 15 Ibid.
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- 18 "Boko Haram landmine kills seven IDPs in Yobe", *Punch*, 8 May 2016, at: <http://punchng.com/boko-haram-landmine-kills-seven-idps-yobe/>; S. Iswa, "North East farmers face landmine explosions, kidnapping", *Pulse*, 4 May 2016, at: <http://pulse.ng/local/boko-haram-north-east-farmers-face-landmine-explosions-kidnapping-id4995133.html>; and "How Boko Haram is killing off farms", *IRIN*, 17 December 2015, at: <http://www.irinnews.org/analysis/2015/12/17/>.
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- 23 A. Haruna, "Four soldiers killed, 16 injured in Boko Haram bomb attack", *Premium Times*, 26 September 2016, at: <http://www.premiumtimesng.com/news/headlines/211243-four-soldiers-killed-16-injured-boko-haram-bomb-attack.html>.
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- 25 UNMAS, "Mission Report: UNMAS Explosive Threat Scoping Mission to Nigeria 3 to 14 April 2017", April 2017, p. 5.
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- 30 Ibid.
- 31 UNMAS, "Mission Report: UNMAS Explosive Threat Scoping Mission to Nigeria 3 to 14 April 2017", April 2017, p. 5.
- 32 Ibid., p. 6.
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- 38 "How Boko Haram is killing off farms", *IRIN*, 17 December 2015, at: <http://www.irinnews.org/analysis/2015/12/17/>.
- 39 Statement of Nigeria, Second Review Conference, Cartagena, 4 December 2009.
- 40 Statement of Nigeria, 11th Meeting of States Parties, Phnom Penh, 29 November 2011. In January 2017, a civil war-era landmine was found in Ebonyi state, which villagers thought was an IED. Police forensics concluded it was a landmine left over from the conflict which ended 47 years ago which had washed up in a river. A bomb squad destroyed the device, and according to the police, the area was searched and no evidence of other contamination was found. J. Eze, "Nigeria: Civil War Explosive Found in Ebonyi Community – Police", *AllAfrica*, 17 January 2017, at: <http://allafrica.com/stories/201701180015.html>.
- 41 Final Report of the 12th Meeting of States Parties, Geneva, 21 January 2013, p. 10.