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Rights-based disarmament, demobilisation and reintegration as a measure to address security risks posed by vigilante groups in the Lake Chad Basin

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Summary: *Since 2009, Boko Haram insurgency has become a serious challenge to security and safety in the Lake Chad Basin. Despite the robust military response against Boko Haram and its splinter factions by Nigeria, Cameroon, Niger and Chad, the group has remained resilient. It has continued to conduct attacks causing the deaths of thousands and displacement of millions of people. Due to the inadequacies of security responses by the four Lake Chad Basin states, vigilante groups have emerged to protect their communities through combating Boko Haram. While the vigilante groups have been celebrated for turning the tide against the insurgency, there have been concerns about the future of the vigilante groups. This is based on the fear that they may pose security risks to their communities in future if they turn to ordinary criminal activities or organised crime. This article explores the reliance on vigilante groups against Boko Haram in Cameroon, Chad, Nigeria and Niger. It also discusses the security concerns about the future of vigilante*

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groups, and finally considers rights-based disarmament, demobilisation and reintegration of vigilante groups as a potentially valuable measure to address the security risks posed by the vigilantes to their communities.

Key words: *vigilantes; screening; disarmament; demobilisation; reintegration*

1 Introduction

The Boko Haram insurgency comprises part of the most pressing and greatest security challenges facing states in the Lake Chad Basin. Since 2009 the group has caused the deaths of tens of thousands of civilians and the displacement of millions of people across the Lake Chad Basin which straddles Nigeria, Niger, Chad and Cameroon.¹ In response to Boko Haram activities, the governments of these four riparian states resorted mainly to a military and security approach.² Aside from nationally driven military efforts, in 2015 the four states, together with Benin, enhanced military cooperation under the auspices of the African Union (AU)-mandated Multinational Joint Task Force (MNJTF).³

Despite the strong military campaigns that resulted in degrading Boko Haram's territorial control, the group remained resilient and adaptable in its tactics.⁴ With the continued resilience of Boko Haram, there was the development and employment of vigilante groups to shore up efforts to combat the group.⁵ Vigilante groups essentially are 'either citizens who organise themselves into groups to take the law into their own hands in order to reprimand criminals or associations in which citizens have joined together for self-protection under conditions of disorder'.⁶ The rise and popularity of vigilante groups against Boko Haram in the Lake Chad Basin is as a result of three gaps,⁷ namely, (i) a security gap, where the state is unable to

1 See UNDP 'Understanding and managing vigilante groups in the Lake Chad Basin region: Background study in support of the Lake Chad Basin Regional Strategy for Stabilisation, Recovery and Resilience for Areas Affected by the Boko Haram Crisis' March 2023 5. See also S Brechenmacher 'Stabilising Northeast Nigeria after Boko Haram' (2019) *Carnegie Endowment for International Peace* 1.

2 AU Regional Strategy for the Stabilisation, Recovery and Resilience of the Boko Haram Affected Areas of the Lake Chad Basin Region 16.

3 International Crisis Group 'What role for the multinational joint task force in fighting Boko Haram?' (2020) *Crisis Group Africa Report* 291.

4 See Brechenmacher (n 1) 1.

5 UNDP (n 1).

6 MI Schuberth 'The challenge of community-based armed groups: Towards a conceptualisation of militias, gangs, and vigilantes' (2015) 36 *Contemporary Security Policy* 7-8.

7 UNDP (n 1) 7.

offer security to its citizens; (ii) a capacity gap, when the state is not able to offer basic services to its citizens; and (iii) a legitimacy gap, when the state does not have legitimacy among its citizens and, hence, governs by oppression.

Notably, the use of vigilante groups in the Lake Chad Basin is not novel. Since the 1980s, the multi-faceted challenges in governance and decline in services among the states in Lake Chad have led to the emergence of vigilante groups.⁸ Thus, with the security challenges presented by Boko Haram, it was not surprising for vigilante groups to emerge and become popular in the conflict. However, the emergence and use of vigilante groups has varied among the four Lake Chad Basin states. In 2013 vigilantes against Boko Haram first emerged in Maiduguri, the capital of Borno state and the epicentre of the conflict, following the double pressure of increasing Boko Haram violence and enhanced military force in response to the violence.⁹ The vigilantes, which began operating under the name Civilian Joint Task Force (CJTF), complemented the efforts of the Joint Task Force (JTF), led by the Nigerian army because of their potential as a source of intelligence, local knowledge and manpower.¹⁰ The use of vigilantes spread to Cameroon in 2014 and Chad in 2015, where they were known in French as *comités de vigilance* (vigilante committees).¹¹ Due to its past struggles with vigilantes, Niger remained cautious.¹²

While these self-defence groups have generally been seen and celebrated as instrumental in the fight against Boko Haram, communities have started to be concerned about the future of the groups.¹³ There are concerns about the likelihood of security challenges associated with vigilante groups, especially with the chances of politicisation, a turn to organised crime and inter-vigilante rivalries.¹⁴ The downside and security risks associated with 'vigilantism', such as resort to criminal activities and violence, are well-known in the Lake Chad Basin, across Africa and worldwide.¹⁵ Therefore, there is a compelling need for and reason to address both short and long-term security risks that are likely to be posed by vigilantism in the Lake Chad Basin.

8 International Crisis Group 'Watchmen of Lake Chad: Vigilante groups fighting Boko Haram' (2017) Report 244 i.

9 As above.

10 As above.

11 As above.

12 As above.

13 Brechenmacher (n 1) 12.

14 As above.

15 See International Crisis Group (n 8) and Brechenmacher (n 1).

Considering the foregoing concerns, there have been calls for disarmament, demobilisation and reintegration (DDR) of the vigilantes.¹⁶ DDR is one of the useful peace-building tools in conflict-affected communities because it ensures the collection and destruction of weapons, the demobilisation of former combatants, the reintegration of former combatants and the broad provision of security. DDR, therefore, is suggested as one of the ways in which to incorporate vigilantes into civilian life, thereby preventing the likelihood of vigilantes developing into a new security threat in the region.¹⁷ While there have been calls for DDR of vigilante groups fighting against Boko Haram, there have not been studies exploring how the DDR programmes should be conceptualised or constructed, at least from a rights-based perspective. Therefore, this article focuses mainly on rights-based DDR for vigilante groups in Lake Chad Basin. The article is divided into the following five parts: part 1, introduction; part 2, brief overview of vigilante groups against Boko Haram in the four Lake Chad Basin states; part 3, security concerns about the future of vigilante groups; part 4, character of rights-based DDR for vigilantes in Lake Chad Basin; and part 5, concluding remarks.

2 Brief overview of vigilante groups against Boko Haram in the four Lake Chad Basin states

2.1 Civilian joint task force in Nigeria

Despite the military efforts by the Nigerian government against Boko Haram since 2009, the group continued to unrelentingly attack civilians in North-Eastern Nigeria.¹⁸ This led to the emergence of local vigilante group Yan Gora in 2013, and was nicknamed CJTF.¹⁹ Because the group did not emerge in opposition to state security forces, it became complementary to military efforts in shielding communities from Boko Haram attacks.²⁰ The CJTF has been useful in collecting and sharing intelligence; working with security forces; carrying out security scans and body searches; running checkpoints and patrolling; screening individuals to ensure community safety

16 OB Saheed & FC Onuoha 'Child of necessity: (Ab)uses of the civilian joint task force in Borno State, Nigeria' (2019) 3 *Journal of African-Centred Solutions in Peace and Security* 7. See also H Angerbrandt 'Nigeria and the Lake Chad region beyond Boko Haram' Nordic Africa Institute, Policy Note 3 June 2017 6 and V Felbab-Brown 'Nigeria case study' in C Salih and others (eds) *The limits of punishment, transitional justice and violent extremism* (2018) 117.

17 As above.

18 A Monday & O Okpanachi 'Role of vigilante groups in war against terrorism in Northeastern Nigeria' (2019) 7 *Global Journal of Politics and Law Research* 53.

19 As above.

20 UNDP (n 1) 13.

and peace of mind; offering security to enable daily life; assisting individuals to safety; and resolution of disputes.²¹ As a result, the CJTF has been credited by civilians for bringing back a semblance of stability and safety in North-Eastern Nigeria.²²

The membership of the group has been estimated as comprising approximately 30 000 members spread across all 27 local government areas of Borno state.²³ The members of the group range from ages 15 to 50 years, including children and women.²⁴ However, the group is dominated by male vigilantes. Most of the members of the group do not have college degrees and have mainly been engaged in local trading activities, public transport work and menial jobs.²⁵ Reasons for joining the group are varied, and include patriotism; a quest for justice and fear of the military; personal loss; a collective desire for a return to normal lives; attachment to one's community; hope to find government employment in the security sector, as a source of earning a wage; and power and prestige that is derived from collaboration with security forces.²⁶

After the CJTF was formally recognised in May 2013, the group has been receiving varying degrees of support from the government. In the past the government has provided the vigilantes with uniforms, vehicles and stipends on condition that they participate in a training programme offered by the military.²⁷ Under the state-sponsored Borno Youth Empowerment Scheme (BOYES), approximately 1 850 CJTF members participated in a four-week paramilitary training course and received a monthly stipend of N15 000 (\$48).²⁸ Some of the vigilantes were trained by the Kofi Annan International Peacekeeping Training Centre in Accra, Ghana.²⁹ BOYES training focused on the gathering of intelligence, human rights, the art of self-protection, and facets of civilian-military engagements.³⁰ However, the programme was soon discontinued after the training of the first batch, because of the military's uncertainty concerning the offer of

21 C Nagarajan 'Civilian perceptions of the Yan Gora (CJTF) in Borno State, Nigeria' (2018) Centre for Civilians in Conflict 12-14.

22 Nagarajan (n 21) 3.

23 UNDP (n 1) 14.

24 As above.

25 As above.

26 UNDP (n 1) 17.

27 A Okeowo 'The women fighting Boko Haram' *The New Yorker* 22 December 2015, <https://www.newyorker.com/news/news-desk/the-women-fighting-boko-haram> (accessed 23 December 2023).

28 UNDP (n 1) 18.

29 As above.

30 As above.

training to potentially undependable youth and the possibility of infiltration by Boko Haram spies.³¹

Depending on the level of government support, CJTF has been stratified along three layers: the first layer being the BOYES;³² a second layer, called Borno State Youth Vanguard, comprising a few thousand.³³ This group has been provided with weapons by the military, but it has neither been trained, nor paid.³⁴ The third layer comprises the majority of CJTF members that have not been provided with arms, or training, and are not formally paid.³⁵ Members of the last two layers have become resentful, feeling left out and ignored by the state.³⁶

2.2 Reliance on vigilantes against Boko Haram in Cameroon

In 2013 Boko Haram attacks for the first time spilled over into Cameroon.³⁷ By taking advantage of the weaknesses in Cameroon's border security, the group carried out multiple attacks in the far northern region of the country, including targeted killings of Cameroonians and expatriates.³⁸ The International Crisis Group notes that between 2012 and 2016, thousands of Cameroonians joined Boko Haram informed by various motivations including ideological reasons, opportunism, religious conviction and duress.³⁹ Also, certain ties, including religious, linguistic and social relations between Northern Nigeria and Cameroon's far north region, contributed to Boko Haram's spill-over into Cameroon.⁴⁰

In response to Boko Haram, just as in Nigeria, Cameroon adopted coercive measures including increased security presence in the far northern region,⁴¹ and collaboration with MNJTF. Considering the limitations of coercive measures adopted by the government of Cameroon, 'local communities also took responsibility for security

31 As above.

32 Felbab-Brown (n 16) 94.

33 As above.

34 As above.

35 As above.

36 As above.

37 US Department of State Country reports on terrorism: Africa overview April 2014, <https://2009-2017.state.gov/j/ct/rls/crt/2013/224820.htm> (accessed 24 October 2023).

38 As above.

39 International Crisis Group 'Cameroon's far north: A new chapter in the fight against Boko Haram' (2018) *Africa Report* 263 i.

40 M Gebremichael and others 'Nigeria conflict insight' (2018) 1 Institute for Peace and Security Studies, Addis Ababa University 5.

41 US Department of State (n 37).

into their own hands by forming vigilante groups'.⁴² This was not surprising considering that Cameroon has had a long history with vigilante groups. Since the 1950s to the early 1970s, vigilante groups were part of the Cameroonian government's fight against the left-wing Union des Populations du Cameroun.⁴³ Between the 1990s and 2000s, Cameroon worked with *comités de vigilance* to combat the criminal activities of bandits in the northern regions.⁴⁴

The vigilance committees against Boko Haram were established in the far northern region in 2014, following a regional decree by the governor, Augustine Awa Fonka.⁴⁵ Members of vigilance committees range from 15 years to 40 years of age, including mostly unemployed youths and women.⁴⁶ To date, it is estimated that there are between 14 000 and 16 000 vigilantes fighting against Boko Haram in the far north.⁴⁷ Just as in Nigeria, the vigilantes provide vital intelligence to the Cameroonian security apparatus, act as guides and scouts and, at certain times, combat Boko Haram directly and protect their villages, especially against suicide attacks.⁴⁸

2.3 Reliance on vigilantes against Boko Haram in Chad

While Chad was actively engaged in the fight against violent extremism in the Sahel, until 2015 violent extremism was not a serious threat to peace and security in the country.⁴⁹ In February 2015, Boko Haram carried out its first attack in Chad.⁵⁰ Throughout 2015, Boko Haram carried out multiple attacks in Chad, particularly around the Lake Chad area.⁵¹ Just like its neighbours, Nigeria,

42 OS Mahmood & DC Ani 'Responses to Boko Haram in the Lake Chad region: Policies, cooperation and livelihoods' Institute for Security Studies 19 July 2018.

43 Geneva Academy 'Non-international armed conflicts in Cameroon', <https://www.rulac.org/browse/conflicts/non-international-armed-conflict-in-cameroon/#collapse5accord> (accessed 23 October 2023).

44 As above.

45 International Crisis Group (n 8) 1.

46 UNDP (n 1) 26.

47 UNDP (n 1) 25.

48 International Crisis Group (n 39) i.

49 See US Department of State Country reports on terrorism: Africa overview 31 July 2012, <https://2009-2017.state.gov/j/ct/rls/crt/2011/195541.htm> (accessed 24 October 2023); US Department of State Country reports on terrorism: Africa overview 30 May 2013, <https://2009-2017.state.gov/j/ct/rls/crt/2012/209979.htm> (accessed 24 October 2023); US Department of State (n 37); and US Department of State Country reports on terrorism: Africa overview April 2015, <https://2009-2017.state.gov/j/ct/rls/crt/2014/239404.htm> (accessed 24 October 2023).

50 US Department of State Country reports on terrorism 2015, <https://2009-2017.state.gov/j/ct/rls/crt/2015/257514.htm> (accessed 24 October 2023).

51 See International Crisis Group 'Chad: Between ambition and fragility' Africa Report (2016) 233.

Cameroon and Niger, Chad's response to attacks by Boko Haram has been mainly coercive in nature.

With the increase in Boko Haram attacks, in 2015 Chad saw the emergence of vigilance committees seeking to address challenges posed by the group.⁵² Unlike in the case of Nigeria and Cameroon, where vigilante groups have become central to the fight against Boko Haram, Chad has been more cautious about relying on vigilantes to combat Boko Haram.⁵³ This is due to revolts that the country has in the past experienced.⁵⁴ The country has experienced several rebellions and, in the 1980s, the Lake Chad region provided refuge to rebels opposed to Hissène Habré, who at the time was the President.⁵⁵ Also, Chad sees reliance on vigilante groups in the fight against Boko Haram as 'both a sign of weakness and a real threat to the state's authority and power'.⁵⁶

Therefore, vigilance committees in Chad generally carry out their activities with tacit approval of the government.⁵⁷ Considering the rebellions of the past, the government of Chad has been reluctant to provide arms to vigilantes.⁵⁸ Unlike the case of Nigeria, vigilantes in the country do not carry out joint patrols with security forces.⁵⁹ In many instances the vigilantes carry out searches at the entrances of mosques, markets and areas of aid distribution, and provide intelligence to authorities.⁶⁰ Because of weaknesses in its bureaucratic apparatus, the country depends on chiefs to select, identify and control members of vigilante groups.⁶¹

2.4 Reliance on vigilantes against Boko Haram in Niger

Since 2013, Niger began to experience the spill-over of Boko Haram activities.⁶² In 2015 Boko Haram frequently crossed over Niger's border with Nigeria to carry out attacks in the Diffa region of Niger, resulting in the deaths of many civilians and security forces.⁶³ In 2016 the group conducted attacks in the Diffa region, including the

52 UNDP (n 1) 10.

53 International Crisis Group (n 8) i.

54 International Crisis Group (n 8) 3.

55 As above.

56 UNDP (n 1) 28-29.

57 UNDP (n 1) 30.

58 As above.

59 International Crisis Group (n 8) 19.

60 As above.

61 International Crisis Group (n 8) 10.

62 US Department of State (n 37).

63 See United Nations Department of Peace Operations (UNDPO), United Nations Office for Disarmament Affairs (UNODA) & Lake Chad Basin Commission (LCB) 'Weapons and ammunition dynamics in the Lake Chad Basin' (2022).

attacks on 3 and 6 June in Bosso town, which caused deaths of 32 soldiers, and the 16 June attacks in Ngagam village in Diffa, which resulted in the deaths of seven *gendarmes* and the theft of supplies.⁶⁴

In addition to intervention by security agencies, Niger has also depended on vigilantes in combating Boko Haram. However, just as the case of Chad, the government of Niger has been cautious about reliance on vigilantes as a source of security.⁶⁵ As such, the use of vigilantes in Niger in the fight against Boko Haram is not widespread.⁶⁶ The country has been cautious with reliance on vigilantes because of its past revolts by vigilantes.⁶⁷ Niger has prohibited civilians from manning road blocks, carrying weapons, and has required vigilantes to serve as informants within the civilian-army cooperation units.⁶⁸ Notably, under both President Mahamadou Issoufou and President Mohamed Bazoum, Niger strongly resisted the arming of communities or civilians.⁶⁹

3 Security concerns about the future of vigilante groups

While it is evident that vigilante groups have been useful in the fight against Boko Haram, the future of vigilante groups has become a matter of concern. These concerns about the future of vigilante groups in the Lake Chad Basin are based on various reasons. First, the history of reliance on vigilante groups has shown that although they are instrumental in addressing security challenges, they have a tendency to reorient towards becoming militias or gangs over time.⁷⁰ Across Africa, some of the groups that have been used to provide security in their communities include People Against Gangsterism and Drugs (PAGAD) in South Africa; White Farmers in the Orange Free State in South Africa; the Sungusungu Movement to combat cattle rustling in Tanzania; anti-thief and anti-witch organisations in Bugisu district in Uganda; the Kamajors in Sierra Leone; the Mungiki in Kenya; and the Bakassi boys in Nigeria.⁷¹ Despite being useful in providing security in areas where the state was unable to address insecurity, violence and criminality, these groups over time became

64 US Department of State Country Reports on Terrorism 2016, <https://www.state.gov/reports/country-reports-on-terrorism-2016/> (accessed 24 October 2023).

65 UNDP (n 1) 28.

66 As above.

67 International Crisis Group (n 8) 13.

68 UNDP (n 1) 8.

69 See International Crisis Group 'A worrying new phase in the Sahel crisis' 24 July 2023, <https://www.crisisgroup.org/africa/sahel-niger/worrying-new-phase-sahel-crisis> (accessed 24 October 2023).

70 Saheed & Onuoha (n 16) 27.

71 Saheed & Onuoha (n 16) 27-28.

susceptible to abuses and manipulation.⁷² Therefore, they ultimately became another security challenge.⁷³

In Nigeria, perceptions towards CJTF have changed increasingly over time with various concerns raised about their future. Some of the concerns by civilians include⁷⁴ (i) the increased politicisation and manipulation of the group by politicians; (ii) the likelihood of the involvement of the group in criminal and gang activities; (iii) the chances of the group derailing the ongoing DDR processes for former associates of Boko Haram; and (iv) tensions within the group, or between the group and other vigilante groups such as *yan banga* and/or *kungiyar maharba*, which would lead a new phase of the conflict in North Eastern Nigeria. So far, the group has been implicated in various cases of human rights violations, both independently and complicitly with security forces.⁷⁵ Some of the allegations relate to extrajudicial killings, torture, sexual harassment, rape, exploitation and abuse, and extortion of money.⁷⁶

In Cameroon, various issues have been raised about security challenges posed by vigilante groups that have been assisting in the fight against Boko Haram. There has been the concern that 'the government does not have full control over these committees, and the concerns that some vigilante groups may create further security problems in the region'.⁷⁷ Also, in the absence of proper checks and balances, vigilantes in the country have been accused of excesses and human rights violations, either independently or alongside security agencies.⁷⁸ The allegations relate to extrajudicial killings, forced disappearances, torture and arbitrary deprivations of liberty.⁷⁹

Second, in Nigeria, the CJTF has also voiced agitation as to the plan that the government has for its members as the threat posed by Boko Haram starts to decline.⁸⁰ The group considers itself to have greatly contributed to 'winning' the war against Boko Haram by supporting security forces to combat Boko Haram and to regain territories from the insurgents.⁸¹ This support has come at an immense cost.

72 As above.

73 As above.

74 Nagarajan (n 21) 3.

75 See DE Agbibo 'National heroes or coming anarchy? Vigilant youth and the war on terror in Nigeria' (2017) 11 *Critical Studies on Terrorism* 1.

76 Nagarajan (n 21) 17.

77 Mahmood & Ani (n 42) 20.

78 UNDP (n 1) 27.

79 As above.

80 Mahmood & Ani (n 42) 36. See also I Hassan & Z Pieri 'The rise and risks of Nigeria's civilian joint task force: Implications for post-conflict recovery in Northeastern Nigeria' (2018) *Combating Terrorism Centre at West Point* 84.

81 As above.

The agitation by CJTF members has become stronger because the government is conducting a DDR process for former Boko Haram members under the Operation Safe Corridor (OPSC) programme.⁸²

Considering these concerns, DDR of vigilante groups has been proposed as an important component of peace-building processes in Lake Chad Basin. In fact, some of the objectives of the AU, Regional Strategy for the Stabilisation, Recovery and Resilience of the Boko Haram Affected Areas of the Lake Chad Basin Region, include DDR of vigilante groups and vigilante committees in the Lake Chad Basin.⁸³

4 Character of rights-based DDR of vigilantes in Lake Chad Basin

At the time the four Lake Chad Basin states embark on DDR of vigilante groups in the region, they will be building on a practice that has been in existence for more than three decades. Since the late 1980s, DDR has assumed a vital place in the 'imagination of peace, security and development', stabilisation and reconstruction engagements in conflict-affected communities worldwide.⁸⁴ DDR programmes have been undertaken in Africa, the Americas, the Middle East, South and South East Asia, the South Pacific and Eastern Europe.⁸⁵ The common use of DDR in peace-building processes in conflict-affected communities is founded on the idea that DDR together with Security Sector Reforms (SSR) enhances the (re)building of a state's capacity to (re)assert control over the use of force.⁸⁶ Based on this understanding, DDR of vigilantes becomes necessary in the efforts geared towards the creation of a climate of peace and security in the Lake Chad Basin.

Both in the past and present, compliance with human rights obligations during the designing and implementation of DDR programmes has not been a priority to many of the actors.⁸⁷ This has not been surprising considering the never-ending dilemma and

82 As above.

83 See Strategic Objectives 7 and 12 of the AU Regional Strategy for the Stabilisation, Recovery and Resilience of the Boko Haram Affected Areas of the Lake Chad Basin Region.

84 See R Muggah & C O'Donnell 'Next generation disarmament, demobilisation and reintegration' (2015) 4 *Stability: International Journal of Security and Development* 1.

85 As above.

86 L Waldorf 'Getting the gunpowder out of their heads: The limits of rights-based DDR' (2013) 35 *Human Rights Quarterly* 703.

87 See a discussion on this in JM Kilonzo 'A rights-based approach to disarmament, demobilisation, and reintegration in countering violent extremism in Africa' Unpublished LLD Unpublished LLD thesis, University of Pretoria, 2023.

debate between peace and justice.⁸⁸ Therefore, building on lessons from past and present DDR programmes, Cameroon, Nigeria, Niger and Chad should adopt a rights-based approach to DDR of vigilantes fighting against Boko Haram. In this article, a rights-based approach is one that systematically adopts and applies values, principles and standards that are outlined in international and regional human rights and humanitarian law to both procedural and substantive processes of DDR programming.⁸⁹ Although there is no specific treaty on DDR, this article recognises that the existing international and regional human rights and humanitarian law frameworks provide a robust basis for the adoption and implementation of a rights-based approach to DDR of vigilantes in the Lake Chad Basin.

The parts below explore various phases of DDR of vigilantes in the Lake Chad Basin from a rights-based perspective. The phases include screening and verification, disarmament, demobilisation and reintegration. Also, a discussion on the protection of rights of vulnerable groups, such as women, children and persons with disabilities, during the DDR process is undertaken.

4.1 Screening and verification phase

The screening and verification phase should be the initial phase of determining the profile of individuals associated with vigilante groups to determine whether they are eligible to participate in the DDR process or to be investigated and prosecuted for the commission of certain crimes such as war crimes, gross human rights violations, crimes against humanity, genocide, and so forth. In traditional DDR processes, which are implemented in post-conflict societies, screening has been a critical process as it offers room to determine who is eligible for DDR support and who should not be a beneficiary of a DDR process.⁹⁰ In third-generation DDR processes, which are implemented during ongoing conflict – for instance in the context of countering violent extremism – screening is seen

88 Secretary-General of the United Nations Press Release: 'Secretary-general expresses hope for new Security Council commitment to place justice, rule of law at heart of efforts to rebuild war-torn countries' UN Doc SG/SM/8892, SC/7881 25 September 2003.

89 See elaboration of human rights-based approach in United Nations Development Group (UNDG) *The human rights-based approach to development cooperation: Towards a common understanding among UN agencies* (2003), <https://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies> (accessed 24 October 2023).

90 See MDRP 'Screening, verification and registration: Vital elements in demobilisation', <https://reliefweb.int/sites/reliefweb.int/files/resources/7B5B034518854718C12571F700436DB1-WB-Sep2006.pdf> (accessed 24 October 2023).

as 'the initial process of determining the main profile of a person, currently in the custody of authorities or under the responsibility of authorities, in order to recommend particular treatment: including further investigation or prosecution; or direct participation in a rehabilitation and/or reintegration programme'.⁹¹

The screening and verification phase of DDR programmes for vigilante groups is essential to ensuring that Cameroon, Nigeria, Niger and Chad comply with the state obligation to hold to account perpetrators of serious crimes and provide remedies to victims under international and regional human rights law. The state obligation to investigate and punish perpetrators of war crimes and human rights violations is outlined both under international human rights law and international humanitarian law as an extension of the obligation to prevent violations of the two bodies of law.⁹² Under international human rights law, the obligation is viewed as implicit in the obligation to provide effective remedies to victims of violations of human rights.⁹³ Under international humanitarian law, states have an obligation to investigate war crimes suspected to have been committed by their nationals or in their territory and, where appropriate, prosecute the suspects.⁹⁴ As such, the four Lake Chad Basin states have an obligation to ensure that the allegations that vigilante groups have committed human rights violations and war crimes are investigated and, where appropriate, prosecutions are undertaken, and victims are offered an effective remedy.

Importantly, the screening and verification phase should be guided by standing operating procedures (SOPs) that guarantee transparency and accountability. In most of the third-generation DDR processes that are implemented in Africa in places such as Nigeria and Somalia, accountability and transparency have been lacking.⁹⁵ As such, there is a need to develop the SOPs in an inclusive process that involves civil society organisations, community leaders, DDR practitioners, scholars and development partners. Further, to ensure human rights

91 See Lake Chad Basin Commission 'Pillar paper for screening, prosecution, rehabilitation and reintegration' (2018) 7.

92 UN Human Rights Committee General Comment 36, Article 6 (Right to Life) 3 September 2019, CCPR/C/GC/35 para 21. See also Inter-American Court of Human Rights *Velásquez Rodríguez v Honduras* 29 July 1988 para 176; *Social and Economic Rights Action Centre (SERAC) & Another v Nigeria* (2001) AHRLR 60 (ACHPR 2001) para 57; *Commission Nationale des Droits de l'Homme et des Libertés v Chad* (2000) AHRLR 66 (ACHPR 1995).

93 General Comment 36 (n 92) para 27.

94 See JM Henckaerts & L Doswald-Beck (eds) *Customary international humanitarian law Vol 1: Rules* (2005) (ICRC Customary Law Study) Rule 158, <https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1> (accessed 24 October 2023).

95 See Brechenmacher (n 1) 1. See also A Parrin 'Creating a legal framework for terrorism defectors and detainees in Somalia' (2016) 55 *Columbia Journal of Transnational Law* 258.

compliance, the screening and verification phase should eliminate arbitrariness, avoid torture and arbitrary detention, respect the right to privacy, enhance the right to fair trial, and respect and protect the rights of vulnerable groups. Considering that the state bears the primary responsibility with respect to security and human rights obligations, where there has been a violation of human rights during the screening phase, it must ensure accountability and provide a remedy for the violation.

4.2 Disarmament phase

Although states in the Lake Chad Basin have been cautious about arming and training most vigilantes to avoid proliferation of weapons in general, vigilantes have still had access to weapons.⁹⁶ For instance, there is evidence indicating that CJTF already has a large cache of small and light weapons in their possession.⁹⁷ Concerns have been raised that in Borno state, CJTF has looted armouries of Boko Haram during operations and has refused to surrender the recovered arms to the relevant authorities.⁹⁸ Therefore, there is a need to plan and implement a disarmament process. The United Nations (UN) Integrated Disarmament, Demobilisation and Reintegration Standards (IDDRS) define disarmament as

the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons of combatants and often also of the civilian population. Disarmament also includes the development of responsible arms management programmes.⁹⁹

Nigeria, Niger, Chad and Cameroon should develop and implement disarmament protocols that ensure the effective collection, documentation, control and disposal of weapons that are in the possession of vigilante groups. This should be accompanied by responsible weapon management. The process of disarmament should commence with the carrying out of an assessment and information gathering on the profile and size of the vigilante groups, and the number, type and location of weapons that they possess.¹⁰⁰ Also, as noted by International Crisis Group, the disarmament process should focus on the collection of functional automatic weapons as opposed to spending resources on 'decommissioning hunting rifles

96 See Hassan & Pieri (n 80) 85.

97 As above.

98 As above.

99 UN 'Integrated disarmament, demobilisation and reintegration standards: Glossary and terms' Module 1.20 1 August 2006 6.

100 See I Idris 'Lessons from DDR programmes' GSDRC (2016) Helpdesk Research Report 1368 (GSDRC, University of Birmingham).

and locally produced weapons, which are easily replaced and less lethal'.¹⁰¹

Importantly, the lack of a weapon should not be a basis for excluding those who do not have one from participating in the DDR process. In the past, women and children have been excluded from traditional DDR process because of the requirement of gun ownership or the knowledge to operate a gun. For instance, in Sierra Leone, during the initial stages of the DDR process, ownership of a gun as a requirement to join the programme led to the exclusion of women associated with armed groups in the country because they did not own a gun.¹⁰² The programme later became more inclusive after this requirement was revised.¹⁰³

4.3 Demobilisation phase

The DDR of vigilantes in the Lake Chad Basin should entail a well-planned demobilisation phase. Demobilisation as defined by the UN IDDRS entails¹⁰⁴

the formal and controlled discharge of active combatants from armed forces or other armed groups. The first stage of demobilisation may extend from the processing of individual combatants in temporary centres to the massing of troops in camps designated for this purpose (cantonment sites, encampments, assembly areas or barracks). The second stage of demobilisation encompasses the support package provided to the demobilised, which is called reinsertion.

As such, the demobilisation of members of vigilante groups should include formal and controlled discharge from the groups. In consultation with relevant stakeholders, including civil society organisations, community leaders and development partners, the governments of Cameroon, Nigeria, Niger and Chad can decide whether the demobilisation phase should entail the processing of individual members of vigilante groups in temporary centres or in designated sites or assembly points.

At the second stage, the demobilisation of members of vigilante groups should include a support package to cover some basic needs for the demobilised members of vigilante groups. Where the situation requires, this can entail the provision of food, shelter, medical

¹⁰¹ International Crisis Group (n 8) 22.

¹⁰² MG Sesay & M Suma 'Transitional justice and DDR: The case of Sierra Leone' (2009) International Centre for Transitional Justice Research Brief 12-13.

¹⁰³ As above.

¹⁰⁴ UN (n 99) 6.

services, training, employment and short-term education.¹⁰⁵ This will be compliant with the states' obligations relating to the rights to food,¹⁰⁶ shelter,¹⁰⁷ health,¹⁰⁸ education¹⁰⁹ and work.¹¹⁰ Importantly, the process should not be discriminatory in terms of gender, religion, ethnic origin or other status.

4.4 Reintegration phase

After the demobilisation of members of vigilante groups, their reintegration into society should follow. Reintegration as defined by the UN IDDRS is 'the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open time-frame, primarily taking place in communities at the local level.'¹¹¹

Reintegration essentially is a long-term process that takes place at individual, community and national level, and its success is determined by social, psychological, political and security factors.¹¹² As such, the reintegration of members of vigilante groups should focus on establishing social relationships between them and other members of their communities, creating means of livelihoods for them, enhancing their participation in political life of their communities and country, and mitigating the likelihood of rejoining vigilante groups or turning to criminal activities. In doing so, the reintegration process will encompass the three spheres of reintegration, namely, social reintegration, economic reintegration and political reintegration.

Reintegration activities should be broad enough to consider other members of the community whose livelihoods have been adversely affected by violent extremism. Considering the ongoing DDR efforts in Cameroon, Nigeria, Niger and Chad that are focusing on former associates of Boko Haram, if reintegration activities of vigilante groups do not encompass the wider community and other necessary transitional justice processes, DDR processes can be

¹⁰⁵ UN (n 99) 19.

¹⁰⁶ Art 11 International Covenant on Economic, Social, and Cultural Rights (ICESCR). See also Committee on Economic Social and Cultural Rights (ESCR Committee) General Comment 12: The Right to Adequate Food (art 11 of the Covenant) 12 May 1999.

¹⁰⁷ See ESCR Committee General Comment 4: The Right to Adequate Housing (art 11(1) of the Covenant) 13 December 1991 E/1992/23. See also *SERAC* (n 92) para 60.

¹⁰⁸ Art 12 ICESCR and art 16 African Charter on Human and Peoples' Rights.

¹⁰⁹ Art 13 ICESCR.

¹¹⁰ Arts 6 & 7 ICESCR.

¹¹¹ UN (n 99) 6.

¹¹² UN (n 99) 4.

perceived as 'rewarding' those who have actively been participating in the conflict. Such a perception can lead to resentment by the community, thereby undermining the successful reintegration of both members of vigilante groups and former associates of Boko Haram.

Notably, a rights-based approach to reintegration of vigilante groups should be premised on non-discrimination, transparency, accountability, and the empowerment of individuals participating in the reintegration process. As such, it should be designed and implemented in an inclusive manner that entails community engagement, the involvement of civil society, and vulnerable groups. Importantly, it should respect, protect and fulfil the rights of vigilante members that are likely to be affected during reintegration. These include the right to safety and security;¹¹³ the right to an adequate standard of living;¹¹⁴ the right to work;¹¹⁵ the right to participate in political life;¹¹⁶ and the protection of the rights of vulnerable groups.

4.5 Protection of rights of vulnerable groups during DDR process

One of the core features of the rights-based approach to DDR is the protection of the rights of certain groups that are considered vulnerable. While there is no definitive definition of vulnerable groups, there is consensus that these groups can be viewed particularly as disadvantaged groups, at-risk groups or marginalised groups.¹¹⁷ These groups include women, children and persons with disabilities. The specific consideration that is given to vulnerable groups stems from the acknowledgment that they often 'systematically lack enjoyment of a wide range of human rights'.¹¹⁸

The inclusion and protection of women's rights in DDR of vigilante groups is necessary considering that there is evidence that women have been part of counterinsurgency vigilante activities. For instance, in North Eastern Nigeria, scores of women have been taking part in

113 See Human Rights Committee General Comment [80] (The nature of the general legal obligation imposed on state parties to the Covenant) 26 May 2004 CCPR/C/21/Rev.1/Add.1.31.

114 Art 11 ICESCR. See also *SERAC* (n 92) para 60.

115 Arts 6 & 7 ICESCR.

116 Art 25 ICCPR. See also Human Rights Committee CCPR General Comment 25: Article 25 (Participation in public affairs and the right to vote), The right to participate in public affairs, voting rights and the right of equal access to public service, 12 July 1996, CCPR/C/21/Rev.1/Add.7.

117 AR Chapman & B Carbonetti 'Human rights protections for vulnerable and disadvantaged groups: The contributions of the UN Committee on Economic, Social and Cultural Rights' (2011) 33 *Human Rights Quarterly* 724.

118 Chapman & Carbonetti (n 117) 682 & 683.

counter-insurgency activities, especially relating to combating the activities of women insurgents and suicide violent extremists.¹¹⁹ As members of CJTF, women have been playing different roles, including assisting security forces and CJTF men to search ladies at checkpoints; the identification of suspects; intelligence gathering; the guarding of IDP camps; and sometimes actively engaging in fights against Boko Haram.¹²⁰ Also, in Cameroon, women have been part of vigilance committees and have been providing security forces with critical local intelligence about Boko Haram activities.¹²¹ The participation of women in counter-insurgency activities against Boko Haram mirrors women's counter-insurgency movements in conflict areas such as Iraq and Syria, including all-female Kurdish Battalions, the Yazidi female militia, and the Assyrian female militias.¹²²

During DDR processes, women and men have distinct practical needs that should be taken into account during each stage of the DDR process. In the case of DDR of vigilante groups, Cameroon, Nigeria, Niger and Chad have an obligation to address the needs of and protect the rights of women and girls right from the screening phase to the reintegration phase. The obligation is spelled out in the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW);¹²³ the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Women's Protocol);¹²⁴ UN Security Council Resolution 1325 (2000); and other relevant UN resolutions.¹²⁵ The two treaties and UN Security resolutions cement the place and instrumentality of gender mainstreaming in peace-building and conflict resolution procedures.

To address the specific needs and rights of women and girls in DDR of vigilante groups, states and development actors should consider the different groupings of women and girls associated with vigilante groups, for instance, women who are actively involved in fighting against Boko Haram, women who are associated with vigilante groups as wives or widows of vigilante men who have been killed by Boko Haram, and women who live in areas affected by Boko Haram and have shown some degree of support to vigilante groups. This should be premised on the acknowledgment that these groupings may at times overlap, thus they may not be as clear.

119 DE Agbibo 'Out of the shadows: The women countering insurgency in Nigeria,' (2022) 18 *Politics and Gender* 1017.

120 As above.

121 UNDP (n 1) 26.

122 Agbibo (n 119).

123 See art 2 CEDAW.

124 See art 2 African Women's Protocol.

125 The relevant UN Security Council resolutions include Resolution 1820 (2008), Resolution 1888 (2009), Resolution 1889 (2009) and Resolution 2349 (2017).

When children are concerned, there is evidence of their recruitment and participation in activities of vigilante groups, which obviously is against international and regional law.¹²⁶ For instance, children have been recruited and have participated in CJTF counter-insurgency activities such as intelligence-related engagements, search operations, crowd control, night patrols and manning guard posts.¹²⁷ Also, in Cameroon, allegations have been made that vigilante committees recruit and use children in their counter-insurgency activities.¹²⁸ Some of these children are as young as 12 years of age.¹²⁹

The four Lake Chad states have an obligation to include and protect the rights of children during DDR of vigilante groups. In doing so, they should consider different groupings of children associated with vigilante groups, including children who have been recruited into vigilante groups and children born of members of vigilante groups. Notably, in addition to barring the recruitment and use of children in conflicts, the UN Convention on the Rights of the Child (CRC)¹³⁰ and the African Charter on the Rights and Welfare of the Child (African Children's Charter)¹³¹ place an obligation on states to take 'all feasible measures to ensure protection and care of children who are affected by armed conflicts'.¹³² Moreover, CRC under article 39 requires states to promote the physical and psychological recovery and social reintegration of children. To meet the obligation to protect, care and promote the physical and psychological recovery and reintegration of children associated with vigilante groups, states must ensure the inclusion of children in the DDR process.

Moreover, the best interests of the child should be given primary consideration in all measures taken for children during DDR of vigilante groups.¹³³ Also, as underscored by the African Committee of Experts on the Rights and Welfare of the Child (African Children's Committee) in General Comment 22 of the African Children's Charter, 'children shall be dealt with as victims regardless of their

126 See art 38 of the UN Convention on the Rights of the Child and art 22 of the African Children's Charter.

127 Nagarajan (n 21) 10.

128 UNDP (n 1) 27.

129 As above.

130 Art 38(2) prohibits the recruitment of children who have not reached 15 years of age.

131 Art 22(2) prohibits the recruitment of children below the age of 18 years since the definition of a child under art 2 of the Charter is every person below the age of 18 years.

132 Art 38(4) CRC; art 22(3) African Children's Charter.

133 See art 3 of CRC (the best interests of the child should be a primary consideration) and art 4 of the African Children's Charter (the best interests of the child should be the primary consideration).

association with armed forces and armed groups'.¹³⁴ As such, children associated with vigilante groups should be treated as victims whose rights should be protected during the DDR process.

Regarding persons with disabilities (PWDs), there are indications that they have also been involved in counter-insurgency activities of vigilante groups. For instance, in Nigeria, some PWDs became disabled while participating in counter-insurgency activities of CJTF.¹³⁵ Others joined CJTF while they were already disabled.¹³⁶ While PWDs may not participate in active combat, they have been playing critical roles such as checking those entering IDP camps and other places, and taking responsibility while able-bodied members of CJTF leave for operations.¹³⁷ They have also been taking part in the resolution of disputes in their communities.¹³⁸

As asserted by Priddy, despite the severe impact that armed conflict has on PWDs, they are often the 'forgotten victims of armed conflict'.¹³⁹ In accordance with the International Convention on Civil and Political Rights (ICCPR),¹⁴⁰ the African Charter on Human and Peoples' Rights (African Charter)¹⁴¹ and the Convention on the Rights of Persons with Disabilities (CRPD),¹⁴² during DDR of vigilante groups, states have an obligation to guarantee and promote the full realisation of human rights and fundamental freedoms of PWDs. Particularly, CRPD under article 11 places an obligation on states to adopt the necessary measures of protection and safety of persons with disabilities in situations of risk, including armed conflict.¹⁴³ This obligation requires the four Lake Chad states to take all the necessary measures of protection and safety of PWDs during DDR of vigilantes. Further, these states have an obligation to ensure that PWDs are afforded reasonable accommodation during DDR of vigilante groups.¹⁴⁴ Importantly, the UN, the AU and civil society organisations closely working to support the design and implementation of these DDR programmes must call for the inclusion and protection of the vulnerable.

134 African Children's Committee General Comment on article 22 of the African Charter on the Rights and Welfare of the Child 'Children in situations of conflict' para 26.

135 Nagarajan (n 21) 10.

136 As above.

137 As above.

138 As above.

139 A Priddy 'Disability and armed conflict' (2019) The Geneva Academy of International Humanitarian Law and Human Rights Academy Briefing 14, 13.

140 Art 2 ICCPR.

141 Art 2 African Charter.

142 Art 4 CRPD.

143 See Priddy (n 139) 76.

144 Art 5 CRPD.

5 Concluding remarks

The Boko Haram insurgency has remained one of the main security challenges facing Nigeria, Niger, Cameroon and Chad. With security gaps that have been occasioned by inadequacies of the security apparatus of the four states, vigilante groups have emerged to protect their communities against Boko Haram. This article has underscored that while the vigilante groups were initially celebrated for turning the tide against Boko Haram, there are concerns about their future. The fears about the future of vigilante groups are informed by the fact that if their fate is not determined in time, they may become a security threat in their communities. As such, the long-term security of Lake Chad Basin areas is dependent on both addressing challenges posed by Boko Haram and measures taken to determine the fate of vigilante groups.

Premised on this understanding, this article explores the roles of vigilante groups fighting against Boko Haram, security concerns about their future, and outlines a rights-based approach to DDR of vigilantes as one of the ways in which to avert security risks that they may pose to their communities. On the discussion relating to DDR, the article has underscored that while there is no treaty that relates to DDR, existing international and regional human rights treaties and international humanitarian law place an obligation on the four Lake Chad Basin states to design and implement a rights-based DDR of vigilantes.