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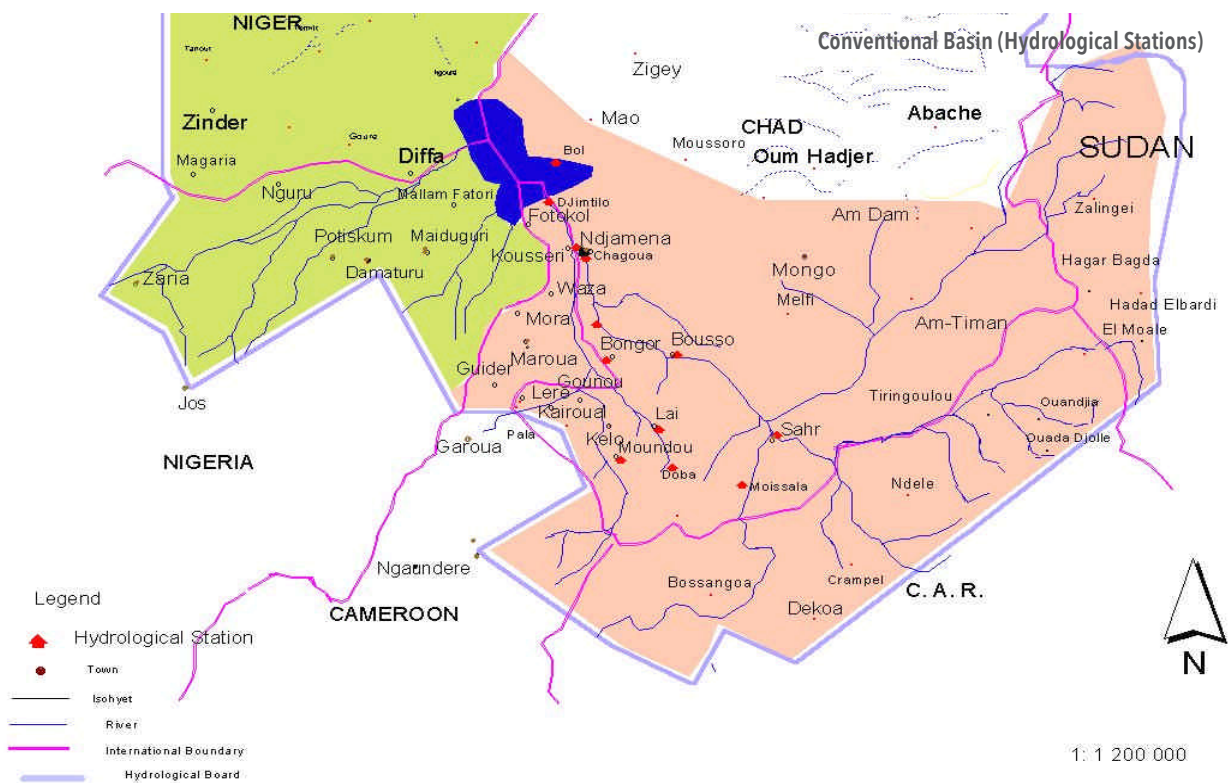
PILLAR PAPER

.....
for Screening, Prosecution,
Rehabilitation and Reintegration
.....

Lake Chad Basin Region



Lake Chad Basin Commission
African Union Commission
August 2018



REGIONAL STRATEGY

.....

for the Stabilization, Recovery &
Resilience of the Boko Haram-
affected Areas of the

.....

Lake Chad Basin Region

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PILLAR PAPER FOR SCREENING, PROSECUTION, REHABILITATION AND REINTEGRATION

Summary of Strategic Objectives

Overall Strategic Objective:

To develop a common overall approach to the screening, prosecution, rehabilitation and reintegration of persons associated with Boko Haram, including the relationship between different components in line with international standards.

Strategic Objective 1: Screening

Persons associated with Boko Haram are received and screened according to a common regional approach, in line with international standards.

Strategic Objective 2: Prosecution

National criminal justice systems in the Lake Chad Basin countries are strengthened and enabled to undertake the criminal investigation and prosecution of persons associated with Boko Haram

Strategic Objective 3: Rehabilitation

Persons associated with Boko Haram are rehabilitated according to a common regional approach linked to later reintegration activities and including psychosocial support, health, nutrition (in a first phase) and vocational training and income-generating activities (in a second phase).

Strategic Objective 4: Reintegration

Persons associated with Boko Haram, members of vigilante groups/vigilance committees, returnees (including former prisoners), youth at risk, and victims of Boko Haram receive community-based reintegration support, following a harmonized regional approach.

Definitions

In the context of developing prosecution, rehabilitation and reintegration strategies in the Lake Chad Basin and in general, the term “association” or “associated to” is intended to be used broadly to mean all persons (regardless of actual age, relationship, gender etc.) with whom the authorities have some responsibility or authority over (i.e., through custody or otherwise), and whom the authorities believe had some contact with Boko Haram or ISIL without presuming or prejudging the nature of their relationship to Boko Haram or ISIL. In this context, the term “associated to” can also, for example, refer to women and children who may be victims of Boko Haram or ISIL. In this respect, the term should be distinguished from usage in the context of a DDR program, where it means a person with some form of support capacity to an armed group, including family members (versus a person who had a combat role).

In the context of developing prosecution, rehabilitation and reintegration strategies in the Lake Chad Basin and in general, the term “screening” is intended to refer to 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. The criteria to be applied during the process of screening, including any vetting criteria, must comply with international human rights standards as well as conform to other applicable regimes, such as international humanitarian law and the international counter-terrorism framework. In this respect, the term should be distinguished from usage in the context of a DDR program, where screening refers to the process of ensuring that a person who met previously agreed eligibility criteria for a DDR program will be registered in the programme and will receive DDR-specific assistance.

Rehabilitation can be considered as a set of measures aimed to support the transition from being associated with Boko Haram to a citizen of the community, abandoning the use of violent means to achieve change, generating income to cater for families’ needs and avoiding recidivism. In this context, rehabilitation often takes place in residential centres and includes deradicalization, psychosocial support, and mental health counselling. In addition, rehabilitation can also include support to those with physical disabilities.

Reintegration has traditionally been regarded as the process by which ex-combatants acquire civilian status and gain sustainable employment and income. However, in this context, reintegration refers not only to ex-combatants but to the different categories of persons associated with Boko Haram, as defined during the abovementioned screening process. Reintegration processes should be community-based and led, and should address social, economic, and political dimensions as identified by the communities themselves. Reintegration should also cater to specific needs and harness the capacities of different categories. Strengthening the resilience of individuals, families, and communities and systems is key. As noted in the African Union Operational Guidance Note on Reintegration (2014), and in the Third Report of the UN Secretary General on DDR (2011), consideration must be given to the social, political, and economic aspects of reintegration. This may include support to generate income, access to (transitional) justice and reconciliation opportunities, and participation in political processes.

Introduction

On April 10 – 13, 2018 a workshop on the screening, prosecution, rehabilitation, and reintegration of persons associated with Boko Haram was held in N'Djamena, Chad. The workshop was organized by the African Union (AU) and the Lake Chad Basin Commission (LCBC) in collaboration with the International Organization for Migration (IOM), the UN Counter-Terrorism Committee Executive Directorate (CTED), the United Nations Development Programme (UNDP), and the United Nations Office on Drugs and Crime (UNODC).

Attended by representatives from the LCBC countries, Benin, the Multinational Joint Task Force (MNJTF), and international partners, the workshop aimed to move towards the development of a regional strategy for the processing and handling of persons associated with Boko Haram in the Lake Chad Basin (LCB) region. The workshop also aimed to build on the work initiated at a prior AU/LCBC conference, held on 2 – 4 November 2017, entitled, “Supporting the Development of a Framework for a Regional Stabilization Strategy for Areas Affected by Boko Haram.” This conference set the stage for the development of a multi-sectoral regional strategy, of which the processing and handling of persons associated with Boko Haram is one component.

Background and regional impact of the conflict

Situation analysis of persons associated with Boko Haram

The expansion of Boko Haram’s activities in 2009 led to loss of life, human rights abuses, and massive internal and cross-border displacement. In response, Nigeria, Cameroon, Niger, Chad, and Benin, agreed to synergize their military efforts within the framework of the LCBC, forming the MNJTF against Boko Haram. The deployment of the MNJTF was authorized during the 489th meeting of the Peace and Security Council (PSC) of the AU on 3 March 2015. Since that time, the MNJTF has dislodged Boko Haram from its former strongholds and successfully degraded Boko Haram’s capacity to wage large scale insurgency. Given these developments, there is a growing need to address the rising number of individuals that are leaving Boko Haram, either through voluntary surrender or via capture during operations led by the Nigerian Army and/or MNJTF.

Since 2015, a total of 2,234 Boko Haram associated persons have surrendered to the MNJTF, including 99 in Sector One (Mora Cameroon), 1,914 in Sector Two (Baga Sola Chad), 204 in Sector Three (Baga Nigeria), and 221 in Sector Four (Diffa Niger). In order to better process persons formerly associated with Boko Haram, in April 2016 the Federal Government of Nigeria launched Operation Safe Corridor, a programme designed to provide safe passage to persons surrendering to the Armed Forces of Nigeria and where prosecutions cases were dismissed by the court. A rehabilitation camp was also established in Gombe, where Boko Haram associates recommended by a judge for rehabilitation stay for a minimum of 16 weeks.

Across the border in Niger, basic infrastructure has also been established to accommodate individuals who voluntarily leave Boko Haram. Following attacks in the Diffa region in 2015, Niger initiated a programme to encourage defections from Boko Haram and established a transit camp in Diffa (le camp relais de Diffa), and a remand centre in

Goudoumaria (le centre de detention de Goudoumaria).

In Cameroon, two waves of persons associated with Boko Haram have returned to the country. The first wave of returns took place in 2016 in Mozogo in the department of Mayo Tsanaga. For the most part, these persons claimed to have been abducted by Boko Haram and forced to work in the fields and on the roads managed by the group. Initially these individuals stayed in Mozogo under the supervision of the Defense and Security Forces and under the care of the city council. They were subsequently rehabilitated in Zamai, where host communities benefited from compensation in the form of basic social services. The second wave of returns occurred in 2018 in the Mayo Sava department, and was primarily made up of former fighters returning with their families. These individuals were subjected to a public sermon on the Koran, which was intended to attest to their repentance. They were then transferred to the MNJTF's headquarters in Mora.

In Chad, there are currently few structures to accommodate the nearly 2,000 people that have returned. Instead, the government does not actively encourage Boko Haram members to return home and those that do are handed over to village and canton heads. Communities are also sensitized not to interact with persons formerly associated with Boko Haram.

Situation analysis of Boko Haram and vigilante groups/vigilance committees

Boko Haram took shape in the north-eastern Nigerian city of Maiduguri in the early 2000s. The group became notorious – but also attracted support – for its contention that Western-style education was legally prohibited in Islam. In Boko Haram's eyes, Western-style education belonged to a larger, evil system that included multiparty democracy, secular government, constitutionalism, and "man-made laws." For Boko Haram, all these institutions are not just un-Islamic but anti-Islamic. Over time, Boko Haram has preserved the core elements of its message, but has periodically shifted its strategies, tactics, and self-presentation.

Unlike other contemporary jihadist movements, Boko Haram began as a mass religious movement. During the 1980s and 1990s, many northern Nigerian elites – politicians, university intellectuals, and members of the hereditary ruling class – expressed non-violent opposition to Western-style education and secular government. During the period between 1999 and 2003, northern Nigerian states also intensively implemented Islamic law. Transitioning from open preaching to armed violence, one portion of Boko Haram attacked local authorities in 2003 – 4. However, the group's decisive turn to violence occurred only in 2009, when Boko Haram launched an uprising across several northern Nigerian states. This rebellion was defeated and Boko Haram's founder, Mujaheed Yusuf, was killed by police. Following these developments, between 2010 and 2013 Boko Haram's activities centred on terrorism. Led by Yusuf's companion Abubakar Shekau, Boko Haram bombed major targets, including in the capital, Abuja, and perpetrated regular assassinations and raids in the northeast. In later years, particularly between 2013 and 2015, Boko Haram controlled territory in Northern Nigeria and civilians were instructed to either embrace Boko Haram's brand of Islam or face violence. It was during this period that 276 schoolgirls were kidnapped in the town of Chibok in April 2014. When Boko Haram's 'state' largely fell to the militaries of Nigeria and its neighbours, Boko Haram

intensified its terrorism and, in March 2015, declared its affiliation to the Islamic State.

In opposition to Boko Haram, vigilante groups first emerged in 2013, in Maiduguri, under the twin pressure of mounting jihadist violence and security force retaliation. The Joint Task Force (JTF), led by the Nigerian army, quickly realised the vigilante's potential as a source of local knowledge, intelligence and manpower and set out to help organise it, with the assistance of local and traditional authorities. Operating under the name of the Civilian Joint Task Force (CJTF), vigilantes were essential in flushing Boko Haram out of Maiduguri. The official use of vigilantes to fight Boko Haram then spread further across Nigeria, then to Cameroon in 2014 and Chad in 2015 where the groups are known as *comités de vigilance* (vigilance committees). Niger has been more cautious, partly because of past struggles with armed groups and because it has not needed them as much. Vigilantes have played many roles, from mostly discrete surveillance networks in Niger to military combat auxiliaries or semi-autonomous fighting forces in Nigeria. For the region's overstretched and under pressure militaries, they have somewhat filled the security gap and provided local knowledge. They have made the military response more targeted and more efficient, but their mobilisation also provoked retribution by Boko Haram against their communities and contributed to the massive levels of civilian casualties in 2014 and 2015. In 2017, there were a reported 26,000 members of vigilante groups in Borno state alone. Their compensation demands will have to be addressed, especially if authorities consider offering deals to Boko Haram militants to lay down their weapons.

Situation analysis of youth at risk of recruitment by Boko Haram

In 2015, Mercy Corps conducted 47 interviews with former Boko Haram members in north-eastern Nigeria. This study indicated that “there is no [one] demographic profile of a Boko Haram member,” and that members who joined prior to the 2009 uprising were more attuned to Boko Haram's messages than those who joined post-2009. Many of the post-2009 recruits “perceived joining Boko Haram as the least bad option to address a challenge given their circumstances.” These challenges were often related to security and economic survival. A significant number of these later recruits were, however, sympathetic to Boko Haram's professed goals of defending Islam and overthrowing unbelieving tyrants. Other findings from the Mercy Corps study indicate the importance of peers in recruitment, as well as the opportunities that Boko Haram gave to young women for increasing their religious learning and social status.

Linkages with Disarmament and Demobilisation

Boko Haram is active in the Lake Chad basin and exploits the proliferation, diversion, and illicit trafficking of Small Arms and Light Weapons (SALW) and their ammunition to reinforce their capabilities and means. Disarmament, in general, as part of a DDR process plays an important role in ending existing conflicts and preventing the acquisition of arms and ammunition by armed groups. It is undertaken voluntarily by the armed group and members of the group. In the Lake Chad region, individual “disarmament” occurs when the military or the MNJTF capture or accept surrendered persons. A collective ‘military’ disarmament process, as part of DDR, is not possible at the moment. Boko Haram is a listed terrorist group by the UN Security Council, and moreover has not entered a collective agreement

with any government to surrender arms voluntarily as a group.

Meanwhile, efforts are underway by various actors to seize and destroy illicit weapons, prevent and manage the threat posed by conventional weapons, cluster munitions and Improvised Explosive Devices (IEDs), explosives management, clearance of contaminated areas and enhanced collection of weapons in the region.

Similarly, “demobilization” does not currently apply in the Lake Chad region. Camp management experience and lessons learned from DDR cantonments could apply to the physical management of larger groups should they surrender. Nevertheless, “demobilization” as part of a DDR process refers to the change in status from a military to civilian character where a person has been part of an armed group (i.e., militarized). This concept does not apply to a person who has been associated to a listed terrorist group. With respect to persons associated to Boko Haram, a “demobilization” phase is replaced with detention or a center-based rehabilitation process for some but not all those associated, including after a prosecution, which will then pave the way for the reintegration or return to communities, as part of a prosecution, rehabilitation and reintegration strategy.

International, continental and regional legal frameworks

United Nations Frameworks

Key United Nations Security Council resolutions require Member States to develop comprehensive approaches that encompass multiple dimensions: one aspect concerns accountability for terrorist offences and the requirement to “bring terrorists to justice” (Chapter VII resolution 1373 (2001)), subsequently included in a broader approach to develop “prosecution, rehabilitation and reintegration strategies for returning foreign terrorist fighters” (resolution 2178 (2014)). With respect to the Lake Chad Basin, the Council further urged States “to develop and implement a regional and coordinated strategy that encompasses transparent, inclusive human rights-compliant disarmament, demobilisation, deradicalisation, rehabilitation and reintegration initiatives, in line with strategies for prosecution, where appropriate, for persons associated with Boko Haram and ISIL” (resolution 2349 (2017)). Moreover, the Council “urges Governments in the Region to develop and implement consistent policies for promoting defections from Boko Haram and ISIL and for deradicalizing and reintegrating those who do defect.” These elements were most recently elaborated in December 2017 with the Council calling upon Member States “to assess and investigate suspected individuals whom they have reasonable grounds to believe are terrorists, ... to develop and implement comprehensive risk assessments for those individuals, and to take appropriate action, including by considering appropriate prosecution, rehabilitation, and reintegration measures... in compliance with domestic and international law” as part of binding requirements (Chapter VII resolution 2396 (2017)).

African Union Frameworks

The 680th meeting of the AU PSC held in Addis Ababa on 18 April 2017 commended the significant progress made by the MNJTF and Member States of the LCBC and Benin. The Council reiterated the need for military operations to create conditions conducive to the second phase of the MNJTF’s mandate. This mandate is centred on stabilization,

including the restoration of state authority in areas affected by Boko Haram. Held on 24 February 2017, the meeting of the Council of Ministers of the LCBC countries and Benin also reiterated “the need to develop strategies for handling the post-[military] operation[s] era” (Para. 15 of the meeting report).

In response to these transnational terrorist threats, in 1992 the Organization of African Unity (OAU) took initial steps to strengthen the cooperation and coordination of African states in counter-terrorism. This effort was later followed by the adoption, in 1999, of the OAU Convention on the Prevention and Combating of Terrorism and its related Protocols.

The African Union (AU) policy on Post-Conflict Reconstruction and Development (PCRD) is intended to serve as a guide for the development of policies and strategies that seek to consolidate peace, promote sustainable development, and pave the way for growth and regeneration in countries and regions emerging from conflict. The policy stipulates the importance of planning and implementing comprehensive disarmament, demobilization, and reintegration (DDRR) programmes, as a basis for consolidating safety and security. As a result, the Defence and Security Division of the African Union launched its DDR programme in 2012, providing support to Member States and African Union Peace Support Operations (PSOs).

Other relevant frameworks (women and children)

During its 476th meeting in December 2014, the AU Peace and Security Council (AU PSC) “urged the AU Commission, through the coordination of the Office of the Special Envoy on Women, Peace and Security to formulate a Continental Results Framework to monitor the implementation by AU Member States and other relevant stakeholders of the various instruments and other commitments on women, peace and security in Africa.” Subsequently, during the 25th AU Summit in June 2015, the AU Heads of State resolved to “develop, implement, and report on National and Regional Action Plans on UNSCR 1325 to accelerate the Women, Peace and Security Agenda.” Momentum on this agenda is further evidenced by the decision, by the AU Heads of State, to declare 2015 the year of women’s empowerment and development towards Africa’s Agenda 2063.

On children, the key instruments in place are: the African Charter on Human and Peoples’ Rights, the Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, the different Resolutions of the United Nations Security Council related to children and armed conflicts, and the Accra Declaration on War Affected Children in West Africa adopted in April 2000.

Strategic Elements

In keeping with the overall strategic objective to develop a common regional approach to persons associated with Boko Haram, including the relationship between different components and in line with international standards,

Member States should consider and incorporate the following components on screening, prosecution, rehabilitation and reintegration:

Element One: Screening

Current national processes

A number of different screening methods are in place in the Lake Chad Basin region. In Cameroon, Chad, and Nigeria, those who surrender turn themselves over to multiple actors, including the military. However, in Niger, first contact is typically with the traditional authorities. In Niger, only those who surrender are subject to screening. In contrast, those who are captured by the military are arrested. This distinction is less clear in Cameroon, Chad, and Nigeria.

In Nigeria, the authorities attempt to establish the extent of a person's association with Boko Haram. Those who are found not to be associated with Boko Haram are often transferred to IDP camps or allowed to return to communities through local authorities. However those who are suspected of association are transferred to an investigation centre. There they are given a medical screening prior to beginning of an investigative process. Each suspect is investigated separately and at least two investigators conduct the interrogation. As part of this process, the investigators try to identify individuals who did not willingly join Boko Haram and those who left of their own accord. There are also large numbers of persons associated with Boko Haram who return directly to their communities. Community leaders either accept them or hand them over to security institutions.

A three-stage process is followed by the MNJTF in Cameroon, upon receiving a person associated with Boko Haram: 1) receive and identify, 2) interrogate and screen, 3) deradicalize and reintegrate. As part of the screening process, the MNJTF contacts individuals who are known to be acquainted with the suspect. Local vigilance committees and traditional leaders are also contacted during the screening process. Persons suspected of association with Boko Haram are then classified into one of three possible categories: 1) combatants: those individuals who have participated in battles and know how to use and handle weaponry, 2) believers: individuals who are committed to Boko Haram but who did not participate in combat¹, and 3) former hostages: these are individuals who are rescued as a result of military operations. However, not all of the individuals suspected of association with Boko Haram in Cameroon easily fit into these three categories.

In Chad, screening consists primarily of identification and registration. First contact is typically with the military. Either the police or the integrated intelligence unit then begin the screening process. On their part, the local administrative authorities put the returnees under the guarantee of their respective canton heads. Members of local vigilance committees may also be contacted during the investigation.

In Niger, only those people who wish to repent and return home are targeted. The screening process makes use of local knowledge, specifically, individuals who are familiar with the person suspected of association with Boko Haram. First, screening takes place at the village level and then at the focal point level. For example, the head of the relevant village will be asked to provide information about the suspect, and this information will then be passed to the "préfet."

¹ Many children fall into this category.

After this initial round of screening, the suspect may then be passed to the police or gendarmerie. Following a police investigation the suspect may then be transferred to the Diffa transit camp, and then to the Goudoumaria remand centre. For those individuals who leave Boko Haram and return straight home (the “self-demobilized”), the first point of contact may be the family or the village head.

A separate process of prison-based screening is also underway in Niger. As of 3 April 2018, 933 persons suspected of Boko Haram related terrorist offenses were detained in four prisons in the west of the country (Koutoukale, Kolle, Niamey, and Daikaina). Of these 933 persons, 867 were pre-trial detainees and 66 had been convicted. A risk assessment tool is currently being utilized in Koutoukale prison. This tool includes: information on first orientation interviews and the immediate needs of inmates on arrival, a checklist in relation to immediate security needs, a questionnaire used to document and assess the personal needs and security risks presented by new prisoners (to facilitate classification and penitentiary placement), a guide to the final risk assessment, and a workbook on the creation and operationalization of an orientation and evaluation unit for new detainees.

Screening: methods and sequencing

Methodology incorporating a risk assessment can complement an assessment of a person’s prior acts, which is aimed at informing a decision on whether or not to prosecute a person. A risk assessment aims at identifying future risk with respect to certain behaviour as opposed culpability for acts already undertaken. A risk assessment is a tool designed to determine the type of risk a person poses to the public, so that programmes and interventions can be designed to mitigate that risk. Typically used with convicted offenders before their release from prison, in more recent years risk assessments have been adapted for use with violent extremist offenders in both prison and non-prison contexts. Currently the most widely used tool is the Violent Extremist Risk Assessment (VERA), which uses the method of Structured Professional Judgement (SPJ) to assess the risk posed by violent extremist offenders on the basis of a number of different criteria. These criteria should be selected to fit the particular context in which the risk assessment is taking place, but often include factors such as history and capability (the person’s prior role in the group and their level of training), present day beliefs (including attitudes towards violence), and future risk factors (such as the level of support the person will receive in the community, and whether they have a peer group supportive of extremist views).

The RADAR risk assessment method is currently used in Kenya. The RADAR risk assessment tool aims to assess whether a person is very high risk (perhaps an Al-Shabaab operative or a trainer), high risk (a recruiter or radicaliser), medium risk (a facilitator or supporter), or low risk (a sympathiser). To make this assessment, screeners look at four different sets of criteria: 1) planning and actualisation, 2) intent and motivation, 3) beliefs and attitudes, and 4) capability and ability. Whereas a person classified as very high risk is subject to law enforcement measures, individuals at lower risk levels are provided with alternative risk mitigation measures. For example, low risk individuals may receive counselling and mentorship, while high risk individuals who have not committed terrorist offenses and who left their group voluntarily may be provided with support to promote their disengagement.

It is important to examine the link between screening (using risk assessment or other methods), and criminal investigation. Risk assessments collect information on past crimes in order to assess the likelihood that someone will (re)offend in the future. In contrast, criminal investigations examine a person's past activity to ascertain whether they should stand trial and face prosecution. Theoretically, screening can take place prior to criminal investigation. In this scenario, the initial screening is used to establish whether a person may need to be subject to a more thorough criminal investigation. Alternatively, criminal investigation can also take place prior to screening. In this scenario, a criminal investigation is undertaken to assess whether a person has committed crimes that disqualify him/her from amnesty. Those persons that are disqualified go to court. The remainder are then screened to establish their eligibility for rehabilitation and reintegration. This is similar to the use of screening in the prison context, where high risk inmates are separated from low risk inmates. In both scenarios, the effectiveness of criminal investigation depends on the existence of evidence and institutional capacity of the judicial institutional. Within an ongoing conflict, state institutions may lack the resources to conduct a proper investigation and community members may refrain from providing proof of crime due to fear of retaliation. These two aspects should be carefully examined when developing interventions in conflict-affected countries. In rehabilitation centres, individuals who are highly radicalised or prone to violence present a danger to other programme participants and staff. A screening tool could therefore be used to filter these people out, or to ensure that they receive additional monitoring and support.

Screening objectives, outcomes, and outputs

Strategic Objective 1: Persons associated with Boko Haram are received and screened according to a common regional approach, in line with international standards.

Strategic Outcome 1.1

The MNJTF is trained in common, human rights compliant procedures on the reception of persons associated with Boko Haram.

Strategic Output 1.1

The AU develops Standard Operating Procedures on reception.

Strategic Outcome 1.2

A common understanding of the screening process, criteria and its link to criminal investigation is established.

Strategic Output 1.2.1

Preliminary mapping of the various screening and criminal investigation processes that will be synthesised into one regional process. This mapping should also identify "who screens" (civilian, military, and/or intelligence).

Strategic Output 1.2.2

Regional workshop(s) with screeners and prosecutors.

A defining Regional Workshop for Lake Chad Basin Countries (Cameroon, Chad, Niger and Nigeria) on Coherent Approaches to the Screening and Prosecution of Boko Haram-Associated Persons, held in N'Djamena, Chad, from 17 – 19 July 2018 reached the following points of agreement:

- A. Rappelle que le terme "triage" fait référence au processus initial pour déterminer le profil principal d'une personne qui se trouve en détention ou autrement sous la responsabilité des autorités, afin de recommander la suite à donner : notamment un suivi d'enquête ou poursuites pénales, la participation (directe) à un programme de réhabilitation et/ou de réintégration dans la communauté. Recalls that the term "screening" is intended to refer to 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.
- B. Rappelle que cet atelier et les points d'accord que nous espérons atteindre ont pour objectif le triage dans une perspective de poursuites, réhabilitation et réintégration. Recalls that this workshop and the points of agreement we have reached are for the purpose of screening in the process of prosecution, rehabilitation and reintegration.
1. Toutes les personnes associées Boko Haram doivent faire l'objet du triage, peu importe la manière dont elles sont arrivées entre les mains des autorités. All persons associated with Boko Haram must be screened, regardless of the way they ended up being in contact with the authorities.
 2. Les autorités qui les premières ont été en contact avec la personne doivent recueillir et prendre note des informations préliminaires sur la personne dans la mesure du possible et aussi tôt que possible, et remettre la personne avec ces informations à la structure dont au point 3. The authorities who were first in contact with the person must collect and take note of the preliminary information concerning the person to the extent possible and as soon as possible, and hand over the person to the centre mentioned under point 3.
 3. Une structure pluridisciplinaire rassemblant des professionnels apportant diverses compétences doit être mis en place et être chargé du triage. A multidisciplinary centre comprised of professionals with diverse skills must be set up and charged with the responsibility of conducting the screening.

Strategic Outcome 1.3

A common screening method and minimum set of common screening criteria are established, in line with international standards. This should include consensus on who is screened; clearly identify the purpose of screening; and indicate who is responsible for conducting the screening.

Strategic Output 1.3.1

A series of regional workshops are held.

Strategic Output 1.3.2

Common tools for screening are created, perhaps including a common risk assessment tool, a shared information collection template, common interview questions, and/or a minimum set of shared screening criteria.

Below is the template agreed at the Regional Workshop for Lake Chad Basin Countries (Cameroon, Chad, Niger and Nigeria) on Coherent Approaches to the Screening and Prosecution of Boko Haram-Associated Persons, held in N'Djamena, Chad, from 17 – 19 July 2018:

Screening Form	
Completed by: [name/ position] _____ Control no.: _____	
Date: _____	
Signature of the person completing the form: _____	
A. Identity [Mandatory]	
Name/surname	
Place and date of birth/age	
Gender	
Marriage status	
Nationality	
Language(s) spoken	
Education	
Profession	
Distinguishing marks (scars etc.)	

Strategic Output 1.3.3

Common procedures surrounding the screening process are established, based on institutional capacity assessments, particularly concerning the legal basis for screening/criminal investigation, the duration of screening/investigation process, the treatment of women and children, and the conditions of detention during the screening/investigation process (if applicable).

Strategic Output 1.3.4

Creation of an oversight mechanism for the screening process, including compliance with international standards and human rights.

Strategic Output 1.3.5

Agreement is reached on a mechanism for repatriation after screening (where applicable).

Strategic Outcome: 1.4

Screeners are trained in the use of common screening methods and procedures.

Strategic Output 1.4.1

A series of training workshops are held.

Strategic Output 1.4.2

If the chosen screening method requires, regular inter-rater reliability tests and case audits are conducted to assure consistency and quality control in the screening process.

Strategic Outcome: 1.5

A regionally harmonized case management system for screening is created.

Strategic Output 1.5.1

National and regional-level consultations are held in order to conceptualise the design of an appropriate case management system.

Strategic Output 1.5.2

A case-management system is developed, and equipment to support the case-management system is procured.

Strategic Output 1.5.3

Screeners are trained in the use of the case management system during national/regional-level workshops.

Strategic Outcome 1.6:

Locations/facilities for screening are established in each Lake Chad country, including separate facilities for women and children.

Strategic Output 1.6.1

Consultations with Lake Chad Basin governments and local authorities.

Element Two: Prosecution

Current national processes

In Niger, persons associated with Boko Haram are dealt with under Article 399.1.20 of the penal code. This Article outlines the following two scenarios: 1) a member of a terrorist group cannot be prosecuted if he/she alerts the relevant administrative or judicial authorities and prevents an attack. 2) Extenuating circumstances can be granted to individuals who have participated in a terrorist attack, but who provide information allowing the relevant administrative authorities to identify other group members who have also participated in terrorist acts.

In the fight against terrorism and transnational organized crime, Niger also created, by Ordinance 2011-11 of 27 January 2011, amended by the Law 2016-19 of 16 June 2016, a specialized judiciary centre (within the High Court of Niamey) and specialized chambers (within the Niamey Court of Appeals). Both are appropriate forums to hear and prosecute offenses related to terrorism and transnational organized crime.

Following large-scale attacks by Boko Haram in February 2015, there were mass arrests in the Diffa area. Although terrorist suspects were systematically charged there was no follow-up in terms of investigation and pre-trial detention was systematically imposed. In March 2017, more than 1500 Boko Haram suspects were in pre-trial detention. However following the trials that took place at this time, some were released. As of 3 April 2018, 933 suspected terrorist Boko Haram detainees were held in four prisons in the west of the country (Koutoukale, Kollé, Niamey and Daikaina). Of these, 867 were defendants (pre-trial detainees) and 66 had been convicted.

In Chad, Boko Haram attacks on June 15 and July 11, 2015 prompted a wave of arrests by the military in the region of Lake Chad. Those arrested were detained in Koro Toro prison and are awaiting trial. First trials in Moussoro and N'Djamena are also imminent.

Prosecution objectives, outcomes, and outputs

Strategic Objective 2: National criminal justice systems in the Lake Chad Basin countries are strengthened and enabled to undertake the criminal investigation and prosecution of persons associated with Boko Haram.

Strategic Outcome 2.1:

National criminal justice policies and capacities related to terrorism are strengthened or adopted in each of the Lake Chad Basin countries.

Strategic Output 2.1.1

National-level meetings, complemented by regional level meetings to promote harmonization among the national-level criminal justice policies related to terrorism.

Strategic Outcome 2.2:

Governments in the Lake Chad Basin region develop national SOPs related to criminal justice in terrorism cases to define, inter alia, actors, roles, procedures, applicable legal framework and inter-agency collaboration (should be disseminated and explained to all relevant actors). This should include a form to be filled out by the military when arresting a terrorist suspect (identity, circumstances of the arrest, evidence, belongings etc.) and shared with police, gendarmes and prosecutors when handing him over (should be disseminated and explained to the military and all other relevant actors, similarly to Niger).

Strategic Output 2.2.1

National-level meetings.

Strategic Output 2.2.2

Consideration and development of specific prosecution strategies with respect to persons associated to Boko Haram.

Strategic Outcome 2.3

Common regional procedures for children are adopted, including diversion away from prosecution.

Strategic Output 2.3.1

National-level meetings

Strategic Output 2.3.2

Consultations with UNICEF.

Strategic Outcome 2.4

Governments in each of the Lake Chad Basin countries develop a guide with criteria for prosecution of terrorism cases.

Strategic Output 2.4.1

National-level meetings, complemented by regional-level meetings to promote harmonization across the Lake Chad region.

Strategic Outcome 2.5:

National Amnesty Laws are elaborated for very specific cases/offenses, and are harmonized across the Lake Chad region.

Strategic Output 2.5.1

Democratic and national dialogues, including with the communities.

Strategic Outcome 2.6

Improved nation-wide capacity of law enforcement and criminal justice officers to conduct criminal investigations in each of the Lake Chad Basin countries.

Strategic Output 2.6.1

Specialized training courses on counter-terrorism are held.

Strategic Output 2.6.2

Necessary equipment is procured.

Strategic Output 2.6.3

Adequate security is provided for prosecutors and judges to perform their functions, including those outside capital cities.

Strategic Output 2.6.4

Regional branches of specialized units for investigations and prosecutions are established, as are national-level coordination mechanisms between these regionalized units and the capital.

Strategic Outcome 2.7

Effective measures and infrastructure related to victim and witness protection, especially in relation to terrorism cases, is adopted and established in each of the Lake Chad Basin countries.

Strategic Output 2.7.1

Specialized training courses on effective rule-of-law based measures to protect victims and witnesses are held.

Strategic Output 2.7.2

Guidelines, standard operating procedures, and – where necessary – legislation for effective measures to protect victims and witnesses are developed.

Element Three: Rehabilitation

Current national processes

In Nigeria, as part of Operation Safe Corridor, persons who have surrendered to the Nigerian army and who are resident at the rehabilitation camp in Gombe usually stay for a minimum of 16 weeks. The maximum length of time spent at the camp varies contingent on a number of external factors, for example, it may not be safe for a person formerly associated with Boko Haram to return home to an area where Boko Haram is still active. Women and children are typically transferred to the Bulunkutu transit center for a lesser period of time, between 8 and 12 weeks. During their stay at the Gombe camp or Bulunkutu center, programme participants are offered deradicalization programmes, psychological support and vocational training courses.

In Niger, deradicalization sessions are offered at the remand centre in Goudoumaria by teachers who have advanced knowledge of Islam and who are able to explain its true meaning. As few persons resident at the Goudoumaria centre have professional skills, in the future it will be necessary to provide vocational training to these individuals prior to their reintegration. Some civic and professional training is currently provided by PNUD Niger, this includes car mechanics, sewing, and woodwork. In Niger, families were previously kept together but this has proved to be problematic: they have had five births and are expecting five more.

In Niger, there is an agreement with UNICEF to construct a camp for children next to the remand centre in Goudoumaria. In January 2017, Niger also created a Transit and Orientation Centre (Centre d'Orientation et de Transit, CTO) to help minors detained on suspicion of terrorist offenses to return to family life after their release from Niamey prison. After acquittal, dismissal, release on probation, or at the end of a sentence, minors are placed in the CTO by an interim order of the juvenile judge of the judicial centre specialized in terrorism offenses. The duration of the temporary placement is, in principle, 3 months. This duration may however be exceeded if the family of the minor is difficult to find. During their stay in the centre, minors receive individualized psycho-social support, and participate in speaking groups (on topics such as mutual respect and tolerance) and recreational activities. Family reunification is organized by the International Committee of the Red Cross (ICRC). There are currently 13 minors in the CTO and 3 minors are detained in Niamey prison awaiting provisional placement in the CTO.

In Cameroon, there are currently “reflections” on the need to establish a camp in which to regroup persons formerly associated with Boko Haram.

No rehabilitation programming currently exists in Chad, although the Governor of Lake Chad acknowledged that there is need for such activities to be created. A Security and Development Plan is currently being drafted, with the idea to build on existing activities (fishing, agriculture, etc.), rather than develop new ones.

Rehabilitation objectives, outcomes, and outputs

Strategic Objective 3: Persons associated with Boko Haram are rehabilitated according to a common regional approach linked to subsequent reintegration activities and including psychosocial support, health, nutrition (in a first phase) and vocational training and income-generating activities (in a second phase).

Strategic Outcome 3.1

Harmonized national plans for rehabilitation (in prison and non-prison contexts) are developed in Niger, Cameroon, and Chad. These plans are also harmonized with the ongoing rehabilitation programme in Nigeria and with national plans for reintegration (see pillar 4).

Strategic Output 3.1.1

A series of national and regional consultation workshops are held.

Strategic Output 3.1.2

The abovementioned national and regional consultations workshops are coordinated with joint planning regional workshops on reintegration (see Strategic Output 4.2 below).

Strategic Outcome 3.2

Rehabilitation centers for persons formerly associated with Boko Haram are established in Cameroon and Chad. Including separate facilities for women and children.

Strategic Output 3.2.1

Consultations with Lake Chad Basin governments and local authorities.

Strategic Outcome 3.3

Gaps in national capacities to provide rehabilitation services are identified and addressed.

Strategic Output 3.3.1

Mapping of national rehabilitation capacities across the Lake Chad Basin countries.

Strategic Output 3.3.2

Training of social workers and trauma counsellors.

Strategic Output 3.3.3

Training of individuals to assist in disability rehabilitation.

Strategic Output 3.3.4

Training of health specialists and nutritionists.

Strategic Output 3.3.4

Training of religious and community leaders in deradicalization techniques.

Strategic Outcome 3.4

Information from the screening process is used to inform the recommendations for and development, where appropriate, of individually tailored rehabilitation plans in both prison and non-prison contexts.

Strategic Output 3.4.1

A regionally harmonized case management system for rehabilitation is developed.

Strategic Output 3.4.2

The case management system for rehabilitation is linked to the case management system for screening/prosecution (see Strategic Outcome 1.5).

Element Four: Reintegration

Current national processes

In Niger, the question of reintegration relates both to persons released from the remand centre in Goudoumaria and to persons released from prison after serving sentences for terrorist offences. A regional committee has been established, as have management committees in four departments (Diffa, Mainé-Saoura, Bosso, and N'Guinguimi). The mission of these committees is to help prepare the social reintegration of persons formerly associated with Boko Haram. The committees organize community ceremonies known as "ardia" at the place of residence of the person formerly associated with Boko Haram (former prisoner or otherwise). Ardia means "acceptance" in the Kanuri language and it is believed that these ceremonies, between family members, victims, and the persons who have been released, are necessary for social cohesion and to facilitate reabsorption into the community. The Government of Niger is also currently reviewing an "Exit Strategy for the Diffa Crisis" (strategie pour la sortie de la crise) which is expected to include provisions for the reintegration of ex-Boko Haram. A national-level reintegration strategy is also under development.

In Cameroon, those who surrender are directed to a transit camp situated inside the Headquarters of the MNJTF in Mora. This is done in collaboration with traditional chiefs. Women and children associated with Boko Haram, and dependants, are being sent, or go directly to the communities without having gone through centre-based rehabilitation, and without community reintegration support.

In Chad, traditional leaders and chiefs sensitize communities in order to aid the acceptance of surrendees back into the community.

In Nigeria, the Countering Violent Extremism Action Plan has been adopted and Operation Safe Corridor is being implemented where rehabilitation support is provided by security and defence forces in collaboration with civil society organizations. Elements of a "DDR" plan are considered by ONSA. Engagement with relevant stakeholders at the Federal and State levels is ongoing for the development of community based reintegration policy and strategy for NE Nigeria that is consistent with regional strategy.

Reintegration objectives, outcomes, and outputs

Strategic Objective 4: Persons associated with Boko Haram, members of vigilante groups/vigilance committees, returnees (including former prisoners), youth at risk, and victims of Boko Haram receive community-based reintegration support, following a harmonized regional approach.

Strategic Outcome 4.1:

Civilian institutional frameworks are identified or designated to oversee and support the reintegration of persons associated with Boko Haram in the 4 countries

Strategic Output 4.1.1:

Training and other capacity building initiatives are held for all those with institutional responsibilities to oversee and support the reintegration of persons associated with Boko Haram at the regional and country levels.

Strategic Outcome 4.2:

Country and/or State-level reintegration strategies and plans are designed, implemented, and harmonized at the regional level.

Strategic Output 4.2.1

Joint regional planning meetings on reintegration take place, in coordination with the national and regional workshops held on rehabilitation (see Strategic Output 3.1.1).

Strategic Output 4.2.2

Communities are consulted and engaged in the design of community-based reintegration initiatives.

Strategic Outcome 4.3

Reintegration opportunities are identified and harmonized across the 4 countries

Strategic Output 4.3.1

Reintegration opportunity mappings and other relevant assessments are conducted.

Strategic Output 4.3.2

Income generation opportunities are created, linked to vocational and other training and aligned with market needs and economic opportunities, as appropriate to the particular community-based reintegration initiatives.

Strategic Output 4.3.3

Life skills, psychosocial support and other measures to support social inclusion are created, as appropriate to the particular community-based reintegration initiatives. Special provisions are made for women, children, and the disabled.

Strategic Outcome 4.4:

Communities are prepared and equipped for the return of persons associated with Boko Haram, returning refugees and IDPs, and former prisoners.

Strategic Output 4.4.1

Infrastructure at the community level is reinforced and enabled to provide services to the current and returning population (education, health and security).

Strategic Output 4.4.2

Communities are sensitized, reconciliation and transitional justice initiatives are held.

Strategic Outcome 4.5

Participants and beneficiaries are provided with information and counselling services pertaining to community-based reintegration.

Strategic Output 4.5.1

A regionally harmonized case management system for reintegration is developed.

Strategic Output 4.5.2

Information concerning economic opportunities and local services is entered into the case management system.

Strategic Output 4.5.3

The case management system for reintegration is linked to the case management system for screening/prosecution (see Strategic Outcome 1.5) and rehabilitation (see Strategic Output 3.4.1).

Technical Cooperation, Partnerships and Coordination

The four elements of the SPRR sub-strategy will be implemented in collaboration with members of the AU-LCBC Stabilization Taskforce: IOM, UNDP, UNODC, and UNCTED. Other partners, including DPKO and UNICEF, will be contacted as required.

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Lake Chad Basin Region

