

## CHAPTER I

### INTRODUCTION

#### A. Background

Boko Haram or also known as Jama'atul Ahlus Sunnah Lidda'awati wal Jihad was started off its activities in 2002 under the leadership of Muhammed Yusuf who has successfully collaborated with Al-Qaeda.<sup>1</sup> Boko Haram is an militant organization who had purpose to declare Islamic State in Nigeria with sharia law. Boko Haram attempts to establish pure Islamic State by terminating westernization. In Hausa word, boko is “Western Education” and the Arabic word “haram” is the meaning of “forbidden”. So, Boko Haram defined western education as a sin or a forbidden.<sup>2</sup> Boko Haram is a national threat for security and socio-economic life in Nigeria. Destructions of lives and property, suicide bombings, assassinations and many more of threatened the social well-being of the Nigerian people.<sup>3</sup>

In June 22th, 2014 Boko Haram militants took over for four days the village of Kummabza in Borno state, northeastern Nigeria. They kidnapped more

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<sup>1</sup> Joseph Olukayode Akinbi, 2015, “Examining The Boko Haram Insurgency in Northern Nigeria and The Quest for a Permanent Resolution of The Crisis”, *Global Journal of Arts, Humanities and Social Sciences*, Vol.3, No.8, 2015, ISSN: 2052-6350, European Centre for Research Training and Development UK, Ondo, p. 34.

<sup>2</sup> Fred Femi Akinfala, Gabriel Aunde Akinbode, Ibi-Agiobu Kemmer, 2014, “Boko Haram and Terrorism in Northern Nigeria: (A Psychological Analysis)”, *British Journal of Arts and Social Sciences*, Vol.17 No.1, 2014, ISSN: 2046-9578, British Journal Publishing, Lagos, p. 116.

<sup>3</sup> Mustapha Bintube, 2015, “Boko Haram Phenomenon: Genesis and Development in North Eastern Region Nigeria”, *International Journal of Sociology and Anthropology Research*, Vol.1, No.1, 2015, European Centre for Research Training and Development UK, Garki Abuja, p. 2.

than 60 females, including children, and murdered 30 men. On July 7th, 2014 more than 55 girls were kidnapped by Boko Haram from The Kummabza village in northern Borno state, but they were already escaped from their captors and went back to their homes. More than 200 schoolgirls kidnapped by Boko Haram were believed to be held by Boko Haram in April 14th from a boarding school in the town of Chibok.

On July 20th, 2014 Boko Haram took over the Nigerian town of Damboa. 66 residents have been killed and more than 15.000 have run away. On October 16th, 2014 The Nigerian government announced that Boko Haram and Nigeria Government have reached an agreement with the Boko Haram that includes the promised release of more than 200 kidnapped schoolgirls. On November 1<sup>st</sup>, 2014 The Nigerian Government's claim of a ceasefire was denied by the Boko Haram group's leader. On July 1<sup>st</sup>, 2015 Boko Haram militants had murdered at least 145 people, raid three villages in the northeastern Nigerian. On September 3<sup>th</sup>, 2015 Boko Haram militant attacked a market and 30 people were dead, meanwhile 145 people were injured in Kerawa.

On February 2016, Boko Haram Militants attacked two villages in northeast Nigeria, killing at least 30 people. 58 people were dead after two women were committed suicide bomber in a village. Boko Haram used two women for suicide bomber and the suspect who had involved in that moment explained to the officer that they were dispatched by Boko Haram. On April

14th, 2016 CNN posted a video of some of the teenage girls abducted from Chibok and sent to negotiators by their captors as a "proof of life." On May 17th, 2016 a girl who had name of Amina Ali Nkeki, one of more than 200 Chibok schoolgirls kidnapped by Boko Haram was the first to be freed after two years in captivity.

On August 14th, 2016 Boko Haram released a video of some of the girls kidnapped in April 2014, using the girls to do trading for exchange the girls. On October 13th, 2016, Boko Haram militants handed over 21 Chibok schoolgirls as a condition of negotiations with the Nigerian government. That was the first mass release because more than 200 girls and women were kidnapped from their school in April 2014. 57 girls escaped almost immediately in 2014 and one of them was found on May 2016.<sup>4</sup>

There are several reasons that the researcher chose Boko Haram as the topic of the research. Firstly, this is a cruel and massive movement in a country that was positioned to serve as the Headquarter of a radical movement and build up strength. Nigeria is the largest country in Africa and Boko Haram trying to change the country's constitution into a sharia constitution. Secondly, this is an interesting case that is trying to be chosen by the researcher to be discussed and investigated further. Third, the phenomenon of kidnapping 200 students in Chibok should be no longer tolerated as it can leave prolonged trauma for the

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<sup>4</sup> CNN Library, 2016, "Boko Haram Fast Facts", available at <http://edition.cnn.com/2014/06/09/world/boko-haram-fast-facts/>, accessed on November 2<sup>nd</sup>, 2016 at 10.56pm.

citizens in this country. The growing number of victims should not be allowed to continue anymore.

The Muslim Boko Haram considers involvement in political parties or social events that have a correlation with western organizations as something illegal. That includes conducting elections, wearing shirts and trousers or receiving a secular education. This is the mindset that is almost the same as all the other radical Islamic movement, which Attempts to erase all western elements. According to the report of the United States in 2011 called the newest threat Boko Haram which was increasingly rampant and reportedly had links with Al Qaeda in Africa. Boko Haram must be responded very quickly so it will not cause casualties again in Nigeria. Boko Haram does not recognize the government of Nigeria. Boko Haram is desired a sharia law to be implemented in Nigeria. That has become a massive phenomenon after what occurs in Syria and Iraq. Boko Haram became the world's attention after the abduction of 200 girls in Nigeria.<sup>5</sup> Boko Haram did the Gamboru Ngala massacre and abducted female students in Chibok.<sup>6</sup>

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<sup>5</sup> Republika.Co.Id, 2017, "10 Fakta Tentang Boko Haram", available at <http://www.msn.com/id-id/berita/other/10-fakta-tentang-boko-haram/ar-AAOR2r>, accessed on March 12<sup>th</sup>, 2017 at 10.55pm.

<sup>6</sup> IlmuHico, 2017, "Kerjasama Internasional dalam Penanganan Gerakan Insurgensi Boko Haram di Nigeria", available at <http://www.ilmu-hi.com/kerjasama-internasional-dalam-penanganan-gerakan-insurgensi-boko-haram-di-nigeria/#>, accessed on March 12<sup>th</sup>, 2017 at 11.00pm.

**B. Research Question**

How is the application of International Humanitarian Law on Protection of civilian population in the Boko Haram conflict?

**C. Research Objective**

To explore the application of International Humanitarian Law on protection of civilian population in the Boko Haram conflict.

**D. Benefits of Research**

This research provides understanding concerning the regulation in the International Law that would be applied in the issue of protection of civilian population in the NIAC under International Humanitarian Law.

Practically, the research can also provide insight and information about the protection of civilian population in International Humanitarian Law. Additionally, this research serves as a contribution to the students of Faculty of Law and the public to understand what law that regulate the protection of civilian population in International Humanitarian Law.