

Counter-Terrorism Measures to Protect Women and Girls in Nigeria

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Abstract

Terrorism is a serious threat to peace, security and development in Nigeria, and the effects of terrorism are not gender neutral. Women and girls in the north-east have faced abduction, forced marriage, sexual violence, forced recruitment, displacement, stigma and long term social and economic exclusion. This article examines whether Nigeria's counter-terrorism framework, adequately protects women and girls against these gendered harms. It uses a doctrinal approach and examines the Terrorism (Prevention and Prohibition) Act 2022, the National Counter-Terrorism Strategy (NACTEST), the Policy Framework and National Action Plan for Preventing and Countering Violent Extremism, the National Security Strategy, the Women, Peace and Security framework, and international and African legal standards. Secondary data is used only to contextualise the legal analysis. The article argues that Nigeria has significantly strengthened institutional coordination, criminalisation and prosecution, but the framework remains less developed in relation to enforceable gender-responsive duties of prevention, survivor protection, rehabilitation, reparation and reintegration. It further argues that women and girls should not be viewed only as passive victims. They may be survivors, coerced associates, returnees, community actors or, in some cases, voluntary participants, requiring individualised and rights-based responses. The article recommends an explicit gender-protection framework within counter-terrorism law and policy, stronger victim participation and legal aid, trauma-informed rehabilitation, reparations, age-sensitive safeguards for girls, and measurable accountability standards for implementation.

Keywords: counter-terrorism, women, girls, gender, Boko Haram, ISWAP, Nigeria

1.0 Introduction

Terrorism and violent extremism have had severe consequences for communities in north-eastern Nigeria. Since the Boko Haram insurgency intensified in 2009, civilians have experienced killings, abductions, displacement, destruction of livelihoods and prolonged insecurity. Women and girls have borne particular forms of harm, including rape and other sexual violence, forced marriage, forced pregnancy, domestic servitude, recruitment and use in suicide attacks, while

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survivors have also faced stigma and exclusion after escape or release.³ The gendered character of these harms does not mean that men and boys have not suffered grave violence. Rather, it requires legal analysis that is attentive to the different forms, consequences and remedial needs produced by gender and age.⁴

The current magnitude of the threat is still significant. According to the Global Terrorism Index 2024, Nigeria was ranked 8th in the list of countries most impacted by terrorism with a score of 7.575 and 524 deaths attributed to terrorism in 2023. The security situation is also no longer a monolithic application of the term 'Boko Haram'. The insurgency is now splintered and the Islamic State West Africa Province (ISWAP) has emerged as a key player in the Lake Chad Basin. This is relevant in the context of legal and policy analysis as counter-terrorism efforts need to adapt to new organisational forms and methods while maintaining the security of civilians impacted by the terror.⁵

Women and girls' role in this conflict is complicated. They can be direct victims of sexual and gender-based violence, abductees, displaced persons, widows, carers, coerced associates, forced spouses or returnees/community peace actors. A number of women have also been involved in extremist activity voluntarily. The assumption that all women are vulnerable, or that all individuals involved with an armed group are perpetrators, thus results in an incomplete legal response. A rights-based approach must be individualised, sensitive to issues of coercion and trafficking, and take into account that a person can have been a victim of serious abuse and then become a security suspect.

Nigeria has not been idle in the fight against terrorism. It now has a legal and policy framework, which includes the Terrorism (Prevention and Prohibition) Act 2022, the National Counter-Terrorism Strategy (NACTEST), the Policy Framework and National Action Plan for Preventing and Countering Violent Extremism 2017, the National Security Strategy 2019, and the National Action Plan on Women, Peace and Security. These measures include enhanced criminalisation,

³ DD Adeyemo 'Transitioning from Boko Haram Insurgency: The Imperative Need for Transitional Justice in Nigeria' *IJOCLLEP* (2023), 5 21-31.

⁴ Human Rights Watch, 'Those Terrible Weeks in Their Camp: Boko Haram Violence against Women and Girls in Northeast Nigeria' (27 October 2014); UN High Commissioner for Human Rights, Violations and Abuses Committed by Boko Haram and the Impact on Human Rights in the Countries Affected A/HRC/30/67 (2015); Amnesty International, 'Nigeria: Boko Haram Brutality against Women and Girls Needs Urgent Response' (24 March 2021) <<https://www.amnesty.org/en/latest/news/2021/03/nigeria-boko-haram-brutality-against-women-and-girls-needs-urgent-response-new-research-1/>> accessed 27 September 2024.

⁵ Institute for Economics & Peace, Global Terrorism Index 2024: Measuring the Impact of Terrorism (Sydney 2024).

coordination, intelligence, prosecution, prevention and inter-agency action. The central question, however, is whether the framework is sufficient to make international and regional obligations concrete and enforceable protection for women and girls before, during and after terrorist violence.

The Boko Haram's violence towards women and girls, use of women in suicide attacks, abductions and forced marriage, as well as the social impact of captivity and displacement, have been well documented in the existing literature.⁶ Stigma, reintegration challenges and abuses faced by women and girls as they reintegrate from Boko Haram-controlled areas are also highlighted in human rights reports.⁷ However, what is more important is the robustness of the counter-terrorism architecture in Nigeria in relation to specific responsibilities of prevention, protection, accountability, rehabilitation, reintegration and reparation post-2022. This article addresses that gap.

The article adopts a doctrinal methodology. It examines data from primary sources such as legal and policy documents, including the Terrorism (Prevention and Prohibition) Act 2022, international and African human rights instruments, Security Council resolutions, NACTEST 2016, the 2017 Preventing and Countering Violent Extremism (PCVE) Framework, the National Security Strategy 2019 and the Women, Peace and Security National Action Plan. Secondary data from literature, official reports and credible human rights documentation are used to explain the factual context in which the legal rules operate. The analysis is organised around five questions. It interrogates the questions whether: the existing framework adequately prevents gendered terrorist harm; protects women and girls during counter-terrorism operations; ensures accountability and access to justice; provides rehabilitation and reintegration; and recognises effective remedies and reparation. The article is limited to the extant legal and policy provisions and does not claim to provide an independent empirical assessment of every programme implemented in affected communities.

⁶ B Maiangwa and D Agbiboa, 'Why Boko Haram Kidnaps Women and Young Girls in North-Eastern Nigeria' *Conflict Trends* (2014) 3, 51-56; J Mbagwu and AO Alaiyemola, 'Gender Issues and Boko Haram Insurgency in Nigeria' *African Journal of Gender and Development* (2015) 5(2), 87-97; MU Bashir, AI Geidam and I Mu'azu, 'Boko Haram Insurgency and Violence Against Women in North Eastern Nigeria' *International Journal of Modern Trends in Social Sciences* (2019) 2(10), 57-66. DE Agbiboa, 'Out of the shadows: The women countering insurgency in Nigeria.' *Politics & Gender* (2022) 18(4), 1011-1042.

⁷ Amnesty International, 'Help us build our lives': Girl survivors of Boko Haram and military abuses in north-east Nigeria (AFR 44/7883/2024) (9 June 2024).

2.0 Conceptualising Terrorism and Gender-Responsive Counter-Terrorism

Terrorism remains difficult to define universally because definitions are influenced by questions of political purpose, legitimacy, armed conflict and the identity of the actor. In the view of the United Nations General Assembly in Resolution 49/60, criminal acts committed for political purposes with the intent or calculated effect of inducing a state of terror in the public for political ends are unjustifiable in any circumstances, whether political, philosophical, ideological, racial, ethnic, religious or otherwise. The absence of a single comprehensive treaty definition has not prevented the development of extensive sectoral treaties, Security Council obligations and domestic offences addressing terrorism and terrorism financing.⁸

For present purposes, the most relevant legal framework is Nigeria's Terrorism (Prevention and Prohibition) Act 2022. The Act repealed the Terrorism (Prevention) Act 2011 and now constitutes the principal statutory framework for the prevention and prohibition of terrorism and terrorism financing in Nigeria. It criminalises terrorist conduct and related forms of support, recruitment, financing, training and facilitation, while allocating regulatory responsibilities among the Attorney-General, the National Security Adviser and law enforcement and security agencies. The significance of the 2022 Act is therefore not merely that it amended earlier legislation; it created the governing contemporary framework against which Nigeria's obligations should be assessed.⁹

A gender-responsive counter-terrorism approach goes beyond the numerical inclusion of women in security programmes. It asks how terrorism and counter-terrorism affect women and men differently; whether laws and institutions reproduce discrimination; whether survivors of sexual and gender-based violence can obtain protection and remedies; and whether women participate meaningfully in prevention, peacebuilding and reintegration. The United Nations Secretary-General's 2021 report on implementation of the Global Counter-Terrorism Strategy emphasised that gender equality should be integral to counter-terrorism efforts and that women's rights and

⁸ UN General Assembly, Declaration on Measures to Eliminate International Terrorism A/RES/49/60 (1994).

⁹ Terrorism (Prevention and Prohibition) Act 2022 (Act No 15 of 2022).

⁹ UN General Assembly, The United Nations Global Counter-Terrorism Strategy: Seventh Review A/RES/75/291 (2021).

meaningful participation must be protected without instrumentalising women.¹⁰ The Seventh Review of the Global Counter-Terrorism Strategy similarly places counter-terrorism within the framework of international human rights, humanitarian and refugee law.¹¹

This article therefore uses ‘protection’ in a broad legal sense. It includes reasonable preventive measures against foreseeable harm, physical and legal protection during security operations, investigation and prosecution of serious abuses, access to justice and legal assistance, rehabilitation and psychosocial support, safe and non-discriminatory reintegration, and effective remedies, including appropriate forms of reparation. Such protection must also preserve agency. Women and girls should not be treated simply as passive beneficiaries of security policy but as rights-holders whose views and choices should shape responses affecting them.

3.0 Gendered Patterns of Boko Haram and ISWAP Violence

3.1 Abduction, sexual and physical violence

The violence of Boko Haram and related armed groups has affected entire communities, but women and girls have been subjected to distinct forms of abuse. Documented patterns include abduction, rape, sexual slavery, forced marriage, forced conversion, forced pregnancy, domestic servitude, beatings and other cruel treatment. The April 2014 abduction of 276 schoolgirls from Chibok brought international attention to the vulnerability of girls in schools and conflict-affected communities. A decade later, Amnesty International reported in April 2024 that 82 of the Chibok girls remained in captivity. The continuing absence of many victims demonstrates that protection cannot be reduced to immediate rescue, it includes prevention, tracing, family information, accountability and long-term support for survivors and their children.¹²

The experience of captivity has often combined sexual violence with social control. UN and human rights reports record forced marriages to fighters, rape within such forced unions, domestic labour, forced religious instruction and punishment for perceived disobedience. These

¹⁰ UN General Assembly, The United Nations Global Counter-Terrorism Strategy: Seventh Review A/RES/75/291 (2021).

¹¹ UN Secretary-General, Activities of the United Nations System in Implementing the United Nations Global Counter-Terrorism Strategy A/75/729 (29 January 2021).

¹² Amnesty International, ‘Nigeria: Decade after Boko Haram Attack on Chibok, 82 Girls Still in Captivity’ (14 April 2024).

acts engage several legal interests simultaneously including bodily integrity, freedom from torture and sexual violence, liberty, dignity, health, childhood protection and in appropriate circumstances, international humanitarian and international criminal law.¹³

The harms do not necessarily end when a survivor leaves the armed group. In 2024, Amnesty International reported, on the basis of 126 interviews conducted between 2019 and 2024, that girls and young women who escaped Boko Haram captivity continued to face significant reintegration problems. The report documented allegations of prolonged and unlawful military detention of some survivors, inadequate access to specialist services, stigma associated with being labelled a ‘Boko Haram wife’ and continuing needs relating to health, education and livelihoods. The Nigerian military disputed the allegations concerning its conduct and complicity in the heinous activities. Even with that dispute, the evidence underscores a legal position that counter-terrorism policy must protect survivors from secondary victimisation by state institutions and communities as well as from the original terrorist violence.¹⁴

3.2 Recruitment, use and the victim-perpetrator continuum

Boko Haram has recruited and used both boys and girls. Women and girls have been compelled to cook, clean, carry equipment, transmit information and accompany fighters, while some have been used to carry improvised explosive devices or conduct suicide attacks. Such participation creates difficult legal questions because outward conduct does not by itself reveal the degree of voluntariness. Age, abduction, threats, indoctrination, trafficking, sexual slavery, dependency and duress may substantially affect responsibility.

Children associated with terrorist groups should therefore not be approached through an adult criminal responsibility model. International children’s-rights standards require primary recognition of their status and vulnerabilities as children, individual assessment, detention only as a last resort and rehabilitation and reintegration measures. For adult women, criminal responsibility remains possible where conduct is voluntary and the elements of an offence are established, but gender-sensitive investigation should still distinguish voluntary participation

¹³ UN High Commissioner for Human Rights, *Violations and Abuses Committed by Boko Haram and the Impact on Human Rights in the Countries Affected* A/HRC/30/67 (2015); Human Rights Watch, ‘Those Terrible Weeks in Their Camp: Boko Haram Violence against Women and Girls in Northeast Nigeria’ (27 October 2014).

¹⁴ Amnesty International, ‘Help Us Build Our Lives’: Girl Survivors of Boko Haram and Military Abuses in North-East Nigeria, AFR 44/7883/2024 (9 June 2024) <<https://www.amnesty.org/en/documents/afr44/7883/2024/en/>> accessed 27 September 2024.

from coercion, duress or trafficking. The categories of ‘victim’ and ‘perpetrator’ may overlap rather than exclude each other.

This distinction also matters for community reintegration. Labelling women and girls solely by their real or perceived association with Boko Haram may deepen stigma and discourage escape, disclosure and cooperation with authorities. Conversely, treating every woman as incapable of agency may obscure voluntary participation and undermine fair individualised justice. A rights-based counter-terrorism system should avoid both extremes.

4.0 International Legal Framework and State Obligations

4.1 Human rights, humanitarian law and the Women, Peace and Security framework

No single international instrument comprehensively regulates the protection of women and girls from terrorism. Relevant obligations are instead drawn from international human rights law, international humanitarian law, international refugee law, children’s rights law, the Women, Peace and Security agenda and the United Nations counter-terrorism framework. These bodies of law are complementary. Counter-terrorism does not displace human rights obligations, rather, lawful counter-terrorism must be designed and implemented consistently with them.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is particularly important. General Recommendation No. 30 confirms that CEDAW obligations continue to apply during armed conflict, internal disturbance, terrorism and post-conflict transition, and requires states to exercise due diligence in relation to violence committed by non-state actors. It calls for legislative, policy and institutional measures that protect women’s rights before, during and after conflict, and for women’s meaningful participation in conflict prevention, peacebuilding and reconstruction.¹⁵

The Security Council’s Women, Peace and Security framework, beginning with Resolution 1325 (2000), reinforces the need to protect women and girls from gender-based violence and to ensure women’s participation in peace and security decision-making. Later resolutions, including Resolution 2242 (2015), expressly recognise the relationship between the Women, Peace and Security agenda and preventing and countering violent extremism. These instruments do not

¹⁵ Committee on the Elimination of Discrimination against Women, General Recommendation No 30 on Women in Conflict Prevention, Conflict and Post-Conflict Situations CEDAW/C/GC/30 (2013).

create a complete victim-remedy framework, but they establish an important regulatory basis for gender-responsive national security policy.¹⁶

The UN Global Counter-Terrorism Strategy further requires states to integrate human rights and the rule of law into counter-terrorism. The 2021 Secretary-General's report, A/75/729, is a report on implementation of the Strategy and not itself a General Assembly resolution. The relevant Seventh Review resolution is A/RES/75/291. This distinction is important because the legal weight of a General Assembly resolution differs from that of a Secretary-General's report, although both are relevant to interpretation and policy development.¹⁷

4.2 Obligations towards girls and children associated with terrorist groups

Girls under 18 are simultaneously protected as children and as females exposed to gender-specific forms of harm. Their protection should not therefore be collapsed into a generic category of 'children'. The Convention on the Rights of the Child requires the best interests of the child to be a primary consideration and protects children against violence, exploitation and arbitrary deprivation of liberty. The Optional Protocol on the involvement of children in armed conflict strengthens protection against recruitment and participation in hostilities.¹⁸

The best-interests principle is particularly relevant to family reunification, alternative care, repatriation, rehabilitation and return. A girl who has escaped an armed group should not automatically be returned to a family or former partner without an assessment of safety, consent where appropriate, health needs and the risk of renewed violence. Where family-based care is not safe or available, alternative care should prioritise the child's protection and development rather than institutional convenience.

Children who are associated with terrorist groups should not be detained solely because of that association. Where a child is alleged to have committed an offence, internationally recognised juvenile justice standards require age-appropriate procedures, legal assistance, fair trial guarantees and detention only as a measure of last resort and for the shortest appropriate period.

¹⁶ UN Security Council Resolution 1325 (2000) on Women, Peace and Security; UN Security Council Resolution 2242 (2015) on Women, Peace and Security.

¹⁷ UN Secretary-General, Activities of the United Nations System in Implementing the United Nations Global Counter-Terrorism Strategy A/75/729 (29 January 2021); UN General Assembly, The United Nations Global Counter-Terrorism Strategy: Seventh Review A/RES/75/291 (2021).

¹⁸ Convention on the Rights of the Child 1989; Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict 2000.

Rehabilitation should include education, psychosocial care, health services, family tracing where appropriate and protection from stigma. These safeguards are particularly important for girls who have suffered sexual violence, forced pregnancy or forced marriage.

4.3 Women accused of terrorism and women victims

Adult women who voluntarily commit terrorist offences may be prosecuted on the basis of individual criminal responsibility. Gender sensitivity does not mean immunity. It requires, however, that investigation and prosecution take account of coercion, trafficking, sexual slavery and duress where these are legally relevant, and that detention, interrogation and trial comply with fair hearing and non-discrimination guarantees. Collective punishment or liability based on family or marital association is inconsistent with individual criminal responsibility.

Women who are victims of terrorism have distinct recovery needs where violence has involved rape, forced marriage, pregnancy, reproductive harm or prolonged captivity. Rehabilitation and reintegration programmes should therefore be trauma-informed and gender-responsive. They should also protect confidentiality and avoid practices that publicly label survivors as former terrorists or ‘wives’ of terrorists where no criminal responsibility has been established.

4.4 Remedy and reparation

The United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation provide an important victim-centred framework for serious violations of international human rights and humanitarian law. Although the Principles are not a treaty, they reflect a structured approach to remedy built around access to justice and adequate, effective and prompt reparation. Reparation may include restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.¹⁹

For women and girls affected by terrorism, these categories have practical meaning. Rehabilitation may include physical and mental health care, psychosocial support and education. Compensation may address material and moral harm while restitution may relate to property or legal status where restoration is possible. Satisfaction may include acknowledgement, investigation and truth and guarantees of non-repetition require institutional reforms that reduce

¹⁹ UN General Assembly, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law A/RES/60/147 (2005).

the risk of future abuse. A counter-terrorism framework that focuses almost entirely on punishing offenders but leaves survivors dependent on ad hoc humanitarian assistance remains incomplete.

5.0 African Regional Legal Framework

The African Union's counter-terrorism architecture includes the 1999 OAU Convention on the Prevention and Combating of Terrorism and the 2004 Protocol to the Convention. These instruments support criminalisation, jurisdiction, extradition, mutual legal assistance and cooperation between states. They are important to Nigeria's security obligations but do not, by themselves, provide a comprehensive gender-protection framework for women and girls affected by terrorism.²⁰

That gap is partly filled by African human rights instruments. The African Charter on Human and Peoples' Rights protects dignity, life, liberty, security and equality. More specifically, the Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol) requires states to prevent and punish violence against women, protect women's security and ensure access to justice. Article 11 requires protection of women in armed conflict, including internally displaced women and girls, and obliges states to ensure that no child, especially girls under 18, takes a direct part in hostilities or is recruited as a soldier. The Protocol therefore provides a stronger gender-specific basis for evaluating national counter-terrorism measures than the regional terrorism instruments alone.²¹

The African Charter on the Rights and Welfare of the Child is equally significant. Article 22 requires states to respect international humanitarian law applicable to children affected by armed conflict, prevent children's recruitment and take feasible measures for their protection and care. Its protections apply to children affected by internal armed conflict, tension and strife. Read together with the Maputo Protocol, these provisions support an intersectional approach to girls. They are entitled to child-specific safeguards and to protection against gender-specific violence.²²

²⁰ OAU Convention on the Prevention and Combating of Terrorism 1999; Protocol to the OAU Convention on the Prevention and Combating of Terrorism 2004.

²¹ African Charter on Human and Peoples' Rights 1981; Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) 2003, arts 4, 10 and 11.

²² African Charter on the Rights and Welfare of the Child 1990, art 22.

The African Commission has repeatedly recognised the vulnerability of women and children in armed conflict, including through Resolution 283 of 2014 and subsequent resolutions on violence against women in armed conflict. Nigeria's counter-terrorism framework should therefore be assessed not only against regional cooperation obligations but also against this broader African rights architecture.²³

6.0 Nigeria's Counter-Terrorism Measures

6.1 Terrorism (Prevention and Prohibition) Act 2022

Nigeria's principal counter-terrorism statute as at 2024 is the Terrorism (Prevention and Prohibition) Act 2022. The Act repealed the 2011 legislation and replaced the earlier framework. This is an important doctrinal development because contemporary assessment should proceed from the 2022 Act rather than treating it simply as another amendment to the 2011/2013 regime.²⁴

The Act strengthens national coordination. Section 3 assigns the Attorney-General responsibilities connected with strengthening the legal framework, prosecution and conformity with relevant international counter-terrorism obligations. Section 4 requires the National Security Adviser to formulate counter-terrorism policy, ensure implementation of a comprehensive national strategy and support security, intelligence, law enforcement and military institutions. Section 6 formally establishes the National Counter-Terrorism Centre within the Office of the National Security Adviser as the coordinating body for counter-terrorism and terrorism financing policy, strategy and plans. The Centre is also mandated to coordinate implementation of the national policy and action plan on preventing and countering violent extremism, conduct public awareness, build capacity, partner with civil society and international organisations, and support research and intelligence analysis.²⁵

These reforms are significant. They react to the fragmentation of national security governance and give a statutory framework for coordination which was not as well developed under previous legislation. However, the Act is still largely structured in a way that is centred on prohibition, offences, powers of institutions, prosecution, sanctions and operational coordination. It does not

²³ African Commission on Human and Peoples' Rights, Resolution on the Situation of Women and Children in Armed Conflict ACHPR/Res.283(LV)2014.

²⁴ Terrorism (Prevention and Prohibition) Act 2022 (Act No 15 of 2022).

²⁵ Terrorism (Prevention and Prohibition) Act 2022 (Act No 15 of 2022), ss 3, 4 and 6.

create a comprehensive statutory framework to specifically address the protection, rehabilitation, reparation and reintegration of women and girl victims of terrorism. General legal protection may be in place, but may lack explicit gender-specific responsibilities, thus relying on policy and administrative discretion and other legal frameworks.

This does not mean that the Act is legally lacking simply because not all social protection measures are provided for in criminal law. It should not be expected that counter-terrorism legislation can serve as a comprehensive welfare law. The difficulty is instead one of integration. In countries where the primary legislation establishes national counter-terrorism strategy and PCVE coordination institutions, such institutions should be expressly mandated to integrate gender and child protection and victim remedy into strategy, operational guidance, monitoring and inter-agency referral.

6.2 NACTEST 2016 and the National Security Strategy 2019

The National Counter-Terrorism Strategy was drawn up in 2014 and updated in 2016. NACTEST adopts a whole-of-government approach and allocates roles across ministries, departments, agencies and other stakeholders. Its strategic value lies in recognising that terrorism cannot be addressed solely by military force and that prevention, coordination and community resilience are essential.²⁶

The National Security Strategy 2019 places counter-terrorism within Nigeria's wider security architecture and recognises NACTEST as an important component of national policy. Together, these instruments provide a framework for prevention and coordinated response. However, a gender-sensitive assessment requires more than broad recognition of vulnerable populations. The strategy should identify measurable obligations concerning women and girls: prevention of school and community abductions, protection in displacement settings, survivor-sensitive screening, referral pathways, access to legal assistance, protection against sexual exploitation by state and non-state actors, reintegration indicators and accountability for implementation.²⁷

The absence of such detailed and measurable requirements weakens the ability to determine whether general commitments have translated into effective protection. Gender mainstreaming is

²⁶ National Counter Terrorism Centre, National Counter-Terrorism Strategy (NACTEST) (2016).

²⁷ Federal Republic of Nigeria, National Security Strategy (2019).

most useful when it can be audited. A future review of NACTEST should therefore include clear sex- and age-disaggregated indicators, reporting duties and implementation benchmarks.

6.3 Policy Framework and National Action Plan for Preventing and Countering Violent Extremism 2017

Nigeria's 2017 Policy Framework and National Action Plan for Preventing and Countering Violent Extremism broadens the focus from prosecution and military response to prevention, institutional capacity, rule of law, human rights, community engagement, resilience and strategic communication. It also recognises that women have roles in prevention, treatment, rehabilitation and reintegration.²⁸

Its importance to this article is twofold. First, it confirms that preventing violent extremism is not only a security function but also a social and community process. Second, the 2022 Act now places coordination of the national PCVE policy and action plan within the functions of the National Counter-Terrorism Centre. This creates an opportunity to integrate gender-responsive protection more systematically into the statutory counter-terrorism architecture.

The remaining challenge is implementation. Recognition of women's roles should not become a reason to instrumentalise women merely as community intelligence assets or mothers expected to identify radicalisation. It should include their rights as survivors, their participation in policy design and evaluation, and their access to services and remedies.

6.4 National Action Plan on Women, Peace and Security

Nigeria's second National Action Plan for implementation of Security Council Resolution 1325 and related Women, Peace and Security resolutions covered 2017-2020. It addressed prevention and disaster preparedness, participation and representation, protection and prosecution, crisis management and post-conflict recovery, and partnerships and coordination. These pillars directly engage the situation of women and girls affected by terrorism and violent extremism.²⁹

The National Action Plan is therefore more explicit than NACTEST in recognising women's gender-specific protection and recovery needs. Its weakness, for purposes of counter-terrorism

²⁸ Federal Republic of Nigeria, Policy Framework and National Action Plan for Preventing and Countering Violent Extremism (2017).

²⁹ Federal Ministry of Women Affairs and Social Development, National Action Plan for the Implementation of UNSCR 1325 and Related Resolutions on Women, Peace and Security in Nigeria 2017-2020 (Abuja 2017).

law, is institutional separation: the Women, Peace and Security framework and the counter-terrorism framework do not always operate as one integrated system. The result can be strong policy language on women's protection without corresponding duties in security strategy, detention practice, survivor screening, prosecution policy or reintegration programming.

A stronger model would formally connect the Women, Peace and Security framework to the NCTC's statutory coordination role, so that national counter-terrorism planning is assessed against specific WPS protection and participation standards.

6.5 Criminal justice, rehabilitation and reintegration

Nigeria has pursued criminal prosecution of terrorism suspects and has also used deradicalisation, rehabilitation and reintegration programmes for some persons formerly associated with armed groups. These responses are not mutually exclusive. Prosecution is necessary where there is sufficient evidence of serious criminal responsibility, while rehabilitation and reintegration may be appropriate for children, coerced associates, low-risk returnees and persons for whom non-custodial measures are legally justified.

The difficulty for women and girls is that security screening, criminal justice and reintegration may reproduce the very harms that protection policy is intended to remedy. A woman who escaped forced marriage and sexual slavery may also be perceived as a security risk because of her association with a fighter. A girl used by an armed group may be treated as a suspect rather than primarily as a child requiring protection. Reports of prolonged detention and inadequate reintegration support therefore raise serious questions about how Nigeria distinguishes culpability from coerced association.³⁰

Individualised, multidisciplinary assessment should be used by counter-terrorism agencies. Investigations may be warranted for security reasons but criminal liability should not be based on association alone. In line with the principles of juvenile justice, non-judicial and rehabilitative measures should be given priority for children. Investigators should consider coercion, trafficking and duress for adult women and maintain responsibility if involvement was consensual and criminal liability is determined.

³⁰ Amnesty International, 'Help Us Build Our Lives': Girl Survivors of Boko Haram and Military Abuses in North-East Nigeria, AFR 44/7883/2024 (9 June 2024).

7.0 Assessing the Gender-Protection Gap

7.1 Prevention

Nigeria's framework recognises prevention, community resilience and public awareness, but gender-specific preventive duties remain underdeveloped. Prevention should include risk assessment for girls' schools, early-warning systems, community protection, safe education, protection in displacement settings and measures addressing recruitment and trafficking. It should also incorporate the experiences of women in affected communities in designing local prevention strategies.

The continuing pattern of school abductions shows that prevention cannot be limited to ideological counter-messaging. Protection of schools, rapid response, intelligence sharing, safe transport, community trust and accountability for security failures are equally important. Gender-sensitive prevention also requires attention to the conditions that make girls and women vulnerable to recruitment, coercion or re-abduction without suggesting that poverty alone causes terrorism.

7.2 Protection during counter-terrorism operations

A lawful counter-terrorism response must protect civilians not only from armed groups but also from abuse during state operations. Screening, arrest, detention and intelligence processes should be subject to human rights safeguards. Women and girls should have access to female personnel where appropriate, confidential reporting mechanisms, legal representation, health care and protection from sexual exploitation or degrading treatment.

This is particularly important for persons emerging from Boko Haram-controlled areas. A survivor-sensitive screening system should identify trafficking, forced marriage, sexual violence, age and other vulnerabilities before assigning security status. Where detention is legally justified, it must be subject to prompt review, due process and conditions appropriate to age and gender.

7.3 Accountability and access to justice

Nigeria's counter-terrorism framework is comparatively strong in criminalising terrorist conduct and enabling prosecution. It is less explicit about how women and girl victims participate in justice. In an adversarial system, victims are often treated primarily as witnesses for the

prosecution. Yet serious crimes such as abduction, rape, sexual slavery and forced marriage generate independent interests in information, protection, legal assistance and remedy.

Women and girls should be informed of available legal processes and remedies in accessible language. Legal aid should be available to indigent survivors, particularly those in rural or displaced communities. Witness protection should address the specific risks of retaliation, stigma and disclosure of sexual violence. Investigative and prosecutorial authorities should also collect evidence of gender-based crimes systematically rather than treating sexual violence as incidental to terrorism charges.

7.4 Rehabilitation, reintegration and non-stigmatisation

Rehabilitation and reintegration are not just an act of goodwill. They are closely linked to the rights to recovery, development, education, family life and protection of child survivors. Effective rehabilitation may be needed to make rights to health, dignity and remedy a reality for adult women who survived conflict related sexual violence and captivity.

Therefore, mental health and psychosocial support, sexual and reproductive health services, education, vocational opportunities, documentation, safe housing and livelihood support (where necessary) should be included in programmes. Community stigma should also be tackled in reintegration, for example, by using community-based, non-public ways of dealing with the stigma without re-victimising survivors. Amnesty International's 2024 findings reflect that issues of reintegration continue to be a key protection concern.

Special attention needs to be paid if a survivor has children while in captivity. The child should not be discriminated against on the basis of parentage and the mother should not be forced to remain in contact with an abusive former partner. Family reunification decisions are to be taken with regard to the safety of the child, the child's right to make an informed choice and the child's best interests.

7.5 Remedy and reparation

Remedy and reparations are vital components of counter-terrorism measures that are victim-centric and aimed at repairing the harm or damage suffered by the survivors of terrorism. While remedies or reparations may seek an avenue to right the wrong suffered by the victim, to repair and, where possible, restore the victim to the position they were in before the violence, they must

rather adopt a transformative approach. Reparation will require dedicated funding, documentation and assessment of harm and a specifically designed programme that need not stem from a judicial process.³¹ The implementation and evaluation of the programme will require independent oversight and the inclusive participation of the victims.

8.0 Recommendations

First, there should be an explicit gender and child protection framework in future reviews of NACTEST and related counter-terrorism policy. This should include specific commitments in relation to prevention, screening of survivors, referral, legal assistance, rehabilitation and reintegration/reparation, as well as general mentions of vulnerable groups.

Second, the NTC needs to incorporate the Women, Peace and Security standards into its legal mandate of coordinating counter-terrorism and PCVE programmes. Measurable sex- and age-disaggregated indicators should be reported by relevant agencies, such as access to services, detention outcomes, reintegration support and investigation of gender-based crimes.

Thirdly, screening processes for women and girls leaving terrorist-controlled areas should be individualised and survivor sensitive. Association with a terrorist group, whether real or perceived, should not without proof be considered as evidence of criminal responsibility. Children should be treated primarily through child-protection and juvenile justice standards, while adult women should be assessed for coercion, trafficking, duress and voluntary participation.

Fourth, women and girl survivors should have effective access to justice. Government should strengthen legal aid, confidential reporting, witness protection and trauma-informed investigation of rape, sexual slavery, forced marriage, trafficking and other gender-based crimes connected with terrorism. Survivors should receive information about proceedings that affect them and be protected against retaliation and re-victimisation.

Fifth, rehabilitation and reintegration programmes should provide age- and gender-appropriate mental health care, psychosocial support, education, reproductive health services, vocational opportunities and livelihood support. Programmes should be designed with the participation of survivors and affected communities and should protect confidentiality to reduce stigma.

³¹ DD Adeyemo, 'Restorative Justice Ideals and Victims of Crime in Nigeria: Towards a Reparative Justice Approach' LASJURE. (2021) 2,120-130.

Sixth, Nigeria should develop a clearer reparations framework for victims of serious terrorism-related abuses. The framework should recognise restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition and should complement, not replace, criminal accountability.

Seventh, protection of girls' education should form a specific prevention priority. Federal and state authorities should strengthen school risk assessment, early-warning and rapid-response mechanisms, while ensuring that prolonged school closure is not treated as the default response to insecurity because it can itself deepen inequality and vulnerability.

Lastly, there should be independent monitoring of implementation. Civil society organisations, women's organisations, child-protection actors and affected communities should be involved in regular evaluation of counter-terrorism measures. Measurable accountability is a key component to a legal framework that is only as protective as its implementation.

9.0 Conclusion

Nigeria has built a more advanced counter-terrorism system than was present at the start of the Boko Haram insurgency. The Terrorism (Prevention and Prohibition) Act 2022 enhances coordination and brings the National Counter-Terrorism Centre (NACTER) onto a statutory basis; NACTEST, the PCVE Framework, the National Security Strategy and the Women, Peace and Security agenda offer valuable preventive and institutional mechanisms. All of these advances should be recognised.

It is not the complete lack of law or policy that is the issue at the heart of the problem. It is the lack of embedding gender responsive protection into the mainstream counter-terrorism system. The framework is still more explicit in terms of what is prohibited, powers of institutions, intelligence, prosecution and coordination than in terms of enforceable duties owed to women and girls as survivors and rights-holders. This gap is especially noticeable in survivor-sensitive screening, protection against secondary victimization, rehabilitation, reintegration, victim participation and reparation.

There is thus a need for a more effective linkage between security and justice on the one hand, and protection and remedy on the other. Women and girls should be safeguarded from terrorist violence but not treated as victims; and people linked to terrorist groups should be judged on a

case-by-case basis. Girls need child-specific and gender-specific protection. Women who voluntarily commit crimes are still criminally responsible, and women who are coerced, trafficked or forced into association must be treated accordingly. Thus, counter-terrorism can serve the national security without being in conflict with Nigeria's constitutional, international and African human rights obligations.