

Nigeria: Current Issues and U.S. Policy

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Summary

The U.S. government considers its relationship with Nigeria, Africa's largest producer of oil and its largest economy, to be among the most important on the continent. Nigeria is Africa's most populous country, with almost 180 million people, roughly divided between Muslims and Christians. U.S. diplomatic relations with Nigeria have improved since the country made the transition from military to civilian rule in 1999, and Nigeria, which ranked until recently among the top suppliers of U.S. oil imports, is a major recipient of U.S. foreign aid. The country is an influential actor in African politics and a top troop contributor to U.N. peacekeeping missions.

Nigeria is a country of significant promise, but it also faces serious social, economic, and security challenges that have the potential to threaten both state and regional stability, and to affect global oil prices. The country has faced intermittent political turmoil and economic crises since independence. Political life has been scarred by conflict along ethnic, geographic, and religious lines, and corruption and misrule have undermined the state's authority and legitimacy. Despite extensive petroleum resources, Nigeria's human development indicators are among the world's lowest, and a majority of the population faces extreme poverty. Thousands have been killed in periodic ethno-religious clashes in the past decade. Years of social unrest, criminality, and corruption in the oil-producing Niger Delta have hindered oil production, delayed the southern region's economic development, and contributed to piracy in the Gulf of Guinea. Perceived neglect and economic marginalization also fuel resentment in the predominately Muslim north.

The attempted terrorist attack on an American airliner by a Nigerian in 2009 and the subsequent rise of a militant Islamist group, Boko Haram, have heightened concerns about extremist recruitment in Nigeria, which has one of the world's largest Muslim populations. Boko Haram has targeted churches, among other state and civilian targets, sometimes triggering retaliatory violence and threatening to inflame religious tensions. While the group appears primarily focused on a domestic agenda, its ties with other violent Islamist groups, notably Al Qaeda in the Islamic Maghreb (AQIM), are of concern. The State Department designated Boko Haram and a splinter faction, Ansaru, as Foreign Terrorist Organizations (FTOs) in November 2013.

Domestic criticism of the Nigerian government's response to the Boko Haram threat, and in particular to the April 2014 kidnapping of almost 300 schoolgirls, may have an impact on the upcoming February 2015 elections. President Goodluck Jonathan, a Christian from southern Nigeria, and his party appear set to face a strong challenge from an opposition alliance that draws support, in part, from popular disaffection with Jonathan in northern Nigeria. In the aftermath of Nigeria's last presidential elections, in 2011, protests and violence across the north highlighted strong dissatisfaction among some northerners with Jonathan's victory. Recent divisions within the ruling party, largely along geographic lines, suggest that discontent with his leadership has since grown. The opposition cannot win the presidency, however, with northern support alone.

The Obama Administration has been supportive of reform initiatives in Nigeria, including anti-corruption efforts, economic and electoral reforms, energy sector privatization, and programs to promote peace and development in the Niger Delta. In 2010, the Administration established the U.S.-Nigeria Binational Commission, a strategic dialogue to address issues of mutual concern. Congress regularly monitors Nigerian political developments, and some Members have expressed concern with corruption, human rights abuses, and the threat of violent extremism in Nigeria. Congress oversees more than \$700 million in U.S. foreign aid programs in Nigeria—one of the largest U.S. bilateral assistance packages in Africa.

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Overview

Nigeria is considered a key power on the African continent, not only because of its size, but because of its political and economic role in the region. One in five people in Sub-Saharan Africa call Nigeria home. The country's commercial center, Lagos, is among the world's largest cities. Nigeria has overtaken South Africa as Sub-Saharan Africa's largest economy, and it is one of the world's major sources of high-quality crude oil. Nigerian troops have played an important role in peace and stability operations on the continent, and the country regularly ranks among the top five troop contributors to United Nations peacekeeping missions. Few countries in Africa have the capacity to make a more decisive impact on the region.

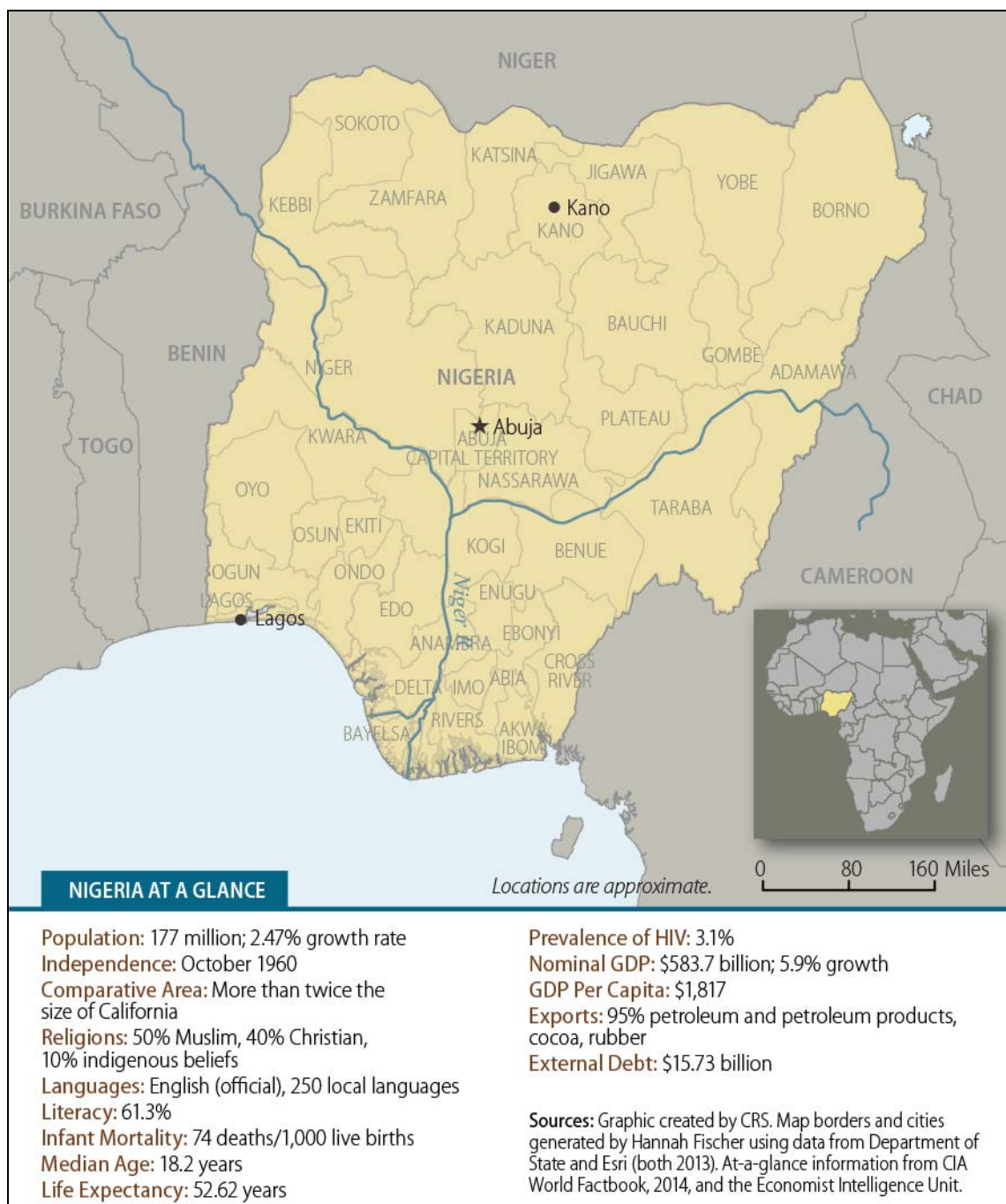
Despite its oil wealth, however, Nigeria remains highly underdeveloped. Poor governance and corruption have limited infrastructure development and social service delivery, slowing economic growth and keeping much of the country mired in poverty. Nigeria is also home to the world's second-largest HIV/AIDS-infected population and has Africa's highest tuberculosis burden.

The country is home to more than 250 ethnic groups, but the northern Hausa and Fulani, the southwestern Yoruba, and the southeastern Ibo have traditionally been the most politically active and dominant. Roughly half the population, primarily those residing in the north, are Muslim. Southern Nigeria is predominantly Christian.

Ethnic and religious strife have been common in Nigeria. By some estimates, 16,000 Nigerians have died in localized clashes in the last decade. Nigeria now has the largest displaced population in Africa—an estimated 3.3 million people—and the third largest in the world. Divisions among ethnic groups, between north and south, and between Christians and Muslims often stem from issues relating to access to land, jobs, and socioeconomic development, and are sometimes fueled by politicians. More than 800 people were killed in 2011 in post-election clashes, which highlighted growing dissatisfaction with the government in Nigeria's northern states.

An increasingly active violent Islamist group, Boko Haram, has contributed to deteriorating security conditions in the north and seeks to capitalize on local frustrations and discredit the government. In November 2013, the U.S. State Department formally designated Boko Haram and a splinter group, Ansaru, as Foreign Terrorist Organizations (FTOs). U.S. policy makers appear particularly concerned with Boko Haram's reported ties with transnational terrorist groups and with the threat these groups may pose to U.S. and international targets, either in the region or overseas. Further, Boko Haram's attacks against churches have the potential to inflame sectarian tensions across Nigeria and, potentially, beyond.

In the southern Niger Delta region, local grievances related to oil production in the area have fueled simmering conflict and criminality for over a decade. The government's efforts to negotiate with local militants, including through an amnesty program, have quieted the restive region, but the peace is fragile and violent criminality continues. Some militants continue to be involved in various local and transnational criminal activities, including maritime piracy and drug and weapons trafficking networks. These networks often overlap with oil theft networks, which contribute to the rising trend of piracy off the coast of Nigeria and the wider Gulf of Guinea, now one of the most dangerous bodies of water in the world.

Figure I. Nigeria at a Glance

Political Context

Nigeria, which gained its independence from Britain in 1960, is a federal republic with 36 states; its political structure is similar to that of the United States. It has a bicameral legislature with a 109-member Senate and a 360-member House of Representatives. Nigeria's president, legislators, and governors are directly elected on four-year terms. The country was ruled by the military for much of the four decades after independence before making the transition to civilian rule in 1999.

Elections held in the decade after the transition were deemed by Nigerians and the international community to be flawed, with each poll progressively worse than the last. The most recent elections, in 2011, showed improvement, but also highlighted outstanding issues.

The contest for power between north and south that has broadly defined much of Nigeria's modern political history can be traced, in part, to administrative divisions instituted during Britain's colonial administration.¹ Northern military leaders dominated the political scene from independence until the transition to democracy just over a decade ago. Since the election of President Olusegun Obasanjo in 1999, there has been a de-facto power sharing arrangement, often referred to as "zoning," between the country's geopolitical zones, through which the presidency was expected to rotate among regions. The death of President Obasanjo's successor, President Umaru Yar'Adua, in office in 2010,² and the subsequent ascension of his vice president, Goodluck Jonathan, a former governor from the southern Niger Delta, to the presidency for the remainder of Yar'Adua's first term, raises questions about the future of the zoning arrangement, which is discussed below. President Jonathan's decision to vie for the presidency in 2011, his victory, and his current reelection bid complicate the notional regional rotation formula.

Elections: The 2011 Polls and a Look Ahead to February 2015

Nigeria's ability to weather the potential political crisis of President Yar'Adua's hospitalization and death in office, and to manage the transition without the military playing an apparent role, was viewed by many as positive sign of its democratic progress. After assuming office, President Jonathan continued electoral reforms begun under his predecessor, including efforts to increase the autonomy of the election commission, whose credibility had been badly damaged by previous polls. Jonathan won praise for replacing the commission's chairman with a respected academic and civil society activist, Attahiru Jega, enhancing public confidence prior to the 2011 elections.

With over 73 million registered voters, almost 120,000 polling stations, and more than 50 political parties, the challenges facing the election commission in 2011 were daunting. Observers noted positive developments prior to the elections, including efforts to compile a more credible voter register, but also raised concerns about electoral preparedness and areas deemed problematic in previous polls, including ballot secrecy, intimidation, and transparency in the counting of ballots and tabulation of results. Last-minute court rulings on the parties' candidate lists slowed the delivery of voting materials, which in turn delayed the election period by a week.

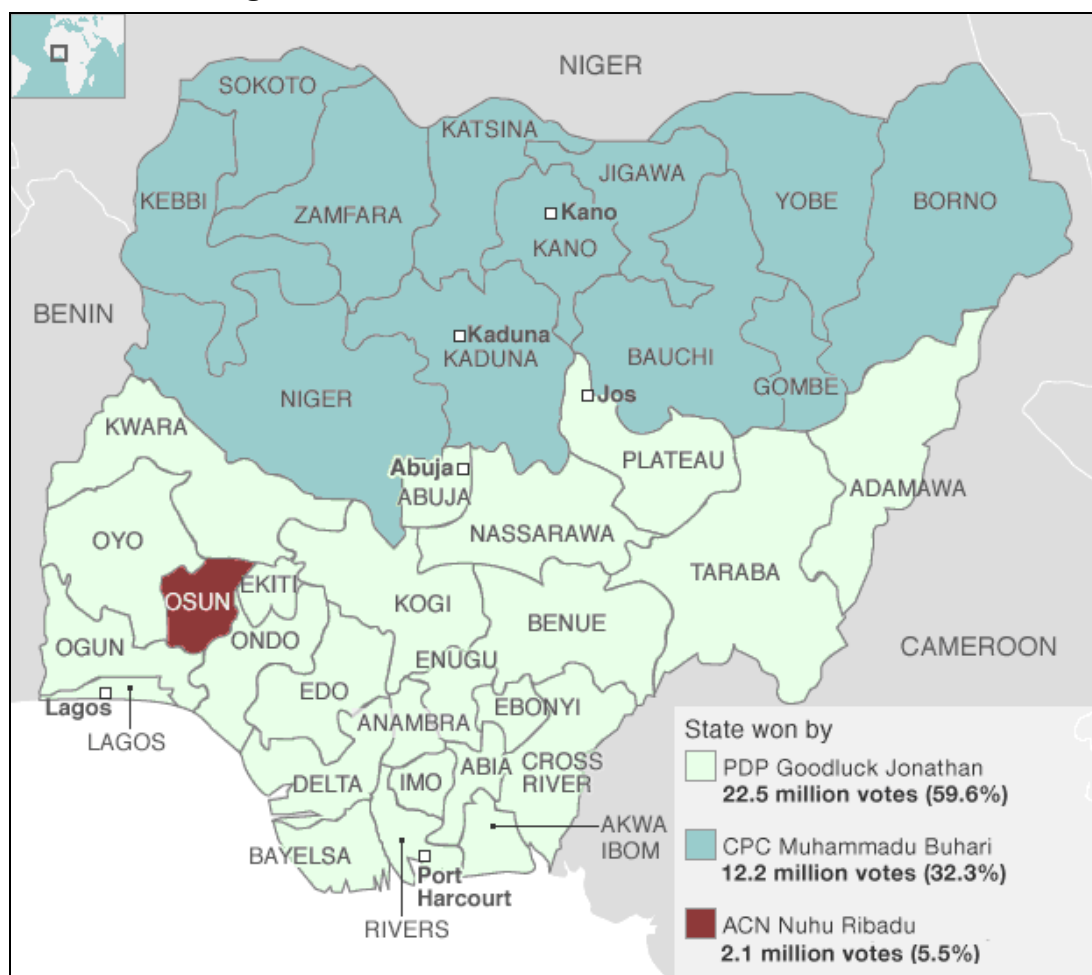
Given Nigeria's unwritten "zoning" arrangement, there was considerable debate on whether Jonathan's decision to stand for the presidency would lead the ruling party to split prior to the 2011 elections. Many northerners argued that since Obasanjo, who is from the southwest, had served two terms and Yar'Adua, who was from the north, had served only one term, a northern candidate should hold the office for another term. Jonathan, who notably is from a minority

¹ Britain administered the north and south separately from the late 19th century until 1947, when it introduced a federal system that divided the country into three regions: Northern, Eastern, and Western. Today, Nigeria is comprised of six geopolitical zones: north-west, north-east, north-central, south-west, south-east, and south-south (the Niger Delta).

² Many speculate that Yar'Adua suffered from a chronic kidney condition. His hospitalization abroad in late 2009 and prolonged absence threatened to spark a political crisis in early 2010, amid rumors of his death, allegations that his wife and close advisors were making decisions for him, and legal challenges related to his failure to transfer power during his convalescence. After several months of uncertainty, the National Assembly recognized Jonathan as the acting head of state in February 2010, allowing him to conduct critical government business. In May 2010, the government announced President Yar'Adua's death at age 58, and Jonathan was sworn in as the new president.

southeastern ethnic group (the Ijaw), ultimately gained the support of key People's Democratic Party (PDP) leaders, including a majority of the northern governors, for his candidacy, and he won the PDP primary by a wide margin. The leading opposition parties, presumably following the zoning deal, chose northern presidential candidates—former military leader Muhammadu Buhari, who had run twice before, for the Congress for Progressive Change (CPC) and Nuhu Ribadu, the former head of Nigeria's anti-corruption authority, for the Action Congress of Nigeria (ACN).

Figure 2. Results of the 2011 Presidential Election



Source: BBC, adapted by CRS.

The PDP remained dominant in the elections, retaining the presidency and a majority in the House of Representatives and most state legislatures. Voters expressed their dissatisfaction, however, by voting out two-thirds of the incumbents in the House and Senate. Opposition candidates made significant gains in the southwest and the north.³ President Jonathan won 59.6% of the vote, gaining a majority in 23 states and enough support nationwide to avoid a run-off. Buhari followed with 32.3% of the votes, leading in one-third of the states (see **Figure 2**). Given

³ The ACN dominated state elections in the south west, where the PDP lost all governors' races and kept a majority in only one state assembly.

Buhari's electoral success in the north, Jonathan's victory was seen by some northern youth as evidence that the results had been rigged, triggering protests that, in some areas, turned deadly.

Election-Related Violence in 2011

Despite generally positive reviews of the 2011 elections, the level of election-related violence was higher than in previous years. Deadly clashes that followed the presidential vote highlighted communal tensions, disaffection, and mistrust of the state in the under-developed north—issues that the federal government may have considered a secondary priority as it grappled with militant activity in the oil-producing Niger Delta.

Violence prior to the 2011 elections included clashes between party supporters and several assassinations, and some politicians deployed “thugs” to intimidate opponents and voters. Security concerns were further heightened by a spate of bombings during political rallies, primarily in the Delta, that were linked to local politics. There were at least six bombings in the northeast state of Borno, where Boko Haram has been most active. Boko Haram was linked to the assassination of that state's leading gubernatorial candidate, as well as to the bombing of a state election commission headquarters not far from the national capital, Abuja. The government increased security during the polls, and election observer comments were generally positive regarding security forces' behavior during the elections.

The worst violence in 2011 came almost immediately after the presidential poll, with supporters of Muhammadu Buhari leading protests in the northern states, alleging that the PDP had rigged the vote. The protests devolved into violent riots and, in some areas, killings, largely along religious and ethnic lines. In some parts of the north, the clashes lasted for several days until soldiers were deployed to enforce stability. At least 800 people were killed in a three-day period, according to Human Rights Watch, and as many as 65,000 displaced. An independent panel, tasked with conducting an official government inquiry into the violence and led by a prominent Islamic scholar, faulted successive administrations for failing to act on the recommendations of previous inquiries into communal and political violence. The panel viewed the zoning arrangement as having politicized ethno-religious tensions and also suggested that statements made by politicians such as Buhari for supporters to “guard their votes” may have fueled popular frustrations and, possibly inadvertently, sparked acts of violence.

U.S. government views on the 2011 elections were broadly positive, despite the violence. Then-Secretary of State Hillary Clinton declared, “This historic event marks a dramatic shift from decades of failed elections,” but stated that “while this election was a success for the people of Nigeria, it was far from perfect.”⁴ Another senior official noted “technical imperfections,” but argued that “this reverses a downward democratic trajectory and provides the country a solid foundation for strengthening its electoral procedures and democratic institutions.” President Obama remarked that “the success of the elections was a testament to Nigerian voters who ... were determined that these elections mark a new chapter in Nigerian history.”

Election observers generally noted significant improvements in the legislative and presidential polls, calling them a key step forward, but most stopped short of terming the elections “free and fair.”⁵ Some raised concerns with presidential results from certain states in the Niger Delta (President Jonathan's home region) and the southeast, where turnout appeared to be near 100% amid reports of intimidation, harassment, and violence. Nationally, under-age voting was a common concern of observers, and overcrowding at polling stations and complicated vote collation procedures vulnerable to error or malfeasance remained a problem. Some of the state elections were deemed to be less credible by observers. Various parties filed legal suits

⁴ Official comments cited herein include Secretary of State Hillary Clinton, *Press Release: Election in Nigeria*, April 19, 2011; Special Briefing by Assistant Secretary Johnnie Carson, “The Recent Elections in Nigeria,” April 28, 2011; and the White House, *Statement by President Obama on Elections in Nigeria*, May 4, 2011.

⁵ The author served as an election observer in Lagos for the parliamentary elections and Sokoto for the presidential poll. See the official observer reports of the National Democratic Institute (<http://www.ndi.org>); the European Union (<http://eeas.europa.eu/eucom/missions/2011/nigeria>); Project 2011 Swift Count (<http://www.pscnigeria.org>); and the Transition Monitoring Group (<http://www.tmgelection2011.org>).

challenging the results of the 2011 elections, with varying success. Nigeria's Supreme Court upheld a verdict rejecting the CPC's challenge to President Jonathan's win in December 2011.

The 2015 Elections

Nigeria's next elections are scheduled for February 2015, and President Jonathan will seek reelection for a second full term in office.⁶ The ruling party may face its strongest challenge to date from a new opposition coalition, the All Progressive Congress (APC), formed in 2013 by three main opposition parties. The APC is widely expected to select a northerner, possibly Buhari, as its presidential candidate, potentially with a prominent southwestern politician as his running mate.

The ruling PDP has struggled with increasing internal divisions that may impact the party's ability to mobilize resources and votes behind Jonathan's campaign. A splinter faction composed of seven state governors (all but one from the north) and a sizeable number of members of both the House and the Senate emerged in 2013. Five of the governors, along with almost 40 legislators, subsequently defected to the opposition. More recent shifts have occurred, notably the defection of Aminu Tambuwal, Speaker of the House of Representatives, to the APC in late October. The PDP split represents opposition, largely but not exclusively from northern party members, to Jonathan's reelection bid. It also reflects internal power struggles, as politicians vie for position prior to the elections. State-level elections are expected to be extremely competitive in 2015, with vacant seats in two-thirds of the governorships. Some analysts contend that with fewer incumbent governors seeking reelection, party mobilization for Jonathan at the state level may be affected, potentially leading to a presidential run-off election.⁷ In order to win, Jonathan, or his competitor, must obtain an overall majority and at least 25% of the votes cast in two-thirds of the states.

Development Challenges and Reform Initiatives

Despite its oil wealth and large economy, Nigeria's population is among Africa's poorest, and the distribution of wealth is highly unequal. The average life expectancy for Nigerians is less than 53 years, and the percentage of the population living in absolute poverty (less than \$1.25 a day) has grown in the past decade. Nigeria has the world's second-largest HIV/AIDS population. Access to clean water remains a major problem—almost half the population has no access to improved sources of water, less than one-fifth of households have piped water, and some 30% lack access to adequate sanitation. Diarrhea is the second-leading cause of death among children, and Nigeria ranks second only to India in the number of diarrhea-related child deaths globally.

Decades of economic mismanagement, instability, and corruption have hindered investment in education and social services and stymied industrial growth. U.S. officials suggest that “good governance, healthy political competition, and equitable economic growth would go a long way” to addressing the country's development challenges.⁸ The country's oil and gas sector accounts

⁶ A Nigerian court ruled in March 2013 that Jonathan is serving his first term and is thus eligible to run in 2015.

⁷ Zainab Usman and Oliver Owen, “Incumbency and Opportunity: Forecasting Nigeria's 2015 Elections,” October 29, 2014, available at <http://www.africanarguments.org>.

⁸ Testimony of Assistant Secretary of State for African Affairs Linda Thomas-Greenfield, House Subcommittee on Africa, Global Health, and Human Rights, *Countering the Threat Posed by Boko Haram*, November 13, 2013.

for the majority of government revenues and export earnings. This makes the country particularly vulnerable to swings in global oil prices, and to conflict and criminality in the Niger Delta.

In April 2014, the Nigerian government announced the rebasing of its economy, which is now internationally recognized as the largest in Africa and the 26th largest in the world.⁹ The rebased GDP, now substantially larger than South Africa's, is almost double what it was previously thought to have been, and is less reliant on the petroleum sector than expected. The service sector is now seen to contribute just over 50% of GDP, and the telecommunications and homegrown film industries are growing rapidly. Economists suggest that the economy nevertheless continues to underperform, held back by poor infrastructure and electricity shortages.

Efforts to Combat Corruption

Corruption in Nigeria is “massive, widespread, and pervasive,” according to the Department of State, and by many accounts, development will be hampered until Nigeria can address the perception of impunity for corruption and fraud.¹⁰ Human Rights Watch suggests that the political system rewards corruption, which has been fueled by oil revenues for decades.¹¹ Several international firms have been implicated in Nigerian bribery scandals. Nigeria is also known globally for cyber crimes, including “419 scams,” so-named for the article in the country's penal code that outlaws fraudulent e-mails.

According to Nigeria's Economic and Financial Crimes Commission (EFCC), a law enforcement agency created in 2003 to combat corruption and fraud, billions of dollars have been expropriated by political and military leaders since oil sales began in the 1970s. Former dictator Sani Abacha reportedly stole more than \$3.5 billion during his five years as head of state (1993-1998). Some stolen funds have been repatriated, but other Abacha assets remain frozen abroad. In March 2014, the U.S. Department of Justice announced that it had forfeited more than \$480 million in Abacha corruption proceeds held in foreign bank accounts—the largest kleptocracy forfeiture action in the department's history. Expropriation of Nigeria's resources did not stop with Abacha—Nigeria's former central bank governor estimated that Nigeria may lose more than 10% of its annual GDP through fraud, and a task force appointed by President Jonathan found in 2012 that billions of dollars have been lost since 2002 through oil theft and the mispricing of gas exports.¹²

Successive presidents have taken a public stance against corruption, but some observers suggest that they have also used corruption charges to sideline critics and political opponents. President Yar'Adua campaigned on an anti-corruption agenda; in 1999 he was the first governor to publicly declare his assets. Upon assuming the presidency, he dismissed many of Obasanjo's political appointees and security chiefs and overturned several of the privatization agreements approved by his predecessor, amid charges of corruption associated with the sales. Yar'Adua also proposed, unsuccessfully, that the constitution be amended to remove an immunity clause that prevents the president, vice president, governors, and deputy governors from being prosecuted for corruption

⁹ The rebasing of the economy was triggered by the country's National Bureau of Statistics, which recalculated the value of GDP based on production patterns in 2010, increasing the number of industries it measured and giving greater weighting to sectors such as telecommunications and financial services.

¹⁰ State Department, “Nigeria,” *Country Report on Human Rights Practices 2013*, April 2014.

¹¹ HRW, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission*, August 2011.

¹² “Nigeria: Dazzling Statistics,” *Africa Confidential*, Vol. 53 No. 14, July 6, 2012; and “The \$100 Billion Bash,” *Africa Confidential*, November 2, 2012.

while in office. Nevertheless, critics contend that executive interference with the EFCC continued during his tenure, undermining investigations and derailing prosecutions.¹³ Advocacy groups have called on President Jonathan to increase the EFCC's independence, suggesting that its chairman "remains deeply vulnerable to the whims of the president and lacks security of tenure."¹⁴

The Jonathan Administration launched several new anti-corruption initiatives during its first term, including the passage of a Freedom of Information law in 2011, a parliamentary inquiry into fraud associated with the country's fuel subsidy program, and an independent audit of the oil and gas sector. That audit report, however, which suggested large-scale corruption and waste, appears to have been largely ignored by the government. Despite pledges by the Jonathan Administration to expand budget transparency by requiring legislators and other senior officials to publicly declare their assets, the extent of the president's own assets remains unknown. In January 2014, President Jonathan forced the country's central bank governor, Lamido Sanusi, to resign after a leaked memorandum from Sanusi regarding the state oil firm's failure to account for between \$10 billion and \$20 billion in revenue. To date, the issue of the missing billions remains unresolved.

Crude Oil Theft in Nigeria and Maritime Piracy in the Gulf of Guinea

Corruption and fraud have long been associated with Nigeria's oil industry. Alleged state-level fraud has been linked to the allocation of state oil revenues, concession licensing, and exploration and extraction permits, but the outright theft of crude, known locally as bunkering, is also a major challenge. Small-scale pilfering and illegal local refining has been, and continues to be, a problem, but large-scale illegal bunkering by sophisticated theft networks is a significant threat with international dimensions. By some estimates, between \$3 billion and \$8 billion in Nigerian oil is stolen annually.¹⁵ In its 2013 report *Nigeria's Criminal Crude*, the London-based Chatham House estimated that an average of 100,000 barrels per day were stolen in the first quarter of 2013. Niger Delta militants, Nigerian politicians, security officers, and oil industry personnel have been implicated in the theft and illegal trade of Nigerian crude. Challenges in addressing oil theft are compounded by a lack of transparency in the Nigerian oil industry.

Export oil theft networks, to which some of the Niger Delta militant groups are tied, have also been implicated in moving drugs and other illicit materials. Experts suggest that the trade in stolen oil supports the spread of other transnational organized crimes in the Gulf of Guinea, including maritime piracy. Attacks in Nigerian territorial waters account for the overwhelming majority of piracy incidents in the Gulf, and the U.N. Office on Drugs and Crime reports that most of these incidents can be traced back to the Niger Delta and linked to the illegal oil trade.¹⁶

Petroleum and Power Sector Reforms

President Jonathan has pledged to reform the oil and gas industry, which has been plagued by corruption for decades. Nigeria's first female oil minister, Diezani Allison-Madueke, a former Royal Dutch Shell executive, continues to be the lead on the government's efforts to pass and implement the ambitious Petroleum Industry Bill (PIB), which is aimed at increasing

¹³ Donors criticized the dismissal of the first EFCC chairman, Nuhu Ribadu, in 2007. There was speculation that his removal was linked to his effort to prosecute former Delta State Governor James Ibori, one of Yar'Adua's key financial contributors, who may have embezzled over \$200 million. First arrested in 2007, acquitted, and then indicted again in 2010, Ibori eluded capture and fled to Dubai, where he was arrested and extradited in 2011 to the United Kingdom. He was convicted there on money laundering and fraud charges. In 2011, Jonathan fired Ribadu's successor, who was implicated in corruption, replacing her with Ribadu's former deputy, Ibrahim Lamorde.

¹⁴ HRW, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission*, August 2011.

¹⁵ Christina Katsouris and Aaron Sayne, *Nigeria's Criminal Crude: International Options to Combat the Export of Stolen Oil*, Chatham House, September 2013.

¹⁶ The hijacking of oil tankers and opportunistic robberies are the predominant types of maritime crime in these waters. Kidnapping for ransom is less common, particularly in comparison to acts of piracy off the Horn of Africa. For more information, see UNODC, *Transnational Organized Crime in West Africa: A Threat Assessment*, February 2013.

transparency in the industry, attracting investors, and creating jobs. Progress on the legislation, however, has been halting, and the regulatory uncertainty surrounding its passage has deterred investment. The PIB would restructure the Nigerian National Petroleum Corporation (NNPC), the parastatal that oversees regulation of the industry and has been criticized for its lack of transparency. It would also alter the fiscal terms for oil-producing firms.

Nigeria was designated compliant with the Extractive Industries Transparency Initiative (EITI), a global standard for transparency in the oil, gas, and mining sectors, in 2011, indicating that Nigeria had fulfilled the minimum criterion of annually declaring its extractive sector revenues. This does not necessarily suggest that Nigeria has taken aggressive steps to curb corruption in the sector. The task force led by former EFCC Chairman Nuhu Ribadu to audit oil revenues reported in late 2012 that billions of dollars could not be accounted for, findings that, despite criticism from some in the government, were similar to those of Nigeria's own EITI (NEITI) audits.¹⁷

Despite its status as one of the world's largest crude oil exporters, Nigeria imports roughly \$10 billion in refined fuel annually for domestic consumption, and it suffers periodically from severe fuel and electricity shortages.¹⁸ In an effort to increase its refining capacity and halt oil imports by 2020, the government has granted permits for several new independently owned refineries.¹⁹

Nigeria's domestic subsidy on gasoline (roughly 70% of which is imported, despite domestic petroleum production) may have limited the attractiveness of refining capacity expansion plans to foreign investors. For years, the government has subsidized the price its citizens pay for fuel, and economists have long deemed the subsidy benefit unsustainable. The subsidy's cost—roughly \$8 billion, or 4% of GDP, in 2011—has been steep, comprising almost one-quarter of the annual government budget. At the recommendation of the International Monetary Fund and others, in late 2011 President Jonathan cut the subsidy, causing the price of gasoline for consumers to double in early 2012 and sparking strong domestic opposition. In the face of mass protests and a nationwide strike, the government backtracked and reinstated a partial subsidy, estimated at 2% of GDP.²⁰ Public scrutiny of the program has since increased—a legislative inquiry revealed that an estimated \$7 billion allocated for the subsidy may have been misappropriated, prompting Jonathan to replace several senior executives at the national petroleum company.²¹ Government efforts to reduce the subsidy by limiting import licenses led to fuel scarcities in 2014, adding further popular frustration given Nigerians' reliance on gasoline for personal generators because of the unreliable power supply.

The government plans to refocus funds saved by decreasing the fuel subsidy on improving health, education, and the nation's power supply. Jonathan has pledged to increase electricity generation tenfold over the next decade, and efforts to privatize power stations and distribution companies are underway, albeit behind schedule, despite objections from the country's trade unions.

¹⁷ NEITI's audits are available at <http://www.neiti.org.ng>.

¹⁸ Nigerians Face Fuel Shortages in the Shadow of Plenty," *National Geographic*, April 11, 2014.

¹⁹ In 2010, Nigeria signed an agreement with China worth a reported \$23 billion for new refineries, and in 2012 the government signed a memorandum of understanding with U.S.-based Vulcan Petroleum Resources for a \$4.5 billion project to build six refineries. In 2013, Nigerian businessman Aliko Dangote, Africa's wealthiest man, signed a multi-billion deal with banks to finance the construction of an oil refinery in the southwest.

²⁰ See, e.g., "Removal of Fuel Subsidies in Nigeria: An Economic Necessity and a Political Dilemma," The Brookings Institution, January 10, 2012.

²¹ The lawmaker who led the probe, Farouk Lawan, was accused of taking a bribe from one of the companies involved and was replaced in early 2013. Lawan maintained that he took the bribe as evidence.

Nigeria's Natural Gas Resources

In addition to its oil reserves, Nigeria has the ninth-largest natural gas reserves in the world and the largest in Africa, but they have provided comparatively little benefit to the country's economy. Many of Nigeria's oil fields lack the infrastructure to capture and transport natural gas. The government has repeatedly, but unsuccessfully, set deadlines for oil companies to stop "flaring" gas at oil wells (burning unwanted gas during oil drilling), a practice estimated to destroy more than one-fifth of annual production.²² In 2011, President Jonathan announced a series of new agreements to develop gas processing facilities as part of a "gas revolution" designed to create new jobs and revenues, and to end flaring. Nigeria is in the process of increasing its liquefied natural gas (LNG) exports, which could surpass revenues derived from oil exports in the next decade. Uncertainty surrounding the Petroleum Industry Bill, however, has hindered development of the sector.

Financial Sector Reforms

Successive Nigerian administrations have made commitments to economic reform, but their track record is mixed. According to the IMF, reforms initiated under the Obasanjo Administration and continued by his successors, most importantly the policies of maintaining low external debt and budgeting based on a conservative oil price benchmark to create a buffer of foreign reserves, lessened the impact of the 2008-2009 global economic crisis on Nigeria's economy.²³ Since 2004, oil revenues above the benchmark price were saved in an Excess Crude Account (ECA), although the government drew substantially from the account in 2009-2010 in an effort to stimulate economic recovery. The Jonathan Administration replaced the ECA with a sovereign wealth fund in 2011. The country has made significant gains in the past decade in paying down its external debt, which constituted more than one-third of GDP a decade ago, freeing funding for programs aimed at poverty reduction and reaching the country's Millennium Development Goals.

Like his predecessors, President Jonathan has committed to reforms that aim to attract foreign investment, create jobs, and fuel development. In 2011, he appointed then-World Bank managing director Ngozi Okonjo-Iweala, who had led efforts to reduce Nigeria's debt as Obasanjo's finance minister, to resume her former post. Investors and analysts have expressed concern about possible government interference in monetary system in the wake of the resignation of former central bank governor Lamido Sanusi, who had led efforts to modernize the country's banking system and tighten banking supervision. Sanusi was selected in June 2014 to become Nigeria's second most important traditional Muslim leader, the Emir of Kano.

Social Issues and Security Concerns

Islamic *Sharia* Law

Nigeria is home to one of the world's largest Muslim populations, vying with, and likely overtaking, Egypt as the largest on the continent. The north is predominately Sunni Muslim, and 12 northern states use Islamic *sharia* law to adjudicate criminal and civil matters for Muslims.²⁴

²² U.S. Energy Information Administration, *Country Analysis Brief: Nigeria*, December 30, 2013.

²³ International Monetary Fund, "Staff Report for the Article IV Consultation with Nigeria," July 2012.

²⁴ Nigerian law protects freedom of religion and permits states to establish courts based on common law or customary law systems. Non-sharia based common law and customary law courts adjudicate cases involving non-Muslims in these states, and sharia-based criminal law courts are elective for non-Muslims.

Under the Nigerian constitution, sharia does not apply to non-Muslims in civil and criminal proceedings, but Islamic mores are often enforced in public without regard for citizens' religion. In some areas, state-funded vigilante groups known as *hisbah* patrol public areas to enforce sharia-based rulings. Many analysts nonetheless see the interpretation and implementation of Nigerian sharia as moderate in comparison to some other Muslim-majority countries.

Religious and Communal Tensions

The U.S. Commission on International Religious Freedom (USCIRF) has recommended since 2009 that Nigeria be classified as a “Country of Particular Concern” for “systematic, ongoing, and egregious violations of religious freedom that lead to particularly severe violations affecting all Nigerians, both Christian and Muslim.”²⁵ It is not designated as such by the Secretary of State. According to USCIRF, as many as 16,000 Nigerians have been killed since 1999 in sectarian violence, and the commissioners argue that the government has tolerated the violence, creating a culture of impunity that has emboldened Boko Haram and its sympathizers and been used to exploit Muslim-Christian tensions to destabilize the country. USCIRF has noted ongoing reprisal attacks between Muslim and Christian communities in central Nigeria, the religious nature of the 2011 post-election violence, Boko Haram's attacks against Christians, and rising religiously charged rhetoric as areas of significant concern. Other experts also point to increasingly well-armed militias, loosely organized along religious lines, in central and northern Nigeria.²⁶ The State Department, in its most recent Religious Freedom report, criticized the government's lack of effective efforts to stem communal violence or to investigate and prosecute those responsible.²⁷

Sectarian violence has been a particular problem in and around the central Nigerian city of Jos, the capital of Plateau State, which sits between the predominately Muslim north and Christian south. Tensions among communities in this culturally diverse “Middle Belt” are both religious and ethnic, and they stem from competition over resources—land, education, government jobs—between ethnic groups classified as settlers or as “indigenes” (original inhabitants of the state), with the latter designation conveying certain political and economic benefits. In Jos, the mostly Christian Berom are considered indigenes, and the predominately Muslim Hausa-Fulani, who were traditionally nomadic and pastoralist, are viewed as the settlers. In 2010, the Nigerian government established a special task force composed of both military and police to restore stability in the state; periodic outbreaks of violence have nonetheless continued, and have been exacerbated by attacks on churches attributed to Boko Haram.²⁸

²⁵ The U.S. Commission on International Religious Freedom issued its latest report in April 2014.

²⁶ Testimony of Darren Kew, House Subcommittee on Africa, Global Health, and Human Rights, *The Crisis in Christian-Muslim Relations in Nigeria*, July 10, 2012.

²⁷ State Department, *International Religious Freedom Report for 2013*, February 2014.

²⁸ See, e.g., ICG, *Curbing Violence in Nigeria: The Jos Crisis*, Africa Report No. 196, December 17, 2012.

***Boko Haram* and Militant Islam in Nigeria²⁹**

Boko Haram, a violent Islamist movement in the north, has grown increasingly active and deadly in its attacks against state and civilian targets in Nigeria since 2010, drawing on a narrative of vengeance for state abuses to elicit recruits and sympathizers. By many estimates, more than 11,000 civilians, security forces, and militants have been killed in related violence. The group has focused on a wide range of targets, both government and civilian. While attacks attributed to the group have not exclusively, or even primarily, targeted Christians, attacks on churches in several northern and central states may further fuel existing religious tensions. These bombings, which often occur on Sundays or religious holidays, have sparked deadly reprisal attacks by Christians against Muslim civilians. The group's kidnapping in April 2014 of almost 300 schoolgirls from a secondary school in Chibok, Nigeria, brought renewed international attention to Boko Haram and increased domestic pressure on the Jonathan Administration to do more to address the threat and protect civilians. Such high-profile attacks may be part of a deliberate effort to foment instability, with the aim of discrediting and delegitimizing the government in these regions by exposing the weakness of its security apparatus and justice mechanisms.

Boko Haram emerged in the early 2000s as a small, radical Sunni Islamic sect that advocated a strict interpretation and implementation of Islamic law for Nigeria. Calling itself *Jama'a Ahl as-Sunna Li-da'wa wa-al Jihad* (JASLWJ; roughly translated from Arabic as "People Committed to the Propagation of the Prophet's Teachings and Jihad"), the group is more popularly known as *Boko Haram* ("Western education is forbidden"), a nickname given by local Hausa-speaking communities to describe its view that Western education and culture have been corrupting influences. It engaged in periodic skirmishes with police during its formative years, but the group's activities were limited in scope and contained within several highly impoverished states in the predominately Muslim northeast.

In July 2009, the government's attempts to stop Boko Haram's attacks on police stations and other government buildings resulted in the death of at least 700 people, a figure that likely includes not only militants, but also security personnel and bystanders. In the course of that violence, the group's leader, Mohammed Yusuf, a charismatic young cleric who had studied in Saudi Arabia, was killed while in police custody.³⁰ A sizeable number of Yusuf's followers were also killed or arrested. The group appeared to dissipate after the heavy-handed security crackdown, but reemerged a year later, orchestrating a large-scale prison break in September 2010 that freed hundreds, including its own members. Some reports suggest that a small number of Boko Haram militants may have fled to insurgent training camps in the Sahel during this period.

Boko Haram's attacks have since increased substantially in frequency, reach, and lethality, now occurring almost daily in northeast Nigeria (primarily in Borno and Yobe States), and periodically beyond.³¹ Attacks attributed to the group periodically feature improvised explosive devices (IEDs), car bombs, and suicide attacks, in addition to small arms. Boko Haram has primarily

²⁹ For more information, see CRS Report R43558, *Nigeria's Boko Haram: Frequently Asked Questions*, by Lauren Ploch Blanchard. See also Marc-Antoine Pérouse de Montclos, *Nigeria's Interminable Insurgency? Addressing the Boko Haram Crisis*, Chatham House, September 2014, and ICG, *Curbing Violence in Nigeria (II): The Boko Haram Insurgency*, April 3, 2014.

³⁰ "Islamic Death 'Good for Nigeria'," BBC, July 31, 2009.

³¹ For more information on the location and estimated death toll, by week, of Boko Haram attacks, see, e.g., the Council on Foreign Relations' Nigeria Security Tracker at <http://www.cfr.org>.

focused on state and federal targets, such as police stations, but also targets civilians in schools, churches, markets, and bars. Cell phone towers and media houses have also been attacked. The group has assassinated local political leaders and moderate Muslim clerics. Bank robberies and extortion attributed to the group may contribute to its financing, although authorities warn that criminal groups may also be opportunistically posing as Boko Haram militants.

The bombing of the U.N. building in Abuja on August 24, 2011, marked a major departure from a previously exclusive focus on domestic targets. It was also Boko Haram's first clearly intentional suicide bombing. Boko Haram spokesmen claimed the attack was retribution for the state's heavy-handed security response against its members, referencing U.S. and international "collaboration" with the Nigerian security apparatus. The bombing may have indicated an aspiration by some in Boko Haram to move beyond local politics toward an international jihadist agenda, or it may have been an effort to elicit foreign backing for the group's domestic agenda. Boko Haram has been linked to the kidnapping of foreigners—the abduction of a French family in northern Cameroon in early 2013 was believed to be its first major operation outside Nigeria.

By many accounts, Boko Haram is not a monolithic organization. Some reports estimate its fighting force at 6,000 to 8,000 militants. According to U.S. officials, the group appears to draw support primarily from young Muslim men in the northeast, some of whom have expressed frustration with perceived disparities in the application of laws (including sharia); the lack of development, jobs, and investment in the north; and the heavy-handed response of security forces.³² Some of its fighters may be motivated by the prospect of financial gain or may have been forcibly conscripted.³³ Some analysts suggest that Boko Haram is susceptible to fracturing, with a segment of the leadership working to build ties with the international Al Qaeda franchise, while others remain focused exclusively on a domestic agenda. The emergence of a purported splinter faction known as Ansaru in early 2012 led to speculation about divisions among Boko Haram hardliners.³⁴ Ansaru was critical of Boko Haram's killing of Nigerian Muslims in its public statements and primarily focused its attacks on foreigners, chiefly through kidnappings.³⁵ By some accounts, the Boko Haram leadership targeted its critics in Ansaru through a series of attacks in 2013—the splinter faction has been quiet in 2014, leading to speculation that its remaining followers reconciled with the broader movement or focused their efforts elsewhere.

Efforts by various interlocutors to facilitate government negotiations with Boko Haram have been, to date, unsuccessful. The state of emergency initially declared by the Nigerian government in May 2013 for the states of Borno, Yobe, and Adamawa has been repeatedly extended, and significant questions surround the government's ability to hold elections in the most affected areas in 2015. Boko Haram attacks against soft targets, and associated fighting between militants and security forces, have had a heavy toll on these states. The insurgents appear to have changed tactics in 2014—rather than merely attacking and withdrawing from villages, they have increasingly sought to seize territory. The significant increase in insurgent attacks in 2014 has led to the displacement of more than 1.5 million people, who have fled both Boko Haram attacks and

³² Testimony of Assistant Secretary Linda Thomas-Greenfield, November 13, 2013, op. cit.

³³ Navanti Group, *Boko Haram Recruitment*, Native Prospector West Bridge, September 30, 2014.

³⁴ Ansaru's full name is *Jama'at Ansar al Muslimin fi Bilad al Sudan* ("Supporters of the Muslims in the Land of the Blacks"). For more information, see, e.g., articles by Jacob Zenn in the Combatting Terrorism Center at West Point's *CTC Sentinel*: "Leadership Analysis of Boko Haram and Ansaru in Nigeria," February 24, 2014, "Boko Haram's Evolving Tactics and Alliances in Nigeria," June 25, 2013, and "Cooperation or Competition: Boko Haram and Ansaru After the Mali Intervention, March 27, 2013.

³⁵ See, e.g., "Boko Haram: Splinter Group, Ansaru Emerges," *Vanguard*, February 1, 2012

the government's counterinsurgency operations in the northeast.³⁶ Another 75,000 Nigerians have fled as refugees into neighboring countries. There have been increasing calls for the Nigerian security forces to improve efforts to protect civilians as they conduct their offensive against the militants, and increasing public criticism of reported abuses by local vigilante groups (who collectively call themselves the "Civilian Joint Task Force" or Civilian-JTF) who work with security forces in parts of the northeast to rout Boko Haram cells.³⁷

Boko Haram and Ansaru: An Increasingly Transnational Threat?

While Boko Haram currently appears primarily to pose a threat to local stability, its rise has amplified concerns that Nigerians may be susceptible to recruitment by Muslim extremist groups aiming to use violence against government or civilian targets elsewhere in the region or abroad. The increasing lethality and sophistication of Boko Haram's attacks has further raised the group's profile among U.S. national security officials. The kidnappings of Western citizens in northern Nigeria, several of whom have been killed in captivity, are another source of concern as policy makers seek to determine the extent to which Boko Haram, Ansaru, or other violent extremist groups in the region may pose an increasingly transnational threat.³⁸

Potential ties with Al Qaeda in the Islamic Maghreb (AQIM), a regional criminal and terrorist network that is designated by the United States as a Foreign Terrorist Organization (FTO), appear to be of particular concern. The FBI assessed in November 2013 that while "Boko Haram does not currently pose a threat to the Homeland," it does "aspire to attack U.S. or Western interests in the region," and demonstrated its capability to do so with the 2011 U.N. attack.³⁹ The FBI expressly noted concern with communications, training, and weapons links between the group and AQIM, Al Shabaab, and Al Qaeda in the Arabian Peninsula (AQAP). The Obama Administration does not currently consider Boko Haram to be an Al Qaeda affiliate.

Deliberations within the U.S. government over whether to designate Boko Haram as an FTO concluded in November 2013, when the State Department designated both Boko Haram and Ansaru as FTOs under Section 219 of the Immigration and Nationality Act, as amended, and as Specially Designated Global Terrorists (SDGTs) under Executive Order 13224.⁴⁰ The FTO designations aim to assist U.S. and other law enforcement agencies in efforts to investigate and prosecute suspects associated with the group. The State Department had designated three individuals linked to Boko Haram as SDGTs in June 2012, including its leader Abubakar Shekau, and in 2013 issued a \$7 million reward for information on the location of Shekau through its Rewards for Justice program.⁴¹ The Nigerian government also formally designated Boko Haram

³⁶ U.N. Office for the Coordination of Humanitarian Affairs, "Humanitarian Bulletin Nigeria" Issue 7, September 2014.

³⁷ See, e.g., John Campbell, "Barbarism Begets Barbarism in Nigeria," Council on Foreign Relations, *Africa in Transition* (blog), November 5, 2014, <http://blogs.cfr.org/campbell/>.

³⁸ Testimony of National Counterterrorism Center Director Matthew Olsen, Senate Homeland Security and Governmental Affairs Committee, *Threats to the Homeland*, November 14, 2013.

³⁹ Testimony of FBI Director James Comey, Senate Homeland Security and Governmental Affairs Committee, *Threats to the Homeland*, November 14, 2013.

⁴⁰ The FTO designation triggers the freezing of any assets a group might have in U.S. financial institutions, bans FTO members' travel to the United States, and criminalizes transactions (including material support) with the organization or its members. It is unclear, given the current lack of public information available on Boko Haram's possible ties abroad, if these measures would have any impact on the group. While FTO status might serve to prioritize greater U.S. security and intelligence resources toward the group, this is not a legal requirement of the designation.

⁴¹ Shekau, along with Khalid al-Barnawi and Abubakar Adam Kamar, both of whom have ties to Boko Haram and (continued...)

and Ansaru as terrorist groups in 2013. The British government had named Ansaru as a “Proscribed Terrorist Organization” in 2012, describing it as broadly aligned with Al Qaeda, and designated Boko Haram as such in July 2013. Boko Haram was added to the U.N. Al Qaeda sanctions list in May 2014.

Conflict in the Niger Delta

Nigeria’s oil wealth has long been a source of political tension, protest, and criminality in the Niger Delta region, where most of the country’s oil is produced.⁴² Compared to Nigeria’s national average, the region’s social indicators are low, and unemployment is high. Millions of barrels of oil are believed to have been spilled in the region since oil production began, causing major damage to the fragile riverine ecosystem, and ultimately to the livelihoods of many of the Delta’s 30 million inhabitants.⁴³ Gas flares have further plagued the Delta with acid rain and air pollution, limiting locals’ access to clean water and destroying fishing stocks that the majority of Delta inhabitants depended on to make a living.

Conflict in the Niger Delta has been marked by the vandalism of oil infrastructures; massive, systemic production theft locally known as “oil bunkering,” often abetted by state officials; protests over widespread environmental damage caused by oil operations; kidnapping for ransom; and public insecurity and communal violence. The demands of the region’s various militant groups have varied, but often include calls for greater autonomy for the region and a larger share of oil revenues. Militant groups like the Movement for the Emancipation of the Niger Delta (MEND) have used the kidnapping of oil workers and attacks on oil facilities to bring international attention to the Delta’s plight. These attacks have periodically cut Nigeria’s oil production by as much as 25%, and have been blamed for spikes in the world price of oil. Nigeria’s deep-water production has also proven vulnerable to militant attacks, and the threat of sea piracy is high. By some estimates, up to 10% of Nigeria’s oil has been stolen annually, and local politicians have reportedly financed their campaigns through such criminal activities.⁴⁴

Successive Nigerian governments have pledged to engage the Delta’s disaffected communities, but few of their efforts met with success until 2009, when President Yar’Adua extended an offer of amnesty to Delta militants. Under the offer, those who surrendered their weapons, renounced violence, and accepted rehabilitation were granted a presidential pardon, along with cash and job training. According to Nigerian government estimates, more than 26,000 have benefitted from the program, which has cost the government roughly \$400 million a year, though it is unclear whether all were directly involved in militancy. While the activities of criminal gangs have

(...continued)

close links to AQIM, according to the State Department, have been designated as SDGTs.

⁴² In the early 1990s, activists from the Ogoni ethnic group drew international attention to the extensive environmental damage done by oil extraction in the Niger Delta. Author and activist Ken Saro-Wiwa, president of the Movement for the Survival of the Ogoni People (MOSOP), and 14 others were accused in 1994 of involvement in the murder of several prominent Ogoni politicians. They pled not guilty, but Saro-Wiwa and eight others were convicted and sentenced to death. Their executions sparked international outrage against the regime of dictator Sani Abacha, and the United States recalled its ambassador in response.

⁴³ UNEP, *Environmental Assessment of Ogoniland*, 2011; UNDP, *Niger Delta Human Development Report*, 2006; Amnesty International, *Petroleum, Pollution, and Poverty in the Niger Delta*, June 2009; and Paul Francis, Deirdre Lapin, and Paula Rossiasco, *Securing Development and Peace in the Niger Delta*, Woodrow Wilson Center, 2011.

⁴⁴ HRW, *Criminal Politics: Violence, “Godfathers” and Corruption in Nigeria*, Vol. 19, No. 16(A), October 2007.

continued, the U.N. Office on Drugs and Crime suggested in its 2013 report on transnational criminal organizations in West Africa that the number of recorded attacks on the oil industry—including bombings, kidnappings, hijackings, and acts of piracy—has declined “remarkably” since the amnesty effort began, and contends that “the link between political activism and oil theft has grown increasingly tenuous since 2011.”⁴⁵

President Jonathan has continued to allocate significant financing for “post-amnesty” interventions and development projects in the Delta, targeting transport, education, and health infrastructure. Concerns remain regarding the government’s ability to spend the funds effectively in a region where corruption is, at all levels, endemic, and some Nigerian politicians from other regions have criticized the cost of the program.⁴⁶ Some of the oil-producing states have reported revenues of over \$2 billion per year but have dismal records of development or service delivery.⁴⁷ The federal government’s commitment and ability to deliver on promised infrastructure improvements and job creation will be critical to addressing regional grievances. Observers caution that unless the root causes of conflict are addressed, the Delta will remain volatile.

Abuses by Security Forces

Nigerian security forces, particularly the police, but also the military, have been accused of serious human rights abuses, and both activists and U.S. officials suggest that the government has done little to address issues of impunity and corruption within the police force.⁴⁸ The State Department’s 2013 human rights report documents allegations by multiple sources of “arbitrary or unlawful killings” by security forces, including “summary executions ... torture, rape and other cruel, inhuman, or degrading treatment of prisoners, detainees, and criminal suspects,” and a variety of other offenses, such as the use of “excessive force to stem civil unrest and interethnic violence.” The prison system has also drawn criticism; human rights groups report that many of the country’s inmates are incarcerated for years without being convicted of a crime. The security crackdown on Boko Haram in the northeast has recently drawn particular attention—Amnesty International reported that an estimated 3000 people were arrested and detained in 2013 in three specific sites, in Borno, Yobe, and Abuja, and that many died in those facilities. The group suggests that the government restricted human rights investigators from accessing these facilities.⁴⁹ A reported effort by Boko Haram gunmen to free prisoners held at Giwa military barracks in the Borno capital, Maiduguri, in March 2014 brought renewed international attention to the large number of detainees held in relation to Boko Haram activity. During that incident,

⁴⁵ MEND, for example, had previously admitted to being involved in such activities, which it justified as a reappropriation of wealth and form of protest. UNODC, *Transnational Organized Crime in West Africa*, op.cit.

⁴⁶ Xan Rice, “Nigerian Rebels Swap Weapons for Welding,” *Washington Post*, July 5, 2012.

⁴⁷ Francis, Lapin, and Rossiasco, *Securing Development and Peace in the Niger Delta*, op. cit.

⁴⁸ Recent reports on abuses include HRW, *Arbitrary Killings by Security Forces and Spiraling Violence*; Amnesty International, *Killing at Will: Extrajudicial Executions and Other Unlawful Killings by the Police in Nigeria* and *Nigeria: Trapped in the Cycle of Violence* and “Welcome to Hellfire”: *Torture and Other Ill-Treatment in Nigeria*; and *Criminal Force: Torture, Abuse, and Extrajudicial Killings by the Nigerian Police Force*, by the Open Society Justice Initiative and the Network of Police Reform in Nigeria.

⁴⁹ Amnesty International “Nigeria: Authorities Must Allow Human Rights Commission to Audit Military Detention Centres,” November 12, 2013; “Nigeria: Authorities Must Investigate Deaths of Boko Haram Suspects in Military Custody,” October 15, 2013; and *Stop Torture—Country Profile: Nigeria*, May 13, 2014.

Amnesty International estimates that more than 620 people, including attackers and unarmed detainees, were killed by the military.⁵⁰

In the past decade, the government has deployed Joint Task Forces (JTFs), special combined military and police units, to respond to specific conflicts that the government classifies as national emergencies. The first JTF was established in the Niger Delta. In 2009, it launched an offensive against Delta militants during which thousands of civilians were reportedly displaced.⁵¹ Armed conflict between security forces and Delta militia has decreased with the amnesty program, although periodic attacks and skirmishes continue. JTFs have also been deployed to stem the communal violence in Jos and to address the Boko Haram threat in the northeast.

Forces deployed under the JTF to counter Islamist militants in the northeast—JTF-Operation Restore Order—have been implicated in extrajudicial killings of suspected militants and in civilian deaths. In April 2013, for example, more than 180 people were killed in fighting between security forces and suspected Boko Haram militants in the village of Baga, according to the Red Cross and local officials; among the dead were reportedly innocent bystanders, including children.⁵² Nigerian security forces disputed the number of casualties. Satellite imagery suggests that more than 2,000 homes may have been burned.⁵³ The Nigerian government ostensibly disbanded JTF-Restore Order in August 2013, replacing it with the army's Seventh Division as the umbrella command for joint security operations. The State Department reports that many of the commanders and units remain, and the forces continued to be publicly referred to as the JTF.

Nigerian officials have acknowledged some abuses by security forces, but few security personnel have been prosecuted. In its 2013 human rights report, the State Department suggests that authorities do not investigate the majority of cases of police abuse or punish perpetrators.

Ebola, Polio, and HIV/AIDS

The announcement in October 2014 by the World Health Organization (WHO) that Nigeria was free of Ebola virus transmission has brought positive international attention to the country's coordinated effort to stop the spread of the virus, which has ravaged Guinea, Liberia, and Sierra Leone.⁵⁴ Nigeria's response has also highlighted lessons learned in a country that until recently was considered a global epicenter of polio transmission. In July 2014, a Liberian American who was acutely ill landed at the Lagos airport—he was transferred to a private hospital where he was diagnosed with Ebola and later died. The virus then spread, via health care workers, to 19 other people in Lagos and the Niger Delta city of Port Harcourt. Concern regarding the potential for transmission in large, dense, urban environments like these has been significant.

Nigeria's response to the outbreak was swift, with the government immediately declaring a national public health emergency and creating an operations center from which experts directed

⁵⁰ Amnesty International, *Nigeria: More than 1,500 Killed in Armed Conflict in North-Eastern Nigeria in Early 2014*, op. cit.; Adam Nossiter, "Nigerian Army Facing Questions as Death Toll Soars After Prison Attack," *New York Times*, March 20, 2014; Adam Nossiter, "Bodies Pour in as Nigeria Hunts for Islamists," *New York Times*, May 7, 2013.

⁵¹ Amnesty International, "Hundreds Feared Dead and Thousands Trapped in Niger Delta Fighting," May 22, 2009.

⁵² See, e.g., "Scores Killed in Nigeria Violence," Al Jazeera, April 23, 2013.

⁵³ Human Rights Watch, "Nigeria: Massive Destruction, Deaths from Military Raid," May 1, 2013.

⁵⁴ For more on Ebola, see CRS Report IF00044, *Ebola: 2014 Outbreak in West Africa (In Focus)*, by Nicolas Cook and Tiaji Salaam-Blyther.

contact tracing, case management, health care worker protocols, and public education. The response also benefited from applied epidemiology experience from Nigeria's polio eradication efforts; experts from the U.S. Centers for Disease Control and Prevention and the WHO were on hand to support the Nigerian effort. Nigeria has not closed its borders to travelers from the affected countries, contending that travel across the region's porous borders would be difficult to stop and potentially complicate contact tracing.⁵⁵ Another outbreak in Nigeria is possible, and health officials remain concerned about the virus spreading in Africa's most populous country.

Nigeria has had other public health successes in recent years, almost eradicating polio, decreasing malaria and tuberculosis prevalence, and reducing HIV prevalence among pregnant women. The U.N. Development Program (UNDP) indicates that Nigeria may reach its Millennium Development Goal targets for reducing child mortality and improving maternal health by 2015. Nigeria's HIV/AIDS prevalence rate of 3.6% is relatively low in comparison to Southern African nations with adult seropositivity rates of 10% to 25%. However, Nigeria comprises nearly one-tenth of the world's HIV/AIDS infected persons with more than 3 million people infected, the largest HIV-positive population in the world after South Africa. Nigeria's population is expected to double by the year 2025, which is likely to multiply the spread of HIV. In addition to the devastation HIV/AIDS continues to cause among Nigeria's adult population, over 40% of the current population is under the age of 15. With almost a third of primary-school-aged children not enrolled in school and a large number of HIV/AIDS-infected adults, Nigeria continues to face serious challenges and significant obstacles in the education and health care sectors. Malaria remains the leading cause of death in Nigeria.

Issues for Congress

Administration Policy on Nigeria

After a period of strained relations in the 1990s, when Nigeria had a military dictatorship, U.S.-Nigeria relations steadily improved under President Obasanjo, and they have remained robust under Presidents Yar'Adua and Jonathan. Diplomatic engagement is sometimes tempered, however, by Nigerian perceptions of U.S. intrusion in regional or domestic affairs, and by U.S. concern with human rights, governance, and corruption issues. President Obama's former Assistant Secretary of State for African Affairs Johnnie Carson often referred to Nigeria as "probably the most strategically important country in Sub-Saharan Africa," and his successor, Linda Thomas-Greenfield, has described the country as "one of our most important partners in Africa."⁵⁶ That partnership took on additional importance when Nigeria joined the U.N. Security Council as one of its non-permanent members in January 2014, for a two-year term. In addition to the strategic role their country plays in the region and in global forums, Nigerians compose the largest African diaspora group in the United States.

⁵⁵ After departing Liberia, the initial patient transited two other countries (Ghana and Togo) before arriving in Lagos. For more on the Nigerian response, see, e.g., Centers For Disease Control, "Ebola Virus Disease Outbreak—Nigeria, July–September 2014," October 3, 2014, and Alexandra Sifferlin, "Nigeria Is Ebola-Free: Here's What They Did Right," *Time*, October 19, 2014.

⁵⁶ State Department, "Remarks by Ambassador Carson on Secretary Clinton's Africa Trip," July 30, 2009; Remarks by Assistant Secretary Carson, "Promise and Peril in Nigeria: Implications for U.S. Engagement," at CSIS, April 9, 2012; Testimony of Linda Thomas-Greenfield, November 13, 2013, *op. cit.*

The United States has been supportive of Nigerian reform initiatives, including anti-corruption efforts, economic and electoral reforms, energy sector privatization, and programs to promote peace and development in the Niger Delta. In 2010, the Obama and Jonathan Administrations established the U.S.-Nigeria Binational Commission (BNC), a strategic dialogue to address issues of mutual concern; its working groups meet regularly. The State Department maintains “American Corners,” located in libraries throughout the country, to share information on the culture and values of the United States with Nigerians, and it has proposed to eventually expand its presence in the north, when security conditions allow. The State Department maintains a travel warning for U.S. citizens regarding travel to Nigeria, noting the risks of armed attacks in the Niger Delta and the northeast, and the threat of piracy in the Gulf of Guinea, and currently restricts U.S. officials from all but essential travel to all northern states.⁵⁷

U.S.-Nigeria Trade and Maritime Security Issues

Nigeria is an important trading partner for the United States and is the second-largest beneficiary of U.S. investment on the continent. Given Nigeria’s ranking as one of Africa’s largest consumer markets and its affinity for U.S. products and American culture, opportunities for increasing U.S. exports to the country, and the broader West Africa region, are considerable.⁵⁸ The country is eligible for trade benefits under the African Growth and Opportunity Act (AGOA). AGOA-eligible exports, nearly all of which are petroleum products, have accounted for over 90% of exports to the United States.

Gulf of Guinea crude is prized on the world market for its low sulphur content, and Nigeria’s proximity to the United States relative to that of Middle East countries had long made its oil particularly attractive to U.S. interests. The country regularly ranked among the United States’ largest sources of imported oil. U.S. imports, which accounted for over 40% of Nigeria’s total crude oil exports until 2012, made the United States Nigeria’s largest trading partner, although U.S. purchases of Nigerian sweet crude have fallen substantially since 2012 as domestic U.S. crude supply increased. U.S. energy companies may face increasing competition for rights to the country’s energy resources; China, for example, has offered Nigeria favorable loans for infrastructure projects in exchange for oil exploration rights. The U.S. Export-Import (Ex-Im) Bank signed an agreement in 2011 with the Nigerian government that aims to secure up to \$1.5 billion in U.S. exports of goods and services to support power generation reforms. The Administration has identified Nigeria as one of six initial partner countries for its Power Africa initiative, which aims to double access to power in sub-Saharan Africa.⁵⁹

Given Nigeria’s strategic position along the coast of the Gulf of Guinea, the United States has coordinated with Nigeria through various regional forums and maritime security initiatives.⁶⁰ Nigeria’s waters have been named the most dangerous in the world for maritime piracy and armed robbery at sea. Nigeria is also considered a growing transshipment hub for narcotics trafficking, and several Nigerian criminal organizations have been implicated in the trade. The

⁵⁷ See <http://travel.state.gov> for the latest warning.

⁵⁸ U.S. Commercial Service, *Doing Business in Nigeria: 2013 Country Commercial Guide for U.S. Companies*.

⁵⁹ See The White House, *Fact Sheet: Power Africa*, August 5, 2014.

⁶⁰ For further information on maritime and port security issues in the region, see, e.g., the Atlantic Council, *Advancing U.S., African, and Global Interests: Security and Stability in the West African Maritime Domain*, November 30, 2010; and CDR Michael Baker, “Toward an African Maritime Economy,” *Naval War College Review*, Vol. 64, Spring 2011; and Chatham House, *Maritime Security in the Gulf of Guinea*, March 2013.

U.S. Navy has increased its operations in the Gulf of Guinea in recent years and in 2007 launched the African Partnership Station (APS).⁶¹ APS deployments have included port visits to Nigeria and joint exercises between U.S., Nigerian, European, and other regional navies.

Nigeria's Role in Regional Stability and Counterterrorism Efforts

Nigeria has played a significant role in peace and stability operations across Africa, and the United States continues to provide the country with security assistance focused on enhancing its peacekeeping capabilities. Bilateral counterterrorism cooperation has reportedly improved in the aftermath of the December 2009 airliner bombing attempt and the rise in the Boko Haram threat, although there are still limits to that cooperation.⁶² The Nigerian government has coordinated with the Department of Homeland Security, the Federal Aviation Administration, and the International Civil Aviation Organization to strengthen its security systems, and the country now uses full body scanners in its international airports. Nigeria is a participant in the State Department's Trans Sahara Counterterrorism Partnership (TSCTP), a U.S. interagency effort that aims to increase regional counter-terrorism capabilities and coordination. Its role in that program has been, to date, minor in comparison to Sahel countries. In view of the reported expansion of Boko Haram operations, including into Cameroon, U.S. officials may explore additional programs to improve counterterrorism coordination between Nigeria and its neighbors, although tensions in some of those relationships may hamper greater cooperation.

Many U.S. officials, while stressing the importance of the U.S.-Nigeria relationship and the gravity of security threats in, and potentially emanating from, the country, remain concerned about reported abuses by Nigerian security services, and about the government's limited efforts to address perceived impunity for such abuses. When Secretary of State John Kerry visited the region in mid-2013, he raised the issue with Nigerian officials, stating, "one person's atrocity does not excuse another's."⁶³ Conversely, some Nigerian officials reportedly remain sensitive to perceived U.S. interference in internal affairs and dismissive of certain training offers. These factors appear to have constrained U.S.-Nigerian security cooperation, despite shared concerns over terrorism and other regional security threats.⁶⁴

The Obama Administration has nevertheless committed, through the BNC dialogue, to support Nigerian efforts to increase public confidence in the military and police to respond more effectively to the threat posed by extremists. In addition to USAID programs to counter radicalization in Nigeria, the State Department and DOD continue to deliberate on how best to support a shift by Nigeria to "an integrated civilian-security-focused strategy to counter Boko Haram and Ansaru in a manner that adheres to the rule of law and ensures accountability."⁶⁵ The State Department's senior Africa official has urged the Nigerian government to take a more

⁶¹ Under APS, U.S. and partner naval ships deploy to the region for several months to serve as a continuing sea base of operations and a "floating schoolhouse" to provide assistance and training to the Gulf nations. Training focuses on maritime domain awareness and law enforcement, port facilities management and security, seamanship/navigation, search and rescue, leadership, logistics, civil engineering, humanitarian assistance and disaster response.

⁶² On December 25, 2009, Umar Farouk Abdulmutallab, the son of a respected Nigerian banker and former government minister, attempted to detonate an explosive device on an American airliner bound from Amsterdam to Detroit. He was reportedly radicalized while living abroad. Al Qaeda in the Arabian Peninsula claims to have sponsored the effort.

⁶³ "Kerry Criticizes Nigeria on Human Rights," CNN, May 25, 2013.

⁶⁴ See, e.g., On Terror's New Front Line, Mistrust Blunts U.S. Strategy," *The Wall Street Journal*, February 26, 2013.

⁶⁵ Testimony of Assistant Secretary of State Linda Thomas-Greenfield, November 13, 2013, op. cit.

“holistic” approach, suggesting that regional and socioeconomic disparities have contributed to Boko Haram recruitment, and that the government’s response should incorporate not only efforts to degrade the group’s capacity, but also to provide justice and ensure accountability “in instances where government officials and security forces violate those [human] rights,” in part to “diminish Boko Haram’s appeal and legitimacy” among would-be recruits.⁶⁶

U.S. Assistance to Nigeria

Nigeria routinely ranks among the top recipients of U.S. bilateral foreign assistance in Africa. The United States is Nigeria’s largest bilateral donor, providing almost \$700 million annually in recent years (see **Table 1**).⁶⁷ The State Department’s FY2015 foreign aid request includes more than \$720 million for Nigeria. Strengthening democratic governance, improving agricultural productivity and access to education and health services, promoting new jobs and increased supplies of clean energy, and professionalizing and reforming the security services have been the priorities for assistance. Nigeria is a focus country under the President’s Emergency Plan for AIDS Relief (PEPFAR) and the President’s Malaria Initiative (PMI), and Nigerian farmers benefit from agriculture programs under the Feed the Future (FTF) initiative that focus on building partnerships with the private sector to expand exports and generate employment. Interventions to encourage private sector participation in trade and energy are also key components of the Obama Administration’s economic growth initiatives in Nigeria.

Table 1. State Department and USAID Assistance to Nigeria

(\$ in thousands)	FY2013 Actual	FY2014 Estimate	FY2015 Request
Development Assistance	76,920	71,000	89,440
Foreign Military Financing	949	1,000	600
Global Health Programs – State	455,746	456,652	456,652
Global Health Programs – USAID	165,451	173,500	173,500
International Military Education and Training	712	730	700
Nonproliferation, Antiterrorism, Demining and Related Programs	0	100	0
TOTAL	699,778	702,982	720,892

Source: State Department FY2015 Congressional Budget Justification for Foreign Operations and updated Totals do not include emergency humanitarian assistance or certain types of security and development assistance provided through regional programs, including for counterterrorism and peacekeeping purposes.

The State Department has focused security assistance requests in recent years on specialized law enforcement training, military professionalization, peacekeeping support and training, and border and maritime security. In addition to peacekeeping support provided through the State Department’s African Contingency Operations Training and Assistance (ACOTA) program, Nigeria also benefits from security cooperation activities with the California National Guard

⁶⁶ Testimony of Assistant Secretary of State Linda Thomas-Greenfield, November 13, 2013, op. cit.

⁶⁷ For further information on current U.S. assistance programs, see, e.g., Testimony of USAID Assistant Administrator for Africa Earl Gast, in U.S. Congress, House Subcommittee on Africa, Global Health, and Human Rights, *U.S. Policy Toward Nigeria: West Africa’s Troubled Titan*, July 10, 2012.

through the National Guard State Partnership Program. Nigeria also receives counterterrorism, anticorruption, and maritime security assistance through the State Department's West Africa Regional Security Initiative (WARSI). Counterterrorism assistance to Nigeria includes programs coordinated through TSCTP and other State Department initiatives, including Anti-Terrorism Assistance (ATA), as well as through Department of Defense funds. Nigeria, along with neighboring Cameroon, Chad, and Niger, will also benefit from counterterrorism and border security assistance under the new \$40 million, 3-year Global Security Contingency Fund (GSCF) program focused on countering Boko Haram, to be jointly funded by the Departments of State and Defense. Some U.S. assistance for Nigerian military and police units has been restricted based on human rights concerns. In this context, U.S. counterterrorism-related training and assistance for Nigerian troops has been constrained by the Nigerian military's practice of rotating its forces for short-term missions in the northeast, where some individuals and units have been implicated in serious abuses against civilians and detainees.

Congressional Engagement

Terrorism-related concerns dominated congressional action on Nigeria in the 113th Congress, although some Members also continued to monitor human rights and humanitarian issues, developments in the Niger Delta, and Nigeria's energy sector in the context of world oil supplies. Both the House Foreign Affairs Committee and the Senate Foreign Relations Committee held hearings on Boko Haram in 2014. Some Members of Congress have expressed support for efforts to find and rescue the young women abducted from Chibok in various public statements and correspondence to both President Obama and President Jonathan, including a letter signed by all 20 female Senators that urged further sanctions on the group. Related legislation includes S.Res. 433, H.Res. 573, H.Res. 617, and the House version of the FY2015 National Defense Authorization Act, H.R. 4435. The Africa subcommittees in both the House and the Senate also held hearings during the 113th Congress on Nigeria to consider U.S. policy on governance, security, and trade issues in Nigeria. The House Homeland Security Committee, whose Subcommittee on Counterterrorism and Intelligence held Congress's first hearing to examine Boko Haram in late 2011, has raised concerns about the dearth of information available on the group and the potential to underestimate Boko Haram's potential threat to U.S. interests.⁶⁸ Prior to the State Department's decision to designate the group as an FTO, several Members of Congress introduced legislation, including H.R. 3209 and S. 198, to press the Obama Administration on the FTO issue. The FY2013 National Defense Authorization Act (NDAA; P.L. 112-239) directed the Director of National Intelligence (DNI) to provide an assessment of the Boko Haram threat to Congress. Congressional attention to these and other issues is expected to continue in 2015.

⁶⁸ See House Homeland Security Subcommittee on Counterterrorism and Intelligence, *Boko Haram: Emerging Threat to the U.S. Homeland*, committee print, 112th Cong., November 30, 2011 and House Homeland Security Committee, *Boko Haram: Growing Threat to the U.S. Homeland*, committee print, 113th Cong., September 13, 2013.

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