

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. The country is Africa's most populous, with more than 180 million people, roughly evenly divided between Muslims and Christians. Nigeria, which transitioned from military to civilian rule in 1999, ranked until recently among the top suppliers of U.S. oil imports, and is a major recipient of U.S. foreign aid. It is an influential actor in African politics and a major troop contributor to U.N. peacekeeping missions.

Nigeria is a country of significant promise, but it also faces serious social, economic, and security challenges, some of which pose potential threats to state and regional stability. The country has faced intermittent political turmoil and economic crises since gaining independence in 1960. 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 south, years of social unrest, criminality, and corruption in the oil-producing Niger Delta have hindered oil production, delayed the Delta's economic development, and contributed to piracy in the Gulf of Guinea. Perceived government neglect and economic marginalization have also fueled 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 focused on a wide range of targets, but civilians in Nigeria's impoverished, predominately Muslim northeast have borne the brunt of the violence. The group has also staged attacks in neighboring countries, notably Cameroon, and poses a threat to international targets in the region, including Western citizens. While the group appears primarily focused on the Lake Chad basin region, its March 2015 pledge to the Islamic State (IS) and potential 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 group's April 2014 kidnapping of almost 300 schoolgirls, contributed to the election in March 2015 of former military ruler Muhammadu Buhari to the presidency. The elections were Nigeria's most competitive contest to date and were viewed as a critical test for its leaders, its security forces, and its people. They have been widely hailed as historic, with the ruling People's Democratic Party (PDP) and its president, Goodluck Jonathan, losing to Buhari's All Progressives Congress (APC), marking Nigeria's first democratic transfer of power. President Buhari's administration has thus far been largely focused on curbing rampant corruption and stemming insecurity in Nigeria's northeast—two key pillars of his presidential campaign.

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 \$600 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 also because of its political and economic role in the region. One in five people in Sub-Saharan Africa calls 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 10 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 residing in the north, is Muslim. Southern Nigeria is predominantly Christian. Nigeria's Middle Belt is a diverse mix.

Ethnic and religious strife have been common in Nigeria. By some estimates, 18,000 Nigerians have died in localized clashes since 1999. 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.

The violent Islamist group Boko Haram has contributed to a major deterioration of security conditions in the northeast since 2010. It espouses a Salafist¹ interpretation of Islam and seeks to capitalize on local frustrations, discredit the government, and establish an Islamic state in the region. The insurgency has claimed thousands of lives and exacerbated an already-dire humanitarian emergency in the impoverished Lake Chad basin region. Nigeria now has one of the largest displaced populations in the world—an estimated 2.2 million people—most of them fleeing Boko Haram-related violence. In November 2013, the U.S. State Department formally designated Boko Haram and a splinter group, Ansaru, as Foreign Terrorist Organizations (FTOs). Boko Haram pledged allegiance to the Islamic State in March 2015, seeking to rebrand itself as the Islamic State's West Africa Province.

In the southern Niger Delta region, local grievances related to oil production in the area have fueled simmering conflict and criminality for decades. The government's efforts to negotiate with local militants, including through an amnesty program, have quieted the restive region in recent years, 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 maritime piracy off the coast of Nigeria and the wider Gulf of Guinea, now one of the most dangerous bodies of water in the world.

¹ According to academic studies, Salafism "refers to the movement that believes that Muslims should emulate the first three generations of Islam referred to as the pious forefathers (al salaf al salih) as much as possible in all areas of life." The world's Salafist movements hold a range of positions on political, social, and theological questions and include both politically quietist and violent extremist groups.

Recent protests in the Ibo-dominated Southeast have raised concerns about a resurgent separatist sentiment among some Ibo, who argue that they have also been marginalized by the government. From 1967 to 1970, the region suffered a deadly civil war as secessionists fought unsuccessfully to establish an independent Republic of Biafra. The recent protests, which began in October 2015, have led to clashes with security forces. Economic frustration is reportedly widespread in the region, but by many accounts the majority of Ibo would not support insurrection.

Figure I. Nigeria at a Glance



Source: CRS graphic. Map borders and cities generated using data from Department of State and Esri. Statistics from CIA World Factbook and the International Monetary Fund. 2015 estimates unless otherwise indicated.

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 for 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. Nigerians and the international community deemed elections held in the decade after the transition to be flawed, with each poll progressively worse than the last.

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.² Northern military leaders dominated the political scene from independence until the country's transition to democracy in 1999. 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, northern-born President Umaru Yar'Adua, during his first term in office in 2010,³ and the subsequent ascension of his vice president, Goodluck Jonathan, a former governor from the southern Niger Delta, brought the zoning arrangement into question. Jonathan's decision to then vie for the presidency during the 2011 elections was seen by many northerners as a violation of the arrangement, since Yar'Adua had only served one term in office and they felt a northerner should take the post for another four-year term. The ruling party, however, selected Jonathan as its candidate, and his electoral victory sparked protests and violence across the north, highlighting widespread northern mistrust of the president.

The 2015 Elections

Nigeria's 2015 elections were the country's most competitive contest to date, and were viewed as a critical test for its leaders, its security forces, and its people. They were widely hailed as historic, with the ruling People's Democratic Party (PDP) and President Goodluck Jonathan losing power to a new opposition coalition, led by former military ruler Muhammadu Buhari. Jonathan is the first incumbent Nigerian president to lose an election.

Buhari's All Progressives Congress (APC) capitalized on popular frustration with the Jonathan government's response to rising insecurity, mounting economic pressures, and allegations of large-scale state corruption, among other issues, winning a majority in the legislature and a majority of the state elections. The PDP had suffered internal divisions and defections to the APC since late 2013, and Jonathan had come under increasing criticism from some prominent leaders in the party. Decreased support and turnout for the PDP in the elections appears to be linked, in part, to public views of the government's response to the Boko Haram threat, in particular to the

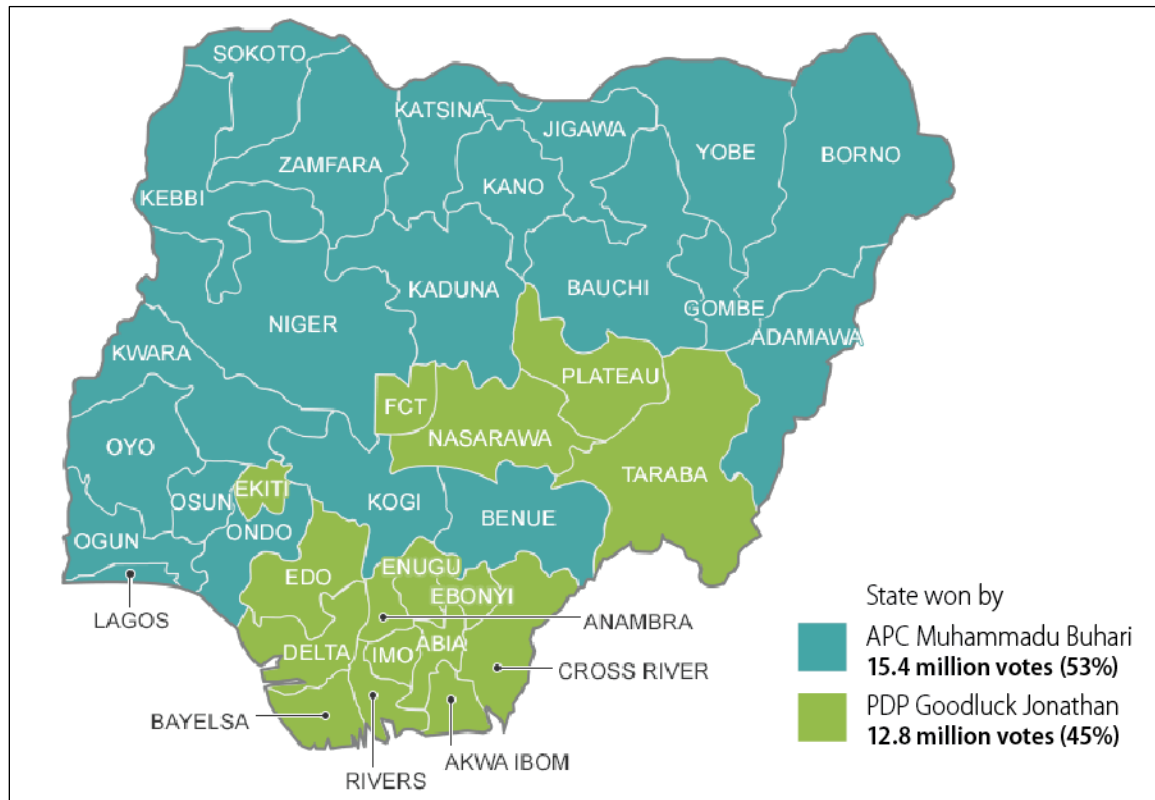
² Britain administered the north and south separately from the late 19th century until 1947, when it introduced a federal system that divided the country into three regions: Northern, Eastern, and Western. Today, Nigeria is comprised of six geopolitical zones: north-west, north-east, north-central, south-west, south-east, and south-south (the Niger Delta).

³ Yar'Adua was widely rumored to suffer from a chronic kidney condition—he was hospitalized abroad in late 2009 and his prolonged absence threatened to spark a political crisis, amid allegations that his wife and close advisors were making decisions for him during his convalescence. After months of uncertainty, the National Assembly recognized Jonathan as the acting head of state in February 2010. In May 2010, the government announced President Yar'Adua's death at age 58, and Jonathan was sworn in as the new president.

April 2014 kidnapping of almost 300 schoolgirls from the northeast town of Chibok and the group's subsequent territorial advance.

Overall voter turnout was just below 44%, a significant decrease from the 54% turnout for the 2011 elections. Buhari won the presidential election with 15.4 million votes (53.9%), garnering enough support nationwide to avoid a run-off. Jonathan followed with 12.8 million votes (44.9%). The APC won the 2015 gubernatorial elections in a landslide, winning nearly every state in the north and southwest of the country and making inroads in central Nigeria. Notably, however, the PDP retained the Niger Delta states, a sign of discontent with Buhari and the APC that some analysts have warned may erupt into conflict unless Buhari works to address long-standing grievances in the restive Delta region.

Figure 2. Results of the 2015 Presidential Election



Source: BBC, adapted by CRS.

President Buhari's popularity in the 2015 elections was notable, given his history. The retired army Major General, who attended the U.S. Army War College in 1980, led a military coup in 1983 against Nigeria's first directly elected president.⁴ He served as head of state until 1985, when he was overthrown in another coup. After the transition to democratic rule in 1999, he ran, unsuccessfully, for president three times, in 2003, 2007, and 2011.⁵ President Buhari, now 73, has described himself as "converted democrat"—he led a "war on indiscipline" as military ruler and has repeatedly campaigned on an anti-corruption platform, saying "the work of making Nigeria

⁴ The State Department's 1984 Human Rights Report on Nigeria noted that "officers cited economic mismanagement, corruption, and abuse of office by the civilian government as the rationale for the almost bloodless coup."

⁵ President Jonathan won the 2011 elections with over 59% of votes, while Buhari received 32%.

great is not yet done.”⁶ Prior to the 2015 elections, Buhari, a Muslim from Katsina state in northern Nigeria, drew support from across the predominately Muslim north, but struggled to gain votes in the south. In 2014, his party joined with the other main opposition parties to form the diverse APC coalition. His running mate (now vice president), Yemi Osinbajo, is a Yoruba (Nigeria’s second-largest ethnic group) Pentecostal pastor and former state attorney general from the populous, opposition-leaning southwest.

The 2015 elections were largely peaceful and broadly viewed as credible and transparent, although some election monitors did highlight certain logistical shortcomings as cause for concern.⁷ Nevertheless, while noting “highly implausible” results from Rivers state in the Niger Delta, monitors reported no evidence of systematic manipulation, and the United Nations and others commended the elections as successful.⁸

U.S. government views on the 2015 elections were broadly positive. A White House statement described the event as demonstrating “the strength of Nigeria’s commitment to democratic principles.”⁹ There had been significant concern about the potential for large-scale political violence around the polls, and Secretary of State John Kerry traveled to Nigeria months prior to the elections to stress U.S. views about the importance of the event. Following outgoing President Jonathan’s quick concession of defeat—an act widely praised by the international community as contributing to the polls’ general peacefulness—President Obama remarked that “President Jonathan has placed his country’s interests first by conceding the election.”¹⁰

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 just over 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—over 30% of the population has no access to improved sources of water, less than one-fifth of households have piped water, and some 70% 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 have suggested that “good governance, healthy political competition, and equitable economic growth would go a long way” toward addressing the country’s development challenges.¹¹ The oil and gas sector accounts 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.

⁶ Muhammadu Buhari, “Prospects for Democratic Consolidation in Africa: Nigeria’s Transition,” Speech at Chatham House in London, February 26, 2015.

⁷ Nigeria Civil Society Situation Room, *Report on Nigeria’s 2015 General Elections*, July 2015.

⁸ European Union Election Observation Mission, “More efficient polling although increased incidents of violence and interference,” April 13, 2015; UN News Center, “Welcoming peaceful Nigerian elections, Ban encourages patience as polls wrap up,” March 29, 2015.

⁹ The White House, Statement by the President on the Nigerian Elections, April 1, 2015.

¹⁰ *Ibid.*

¹¹ 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.

In 2014, the Nigerian government announced the rebasing of its economy, which is now internationally recognized as the largest in Africa and the 22nd largest in the world.¹² 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.

Low global oil prices have hamstrung Nigeria's actual and projected economic performance, compounding the development challenges facing the government. The country suffered a sharp decline in real GDP growth in 2015 (which dropped from 6.2% in late 2014 to 2.8% in late 2015). The IMF forecasts GDP growth of 3.2% in 2016. The Organization of the Petroleum Exporting Countries estimates Nigeria's oil production to be 1.7 million bpd. With a benchmark oil price (which it uses for revenue calculations) for 2016 of \$38/barrel—the lowest projected oil price in over a decade—the federal government's share of oil revenue is likely to be less than half of what was budgeted for 2015. Based on Nigeria's oil dependence, the government deficit has doubled to \$15 billion (3.3% of GDP).¹³

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.¹⁴ Human Rights Watch suggested in 2011 that the Nigerian political system has rewarded corruption, which has been fueled by oil revenues for decades.¹⁵ Several international firms have been implicated in Nigerian bribery scandals. Nigeria is also known globally for cybercrimes, 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 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.¹⁶

¹² 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. GDP ranking according to the World Bank.

¹³ Paul Wallace, “Nigeria to Increase Budget Gap as Oil Falls Below Benchmark,” *Bloomberg Business*, January 21, 2016.

¹⁴ State Department, “Nigeria,” *Country Report on Human Rights Practices 2014*, June 2015.

¹⁵ HRW, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission*, August 2011.

¹⁶ “Nigeria: Dazzling Statistics,” *Africa Confidential*, Vol. 53 No. 14, July 6, 2012; and “The \$100 Billion Bash,” *Africa Confidential*, November 2, 2012.

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 while in office. Critics contend that executive interference with the EFCC nevertheless continued during his tenure, undermining investigations and derailing prosecutions.¹⁷

Many observers criticized President Jonathan as unwilling to tackle corruption. His administration launched several anti-corruption initiatives, 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. However, that audit report, which found large-scale corruption and waste, appears to have been largely ignored by the government. President Jonathan forced the country's central bank governor, Lamido Sanusi, to resign in 2014 after a letter was made public from Sanusi regarding the state oil firm's failure to account for between \$10 billion and \$20 billion in revenue. Sanusi's letter detailed his concerns that revenue was being diverted through lucrative no-bid oil contracts and opaque "swap deals" in which crude oil was exported in exchange for refined fuel, transactions Sanusi claimed led to "huge revenue leakages."¹⁸ To date, the issue of the missing billions remains unresolved.

President Buhari's campaign capitalized on popular frustration with the Jonathan government's poor response to large-scale state corruption, and Buhari has taken steps to address graft and fiscal mismanagement. His administration has introduced legislation to increase transparency in the oil industry (see below). Diezani Alison-Madueke, Nigeria's minister of petroleum under President Jonathan, was arrested in London on charges of money laundering in October 2015; she subsequently returned to Nigeria and reportedly remains under investigation by both Nigerian and UK authorities. Other Jonathan administration officials now charged with fraud include his national security advisor and his chief of defense.

¹⁷ 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.

¹⁸ Tim Cocks and Joe Brock, "Special Report: Anatomy of Nigeria's \$20 billion 'leak,'" *Reuters*, February 6, 2015;

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.¹⁹ 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.²⁰ In its 2013 report *Nigeria's Criminal Crude*, the London-based Chatham House estimated that 100,000 barrels per day, on average, 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.²¹

Petroleum and Power Sector Reforms

Despite its status as one of the world's largest crude oil exporters, Nigeria reportedly imports roughly \$10 billion in refined fuel annually (156,000 barrels per day according to OPEC data) for domestic consumption, and it suffers periodically from severe fuel and electricity shortages.²² In an effort to increase its refining capacity and halt oil imports by 2020, the government has granted permits in recent years for several new independently owned refineries.²³

Nigeria's domestic subsidy on gasoline (nearly 75% of which is imported) 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—\$35 billion over 2010-2014, according to the World Bank—has been steep, comprising almost one-quarter of the annual government budget. At the recommendation of the International Monetary Fund and others, President Jonathan cut the subsidy in late 2011, 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.²⁴

¹⁹ For an in-depth analysis of corruption and mismanagement within Nigeria's oil sector, see Aaron Sayne, Alexandra Gillies, and Christina Katsouris, *Inside NNPC Oil Sales: A Case for Reform in Nigeria*, Natural Resource Governance Institute, August 2015.

²⁰ Christina Katsouris and Aaron Sayne, *Nigeria's Criminal Crude: International Options to Combat the Export of Stolen Oil*, Chatham House, September 2013.

²¹ 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.

²² Secretariat of the Organization of the Petroleum Exporting Countries, *OPEC Annual Statistical Bulletin 2015*. Nigerians Face Fuel Shortages in the Shadow of Plenty," *National Geographic*, April 11, 2014.

²³ 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.

²⁴ See, e.g., "Removal of Fuel Subsidies in Nigeria: An Economic Necessity and a Political Dilemma," The Brookings Institution, January 10, 2012.

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.²⁵ Government efforts to reduce the subsidy by limiting import licenses led to fuel scarcities in 2014, adding to popular frustration given Nigerians’ reliance on gasoline for personal generators because of the unreliable power supply. In December 2015, Ibe Kachickwu, President Buhari’s Minister of State for Petroleum Resources, declared that the subsidy would end in 2016. He later modified his stance, announcing that Nigeria would spend nothing on the subsidy in 2016 “without necessarily removing [the] subsidy,” suggesting that it may come back into effect during periods of high oil prices.²⁶

President Buhari has pledged to reform the oil and gas industry and to recover the “mind-boggling” amounts of money stolen from the sector over the years.²⁷ In December 2015, his government overhauled and reintroduced the Petroleum Industry Bill (PIB), an ambitious piece of legislation aimed at increasing transparency in the industry, attracting investors, and creating jobs. First introduced during the Jonathan administration, the PIB has stalled in parliament for years and the regulatory uncertainty surrounding its passage has deterred investment. The draft law would repeal the act that created the Nigerian National Petroleum Corporation (NNPC), the parastatal that oversees regulation of the industry, which has been criticized for its lack of transparency, and split the entity into two: a National Oil Company that would operate as a commercial entity and be partially privatized, and a Nigeria Petroleum Assets Management Co., which would manage oil licenses run under production-sharing agreements. The draft law would also cut some of the Oil Ministry’s powers and create a Nigeria Petroleum Regulatory Commission to oversee license bidding and fuel prices, among other regulatory responsibilities.²⁸

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 15% of its gross natural gas production.²⁹ 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 arguably 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—

²⁵ 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.

²⁶ Juliet Alohian, “Nigeria: Kachickwu Forecasts Zero Fuel Subsidy in 2016,” *Leadership*, February 19, 2016.

²⁷ Agence France-Presse, “Nigeria’s Buhari warns the corrupt: ‘No longer business as usual.’” October 6, 2015.

²⁸ Julia Payne, “Exclusive: Stalled Nigerian oil law broken up, new law splits state giant,” *Reuters*, December 7, 2015.

²⁹ U.S. Energy Information Administration, *Country Analysis Brief: Nigeria*, February 27, 2015.

lessened the impact of the 2008-2009 global economic crisis on Nigeria's economy.³⁰ 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. President Jonathan replaced the ECA with a sovereign wealth fund in 2011.

In response to recent revenue shortfalls due to the continued slump in oil prices, Nigeria has increasingly sought loans from the international community. In May 2015, then-Finance Minister Ngozi Okonjo-Iweala announced that Nigeria had borrowed nearly \$2.38 billion to pay government salaries and fund the 2015 budget.³¹ Nigeria is now seeking \$3.5 billion from the World Bank and the African Development Bank to help finance its balance of payments.³² The new Finance Minister has also signaled an intent to return to the international bond markets for the first time since Nigeria's last sale of debt in 2013. The Buhari Administration expects increases in non-oil revenue and has vowed to "plug revenue leakages" and recover funds lost to corruption and political graft (conservatively estimated at over \$1.75 billion).³³

Delays in the naming of President Buhari's cabinet in 2015 slowed the drafting of the 2016 budget—the 2016-18 Medium-Term Expenditure Framework, which forms the basis of the next three budgets—postponing its submission until December. The 2016 budget, at \$30.6 billion, reflects a significant increase from the \$25.1 billion 2015 budget of Buhari's predecessor. The Buhari Administration has sought to shift spending toward capital investment and expanding the social safety net, seeking to stimulate the ailing economy through increased public expenditure.³⁴ In February, Nigeria's National Assembly announced the postponement of the passage of the budget, citing major errors in the fiscal estimates presented by the government (President Buhari fired his budget chief based on the mistakes).³⁵

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 *sharia* (Islamic law) to adjudicate criminal and civil matters for Muslims.³⁶ 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.

³⁰ International Monetary Fund, "Staff Report for the Article IV Consultation with Nigeria," July 2012.

³¹ *Premium Times*, "Nigerian govt borrowing billions to pay salaries – Okonjo-Iweala," May 6, 2015.

³² Nigeria's decision to seek support from the World Bank has generated controversy, as short-term "crisis lending" of the type sought by Nigeria is generally the responsibility of the International Monetary Fund—see, e.g., "Nigeria calls in the World Bank to do the IMF's job," *Financial Times*, February 1, 2016.

³³ "Adeosun: Buhari government moves to block revenue leakage," *The News* (Lagos), January 7, 2016.

³⁴ IMF, "IMF Staff Completes 2016 Article IV Mission to Nigeria," February 24, 2016.

³⁵ *Vanguard*, "Effors: FG fires Budget D-G, 26 others," February 16, 2016.

³⁶ 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.

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 “Boko Haram’s terrorist attacks against Christians and Muslims, recurring sectarian violence, and escalating interfaith tensions.”³⁷ It is not designated as such by the Secretary of State. According to USCIRF, as many as 18,000 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, 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.³⁸ The State Department, in its most recent Religious Freedom report, criticized the government’s lack of effective efforts to stem communal violence and to investigate and prosecute those responsible.³⁹

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.⁴⁰

Anti-Shia Muslim sectarianism in northern Nigeria has gained increased attention amid reports that the Nigerian army allegedly killed hundreds of members of the Islamic Movement of Nigeria (IMN), a Shia group led by Iranian-trained cleric Ibrahim Zakzaky, in December 2015. According to Human Rights Watch, the Nigerian army killed and “quickly buried” at least 300 IMN members, and injured hundreds more, at three separate locations over a two-day span in Zaria, Kaduna State.⁴¹ A military spokesman claimed that the IMN had initiated the violence by attacking the military convoy of the army chief of staff, an account Human Rights Watch contends “does not stack up.”⁴² Nigeria has established a commission of inquiry to investigate the incident. Nigeria’s Shia population is estimated to be between 4 million and 10 million people, constituting a small minority of the country’s total Muslim population of roughly 90 million.⁴³

³⁷ The U.S. Commission on International Religious Freedom issued its latest report in April 2015.

³⁸ Testimony of Darren Kew, House Subcommittee on Africa, Global Health, and Human Rights, *The Crisis in Christian-Muslim Relations in Nigeria*, July 10, 2012.

³⁹ State Department, *International Religious Freedom Report for 2014*, July 2015.

⁴⁰ See, e.g., ICG, *Curb Violence in Nigeria: The Jos Crisis*, Africa Report No. 196, December 17, 2012.

⁴¹ Human Rights Watch, “Nigeria: Army attack on Shia unjustified,” December 22, 2015.

⁴² Ibid.

⁴³ CIA World Factbook, op. cit.

Boko Haram and Militant Islam in Nigeria⁴⁴

Boko Haram, a violent Islamist movement, 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 and injustice to elicit recruits and sympathizers. By many estimates, more than 24,000 civilians, security forces, and militants have been killed in related violence—including more than 6,100 in 2015 alone.⁴⁵ The group has focused on a wide range of targets, both government and civilian. Boko Haram's kidnapping in April 2014 of almost 300 schoolgirls from a secondary school in Chibok, Nigeria, and its March 2015 pledge of allegiance to the Islamic State (IS, also known as ISIL or ISIS), brought renewed international attention to the group and increased domestic pressure on Nigeria to do more to address the Boko Haram threat.

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.⁴⁶ 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, occurring almost daily in northeast Nigeria (primarily in Borno and Yobe States), and with increasing frequency in neighboring Cameroon, Chad, and Niger. Attacks attributed to the group periodically feature improvised explosive devices (IEDs), car bombs, and suicide attacks, in addition to small arms. To date, the group has not shown a significant focus on international targets, despite its attack on the U.N. building in Abuja on August 24, 2011. In July 2014, Boko Haram shifted from a tactical focus on asymmetric attacks (unconventional terrorist strikes) against government and civilian targets, toward a conventional offensive to seize and hold territory. Estimates on the amount of territory held by Boko Haram vary, but press reports suggest that by early 2015 the Nigerian government may have lost 40%-70% of Borno state and some territory in neighboring Yobe and Adamawa states. Operations by regional forces, most notably from Chad and Nigeria, reversed those territorial advances in mid- to late-2015, retaking much of

⁴⁴ For more information, see CRS Report R43558, *Nigeria's Boko Haram: Frequently Asked Questions*, by (name redacted). 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.

⁴⁵ Death toll from the Council on Foreign Relations' *Nigeria Security Tracker*, available at <http://www.cfr.org>.

⁴⁶ "Islamic Death 'Good for Nigeria'," BBC, July 31, 2009.

the group's self-described Islamic caliphate. The group has since reverted to asymmetric attacks, largely against soft targets in northeastern Nigeria and northern Cameroon.

U.S. officials have estimated in press reports that Boko Haram may have between 4,000 and 6,000 "hardcore" fighters, while other sources contend its force could be larger.⁴⁷ 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.⁴⁸ Some of its fighters may be motivated by the prospect of financial gain or may have been forcibly conscripted.⁴⁹ By many accounts, Boko Haram is not a monolithic organization, and some analysts suggest that Boko Haram is susceptible to fracturing—there are apparent disagreements over tactics and the group's civilian death toll. The emergence of a purported splinter faction known as Ansaru in early 2012 led to speculation about divisions among Boko Haram hardliners.⁵⁰ 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.⁵¹ 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 since 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. Boko Haram attacks against soft targets, and associated fighting between militants and security forces, have taken a heavy toll. The area affected by Boko Haram is home to an estimated 30 million people. By U.N. estimates, more than 4.4 million people in the region are in need of emergency food aid.⁵² The violence has caused a humanitarian emergency around Lake Chad, displacing more than 2.8 million people and cutting off humanitarian access to roughly 3 million others.⁵³

Boko Haram's Pledge of Allegiance to the Islamic State (IS)

On March 7, 2015, Boko Haram leader Abubakar Shekau released a statement pledging loyalty to Abu Bakr al Baghdadi, leader of the Syria/Iraq-based Islamic State. An IS spokesman welcomed the pledge, urging followers to travel to West Africa and support Boko Haram. In late March, the Islamic State's English-language magazine, *Dabiq*, heralded the alliance, declaring that "the mujahidin of West Africa now guard yet another frontier of the Khilāfah (caliphate)."

Shekau had previously voiced support for both Al Baghdadi and Al Qaeda's leader Ayman al Zawahiri, but had not

⁴⁷ Nigeria's Boko Haram has up to 6,000 hardcore militants: U.S. officials," Reuters, February 6, 2015. See also Marc-Antoine Pérouse de Montclos, *Nigeria's Interminable Insurgency? Addressing the Boko Haram Crisis*, Chatham House, September 2014.

⁴⁸ Testimony of Assistant Secretary Linda Thomas-Greenfield, November 13, 2013, op. cit.

⁴⁹ Navanti Group, *Boko Haram Recruitment*, Native Prospector West Bridge, September 30, 2014.

⁵⁰ Ansaru's full name is *Jama'at Ansar al Muslimin fi Bilad is 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.

⁵¹ See, e.g., "Boko Haram: Splinter Group, Ansaru Emerges," *Vanguard*, February 1, 2012.

⁵² USAID, Lake Chad Basin – Complex Emergency Fact Sheet #3, Fiscal Year (FY) 2016, December 22, 2015.

⁵³ According to the United States Agency for International Development (USAID), in late February 2015, more than 2.8 million people were internally displaced due to Boko Haram-related violence in the region. Of these, an estimated 2.2 million were displaced in Nigeria, 158,000 in Cameroon, 106,000 in Chad, and 59,000 in Niger.

pledged allegiance to either. Branding itself as part of the Islamic State may provide recruitment and fundraising opportunities, but Boko Haram's area of operations remains geographically removed from Syria and Iraq, and the extent to which affiliation might facilitate operational ties remains unclear. Reported links between Boko Haram and Islamist militants in North Africa, including other IS "affiliates" in Libya, may be of more immediate concern. Analysts question what impact, if any, Shekau's pledge may have on relations with Al Qaeda in the Islamic Maghreb (see below) and associated groups in the region. In the near term, the pledge may prove most effective as a propaganda tool, increasing the profile of both groups.

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 13224.⁵⁴ 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 already 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.⁵⁵ The Nigerian government also formally designated Boko Haram 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. In December 2015, the State Department designated two more senior Boko Haram leaders as SDGTs.

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.⁵⁶ 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.⁵⁷ 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;

⁵⁴ 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.

⁵⁵ Shekau, along with Khalid al-Barnawi and Abubakar Adam Kambar, both of whom have ties to Boko Haram and close links to AQIM, according to the State Department, have been designated as SDGTs.

⁵⁶ 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.

⁵⁷ 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.

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.⁵⁸

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, 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—had declined “remarkably” since the amnesty effort began, and contended that “the link between political activism and oil theft has grown increasingly tenuous since 2011.”⁵⁹

President Jonathan continued to allocate significant financing for “post-amnesty” interventions and economic and human development projects in the Delta, despite concerns regarding the government's ability to spend the funds effectively in a region where corruption is, at all levels, endemic. Some Nigerian politicians from other regions have criticized the cost of the program; some of the oil-producing states have reported revenues of over \$2 billion per year but have dismal records of development or service delivery.⁶⁰ 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.

The amnesty program, initially set to expire in December 2015, was a central issue in the 2015 presidential election. In January, Mujahid Dokubo-Asari, a prominent Niger Delta militant, threatened to remobilize his militia should President Jonathan lose the election and Buhari end the amnesty as scheduled.⁶¹ Following the election, in which the Niger Delta region voted overwhelmingly for Jonathan, militants staged attacks against civilians and oil infrastructure in a number of Niger Delta states.⁶² Threats and attacks surged again following Buhari's inauguration speech, in which he announced that the amnesty would end in December 2015. The current status of the amnesty is unclear: despite Buhari's pledge to end the program, Nigeria's proposed 2016

⁵⁸ HRW, *Criminal Politics: Violence, “Godfathers” and Corruption in Nigeria*, Vol. 19, No. 16(A), October 2007.

⁵⁹ 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.

⁶⁰ Xan Rice, “Nigerian Rebels Swap Weapons for Welding,” *Washington Post*, July 5, 2012; Francis, Lapin, and Rossiasco, *Securing Development and Peace in the Niger Delta*, op. cit.

⁶¹ Arodiegwu Eziukwu, “Niger Delta militants meet in Yenagoa, threaten war should Jonathan lose presidential election,” *Premium Times*, January 24, 2015.

⁶² Dafe Oputu and David Landry, “Nigeria's Buhari faces toughest of tests in the Niger Delta,” *African Arguments*, September 29, 2015.

budget contains funding for the amnesty, albeit much less than in past years. In December, ex-militants demonstrated to protest the reduction in funding.⁶³

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.⁶⁴ The State Department's 2014 human rights report documents allegations by multiple sources of "extrajudicial killings" as well as "torture, rape, arbitrary detention, mistreatment of detainees, and destruction of property." 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 drawn particular attention. In a landmark 2015 report on the Nigerian response to Boko Haram, Amnesty International reports:

In the course of security operations against Boko Haram in north-east Nigeria, Nigerian military forces have extrajudicially executed more than 1,000 people; they have arbitrarily arrested at least 20,000 people, mostly young men and boys; and have committed countless acts of torture. Hundreds, if not thousands, of Nigerians have become victims of enforced disappearance; and at least 7,000 people have died in military detention as a result of starvation, extreme overcrowding and denial of medical assistance.⁶⁵

A reported effort by Boko Haram gunmen to free prisoners held at Giwa military barracks in the Borno capital, Maiduguri, in 2014 brought renewed international attention to the large number of detainees held in relation to Boko Haram activity. During that incident, Amnesty International estimates that more than 620 people, including attackers and unarmed detainees, were killed by the military.⁶⁶

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.⁶⁷ 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

⁶³ Clement Ejiofor, "Niger Delta Ex-militants Stage Protest in Delta," *Naij.com*, December 15, 2015.

⁶⁴ 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.

⁶⁵ Amnesty International, *Stars on their Shoulders. Blood on their Hands: War Crimes Committed by the Nigerian Military*, 2015.

⁶⁶ 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.

⁶⁷ Amnesty International, "Hundreds Feared Dead and Thousands Trapped in Niger Delta Fighting," May 22, 2009.

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.⁶⁸ Nigerian security forces disputed the number of casualties. Satellite imagery suggests that more than 2,000 homes may have been burned.⁶⁹ 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 2014 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

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. 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 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 did not close 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.⁷⁰ The announcement in October 2014 by the World Health Organization (WHO) that Nigeria was free of Ebola virus transmission brought positive international attention to the country's coordinated effort to stop the spread of the virus, which ravaged Guinea, Liberia, and Sierra Leone. Nigeria's response also highlighted lessons learned in a country that until recently was considered a global epicenter of polio transmission.

Nigeria has had other public health successes in recent years, eradicating transmissions of polio, decreasing malaria and tuberculosis prevalence, and reducing HIV prevalence among pregnant women. Nigeria's HIV/AIDS prevalence rate of 3.2% 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. 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.

⁶⁸ See, e.g., "Scores Killed in Nigeria Violence," *Al Jazeera*, April 23, 2013.

⁶⁹ Human Rights Watch, "Nigeria: Massive Destruction, Deaths from Military Raid," May 1, 2013.

⁷⁰ 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.

Issues for Congress

Administration Policy on Nigeria

After a period of strained relations in the 1990s, when a military dictatorship ruled Nigeria, U.S.-Nigeria relations steadily improved under President Obasanjo, and they have since remained robust. 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."⁷¹ 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.

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. This support is widely expected to continue, if not increase, with President Buhari in office. By many accounts, Buhari has sought to mend and improve relations with the United States, which were often strained under his predecessor, President Jonathan. During Buhari's visit to Washington, DC, in July 2015, Secretary of State John Kerry called him a "ready and willing partner ... [who] is deeply committed to tackling the problem of corruption" and stated that the United States looks forward "to developing our counterterrorism and our counter-Boko Haram plans even as we also work on energy development, on education, health, and other issues within the country."⁷²

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.⁷³

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.⁷⁴ Underscoring this

⁷¹ 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.

⁷² Secretary of State John Kerry, "Remarks with Nigerian President Muhammadu Buhari," July 21, 2015.

⁷³ See <http://travel.state.gov> for the latest warning.

⁷⁴ U.S. Commercial Service, *Doing Business in Nigeria: 2013 Country Commercial Guide for U.S. Companies*.

potential, U.S. Secretary of Commerce Penny Pritzker traveled to Lagos in January 2016 to explore opportunities for strengthening bilateral commercial engagement. Addressing Nigerian business leaders during her visit, Secretary Pritzker lauded Nigeria as “the undisputed rising star” among African economies, and praised President Buhari in particular for “his commitment to create a diversified economy and a business friendly environment in Nigeria.”⁷⁵

Nigeria 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.⁷⁶

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.⁷⁷ 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 U.S. Navy has increased its operations in the Gulf of Guinea in recent years and in 2007 launched the African Partnership Station (APS).⁷⁸ 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 reportedly improved in the aftermath of the 2009 airliner bombing attempt, but remained constrained during the Jonathan Administration despite concern over the rising Boko Haram threat.⁷⁹ The Nigerian government

⁷⁵ U.S. Department of Commerce, “U.S. Secretary of Commerce Penny Pritzker Addresses Nigerian Entrepreneurs and U.S. Business Leaders at Tony Elumelu Foundation Entrepreneurship Event,” January 25, 2016.

⁷⁶ See The White House, *Fact Sheet: Power Africa*, August 5, 2014.

⁷⁷ 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.

⁷⁸ 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.

⁷⁹ On December 25, 2009, Umar Farouk Abdulmutallab, the son of a respected Nigerian banker and former government (continued...)

has coordinated with the Department of Homeland Security, the Federal Aviation Administration, and the International Civil Aviation Organization to strengthen its security systems. Nigeria is a participant in the State Department's Trans Sahara Counterterrorism Partnership (TSCTP), a U.S. interagency effort that aims to increase regional counterterrorism capabilities and coordination. Its role in that program has been, to date, minor in comparison to Sahel countries.

U.S. support for regional efforts to counter Boko Haram has been primarily channeled through engagement with Nigeria's neighbors: Cameroon, Chad, and Niger. In October 2015, for example, Administration officials announced that the United States was sending as many as 300 U.S. troops, along with surveillance drones, to Cameroon to assist in the regional counter-Boko Haram effort. According to President Obama, the troops will "conduct airborne intelligence, surveillance and reconnaissance operations in the region," and "are equipped with weapons for the purpose of providing their own force protection and security."⁸⁰ The Administration had previously deployed surveillance aircraft and personnel to Chad to monitor Boko Haram activity after the Chibok kidnapping in 2014. The Obama Administration appears to have a more favorable view of President Buhari's approach to countering Boko Haram and is exploring options to improve counterterrorism coordination with Nigeria, reportedly including through the deployment of dozens of U.S. Special Operations personnel to serve in noncombatant advisory roles and to be stationed in Maiduguri, the Borno state capital.⁸¹

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, have been 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 2013, he raised the issue with Nigerian officials, stating, "one person's atrocity does not excuse another's."⁸² Assistant Secretary of State Linda Thomas-Greenfield urged the Nigerian government to take a more "holistic" approach to the counter-Boko Haram effort, suggesting that regional and socioeconomic disparities have contributed to the group's 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."⁸³ U.S. concerns culminated in the decision, in 2014, to block the sale of U.S.-manufactured Cobra helicopters by Israel to Nigeria.⁸⁴ For their part, Nigerian officials reportedly remain sensitive to perceived U.S. interference in internal affairs and have sometimes rejected other forms of assistance, in particular U.S. military training offers.

President Buhari has reportedly taken some steps to address concerns about security abuses, pledging to "insist on the rule of law, and deal with any proven cases of deviation from laws of armed conflict, including human rights abuses."⁸⁵ Despite the rhetoric, however, some observers

(...continued)

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.

⁸⁰ President Obama, quoted in Reuters, "Obama sends U.S. troops, drones to Cameroon in anti-Boko Haram fight," October 14, 2015.

⁸¹ Eric Schmitt and Dionne Searcey, "U.S. plans to put advisers on front lines of Nigeria's war on Boko Haram," *New York Times*, February 25, 2016.

⁸² "Kerry Criticizes Nigeria on Human Rights," CNN, May 25, 2013.

⁸³ Testimony of Assistant Secretary of State Linda Thomas-Greenfield, *op cit*.

⁸⁴ Helene Cooper, "Rifts Between U.S. and Nigeria Impeding Fight Against Boko Haram," *New York Times*, January 24, 2015.

⁸⁵ *Premium Times*, "Buhari vows to punish officers, soldiers involved in human rights violations," September 12, 2015.

question whether the government has taken serious steps to hold senior commanders responsible for abuses, and raise concern that in some areas “scorched earth” tactics may continue.

U.S. Assistance to Nigeria

According to the State Department’s FY2017 Congressional Budget Justification, “the primary goal of U.S. assistance in Nigeria is to support the country’s development as a stable democracy while reducing extreme poverty.”⁸⁶ 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 between \$600 million and \$700 million annually in recent years (see **Table 1**). The State Department’s FY2017 foreign aid request includes more than \$600 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 Actual	FY2015 Actual	FY2016 Request	FY2017 Request
Development Assistance	76,920	71,000	57,800	76,016	72,658
Economic Support Fund	0	0	4,600	0	0
Foreign Military Financing	949	1,000	600	600	500
Global Health Programs— State	455,746	456,652	403,236	356,652	356,652
Global Health Programs— USAID	165,451	173,500	173,500	173,500	175,500
International Military Education and Training	712	730	817	730	800
Nonproliferation, Antiterrorism, Demining and Related Programs	0	100	0	0	0
TOTAL	699,778	703,031	640,553	607,498	606,110

Source: State Department FY2015-FY2017 Congressional Budget Justification for Foreign Operations. Estimated FY2016 allocations are not yet available. 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

⁸⁶ State Department Congressional Budget Justification for Foreign Operations, FY2017.

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 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 have dominated congressional action on Nigeria in recent years, although some Members have also continued to monitor human rights, governance, and humanitarian issues; developments in the Niger Delta; and Nigeria's energy sector. Both the House Foreign Affairs Committee and the Senate Foreign Relations Committee have held hearings on Boko Haram. 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.⁸⁷ 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. Key relevant legislation includes:

- P.L. 112-239 (FY2013 National Defense Authorization Act, 112th Congress), directing the Director of National Intelligence to provide an assessment of the Boko Haram threat to Congress;
- S.Res. 433 and H.Res. 573 (113th Congress), condemning Boko Haram's attacks on civilian targets and expressing support for the Nigerian people and the families of the girls abducted from Chibok, for efforts to hold the group accountable, and for U.S. offers to assist in the search for the girls;
- H.R. 2027 (114th Congress), directing the President to develop and submit to Congress a regional strategy to guide U.S. support for multilateral efforts to eliminate the threat of Boko Haram and enforce the rule of law and ensure humanitarian access in Boko Haram-affected areas;
- S. 1632 and H.R. 3833 (114th Congress), requiring the Department of Defense and the Department of State to jointly develop a regional strategy to address the threat posed by Boko Haram;

⁸⁷ 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.

- P.L. 114-113 (FY2016 Consolidated Appropriations Act, 114th Congress), appropriating funds for assistance for women and girls targeted by Boko Haram, and for counter-Boko Haram efforts; and
- P.L. 114-92 (FY2016 National Defense Authorization Act, 114th Congress), with report language directing the Secretaries of Defense and State to provide an assessment of the Boko Haram threat and a description of U.S. counter-Boko Haram efforts.

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