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# Nigeria: Current Issues and U.S. Policy

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SUMMARY

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# Nigeria: Current Issues and U.S. Policy

Successive Administrations have described the U.S. 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 200 million people, roughly evenly divided between Muslims and Christians. Nigeria, which transitioned from military to civilian rule in 1999, ranked for years among the top suppliers of U.S. oil imports, and it is a major recipient of U.S. foreign aid. The country is the United States' second-largest trading partner in Africa and the third-largest beneficiary of U.S. foreign direct investment on the continent. Nigerians comprise the largest African diaspora group in the United States.

Nigeria is a country of significant promise, but it also faces serious social, economic, and security challenges, some of which pose threats to state and regional stability. The country has faced intermittent political turmoil and economic crises since gaining independence in 1960 from the United Kingdom. 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, its human development indicators are among the world's lowest, and a majority of the population faces extreme poverty. In the south, social unrest, criminality, and corruption in the oil-producing Niger Delta have hindered oil production and contributed to piracy in the Gulf of Guinea. Perceived government neglect and economic marginalization have also fueled resentment in the predominately Muslim north, while communal grievances and competition over land and other resources—sometimes subject to political manipulation—drive conflict in the Middle Belt.

The rise of Boko Haram has heightened concerns about extremist recruitment in Nigeria, which has one of the world's largest Muslim populations. Boko Haram has focused on a range of targets, but civilians in the impoverished, predominately Muslim northeast have borne the brunt of the violence. The group became notorious for its 2014 kidnapping of over 270 schoolgirls and its use of women and children as suicide bombers. It has staged attacks in neighboring countries and poses a threat to international targets in the region. Boko Haram appears primarily focused on the Lake Chad Basin region. Its 2015 pledge to the Islamic State and the emergence of a splinter faction, Islamic State-West Africa (IS-WA), have raised concerns from U.S. policymakers, though the extent of intergroup linkages is unclear. IS-WA is credited with a number of devastating attacks in 2018 against Nigerian military bases; the army has struggled to defend them.

Domestic criticism of the government's response to corruption, economic pressures, and Boko Haram contributed to the election in 2015 of former military ruler Muhammadu Buhari. In what was widely hailed as a historic transition, the ruling People's Democratic Party and President Goodluck Jonathan lost power to Buhari and his All Progressives Congress, marking Nigeria's first democratic transfer of power. Buhari has since struggled to enact promised reforms amid persistent security challenges and a struggling economy. He faces a challenge from former vice president Atiku Abubakar in elections scheduled for February 2019; it is forecast to be a close race. As in previous elections, there are concerns about violence around the polls, and intense, high-stakes contests over a number of legislative and gubernatorial posts increase the risk of conflicts. U.S. officials and Members of Congress have called for credible, transparent, and peaceful elections.

U.S.-Nigeria relations under the Trump Administration appear generally consistent with U.S. policy under the Obama Administration. Both Administrations have supported reform initiatives in Nigeria, including anticorruption efforts, economic and electoral reforms, energy sector privatization, and programs to promote peace and development. Congress oversees more than $500 million in U.S. foreign aid programs in Nigeria and regularly monitors political developments; some Members have expressed concern with corruption, human rights abuses, and violent extremism in Nigeria.

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# Overview

Nigeria is considered a key power in Africa, not only because of its size, but also because of its political and economic role on the continent. Nigeria has overtaken South Africa as Africa's largest economy, and it is one of the world's major sources of high-quality crude oil. The country's commercial center, Lagos, is among the world's largest cities. Nigeria has the fastest-growing population globally, which is forecast to reach 410 million by 2050 and overtake the United States to become the world's third-most populous country.[1] It also has one of Africa's largest militaries, and has played an important role in peace and stability operations on the continent. Few states in Africa have the capacity to make a more decisive impact on the region.

Despite its oil wealth, 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 has the world's second-largest HIV/AIDS-infected population and 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 Igbo 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, and Nigeria's Middle Belt (which spans the country's central zone) is a diverse mix. Ethnic and religious strife have been common in Nigeria. Tens of thousands of Nigerians have been killed in sectarian and intercommunal clashes in the past two decades.[2] Ethnic, regional, and sectarian divisions often stem from issues related 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 2009. It espouses a Salafist 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, comprising Nigeria, Niger, Chad, and Cameroon. Nigeria now has one of the largest displaced populations in the world—an estimated 2 million people—most of whom have fled Boko Haram-related violence. In late 2013, the State Department designated Boko Haram and a splinter group, Ansaru, as Foreign Terrorist Organizations (FTOs).[3] Boko Haram's 2015 pledge of allegiance to the Islamic State raised its profile, though the extent of operational ties between the two groups remains unclear. A Boko Haram leadership dispute led, in 2016, to the emergence of a splinter group, the Islamic State-West Africa (IS-WA). The State Department designated IS-WA as an FTO in early 2018.[4]

[1] United Nations Economic and Social Affairs, *World Population Prospects 2017 Revision*, 2017.

[2] In its annual report for 2016, the U.S. Commission on International Religious Freedom (USCIRF) estimated that more than 18,000 had been killed in sectarian clashes since 1999. In 2017, USCIRF noted that sectarian violence had "killed tens of thousands, displaced hundreds of thousands, and damaged or destroyed thousands of churches, mosques, businesses, homes, and other structures." See USCIRF, *Annual Report 2016* and *Annual Report 2017*.

[3] State Department, Terrorist Designations of Boko Haram and Ansaru," November 13, 2013.

[4] State Department, "Terrorist Designations of ISIS Affiliates and Senior Leaders," February 27, 2018.

**Figure 1. Nigeria at a Glance**

**Size**: More than twice the size of California

**Capital**: Abuja

**Population**: 203.5 million; 2.5% growth rate

**Languages**: English (official), Hausa, Yoruba, Igbo (Igbo), Fulani, over 500 other local languages

**Religions**: Muslim 52%, Christian 47%, traditionalist/unspecified 1% (2013)

**Literacy**: 59.6% (2015)

**Infant Mortality Rate**: 63 deaths/1,000 live births

**Median Age**: 18.3 years

**Life Expectancy**: 59.3 years

**Prevalence of HIV**: 2.8% (2017)

**GDP**: $397.5 billion; $2,050 (per capita); 1.9% (growth)

**Key exports**: petroleum and petroleum products 95%, cocoa, rubber (2012)

**External Debt**: $40.2 billion (2017)

**Source:** Map created with data from State Department and Esri. Fact information from the World Bank, CIA World Factbook, and the International Monetary Fund. Data for 2018 unless otherwise indicated.

In the southern Niger Delta region, local grievances related to oil production in the area have fueled conflict and criminality for decades. Intermittent government negotiations with local militants and an ongoing amnesty program have quieted the region, but attacks on oil installations surged briefly in 2016 and remain a threat to stability and oil production. Some militants continue to be involved in various local and transnational criminal activities, including maritime piracy and drug and weapons trafficking. These networks often overlap with oil theft networks, which contribute to maritime piracy off the coast of Nigeria and the wider Gulf of Guinea (see map). Already among the most dangerous bodies of water in the world, the Gulf of Guinea has seen a dramatic increase in piracy and attacks against ships in recent years.

Presidential and legislative elections slated for mid-February 2019 and gubernatorial and state-level polls due two weeks later increase pressure on some of Nigeria's sociopolitical fault lines.

Protests in the Igbo-dominated southeast over perceived marginalization by the government have led to clashes with security forces; separatist sentiment among some Igbo has arisen against the backdrop of a deadly civil war waged from 1967 to 1970, during which secessionists fought unsuccessfully to establish an independent Republic of Biafra. Economic frustration is reportedly widespread in the region, but by many accounts the majority of Igbo would not support insurrection. Meanwhile, an emerging conflict in border regions of neighboring Cameroon has led over 30,000 Cameroonians to seek refuge in Nigeria.[5] In the Middle Belt, violent competition for resources between nomadic herders, largely Muslim, and settled farming communities, many of them Christian, has been on the rise in recent years and is spreading into Nigeria's southern states. Herder-farmer tensions in Nigeria are not new, but they overlap with ethnic and religious divisions and have been exacerbated by desertification, increasing access to sophisticated weapons, land-grabbing by politicians, and banditry.

# Politics

Nigeria, which gained its independence from the United Kingdom 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. Subsequent elections were widely viewed as flawed, with each poll progressively worse than the last. Elections in 2011 were seen as more credible, although they were followed by violent protests in parts of the north that left more than 800 people dead and illustrated northern mistrust and dissatisfaction with the government.

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 under Britain's colonial administration.[6] Northern military leaders dominated the political scene from independence until the country's democratic transition 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 is 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, and the subsequent ascension of his southern-born vice president, Goodluck Jonathan, brought the zoning arrangement into question.[7] Jonathan's decision to run in the 2011 elections was seen by many northerners as a violation of the arrangement, which contributed to the violence that followed the polls.

## The 2015 Elections

Nigeria's 2015 elections were its most competitive contest to date and were viewed as a critical test for its leaders, security forces, and people. They were widely hailed as historic, with President Jonathan and the ruling People's Democratic Party (PDP) losing to a new opposition

[5] U.N. High Commissioner for Refugees (UNHCR), *Operational Portal: Nigeria*, updated November 8, 2018.

[6] 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 comprises six geopolitical zones: north-west, north-east, north-central, south-west, south-east, and south-south (the Niger Delta).

[7] Yar'Adua served one term; many northerners felt the region should hold the post for two consecutive terms.

coalition led by former military ruler Muhammadu Buhari.[8] Jonathan was Nigeria's first incumbent president to lose an election.[9] Buhari's All Progressives Congress (APC) capitalized on popular frustration with rising insecurity, mounting economic pressures, and allegations of large-scale state corruption to win a majority in the legislature and a majority of state elections. Decreased turnout for the PDP appeared to be partly linked to broad discontent with the government's response to the Boko Haram threat, in particular the April 2014 kidnapping of 276 schoolgirls from the northeast town of Chibok and the group's subsequent territorial advances.

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."[10] There had been significant concern about the potential for large-scale political violence around the polls, and then-Secretary of State John Kerry traveled to Nigeria months prior to the elections to stress U.S. views about the importance of the event.

President Buhari's popularity in the 2015 elections was notable, given his history. A Muslim from Katsina state in northern Nigeria, Buhari had formerly drawn support from across the predominately Muslim north, but had 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 vice president, Yemi Osinbajo, is an ethnic Yoruba (Nigeria's second-largest ethnic group) Pentecostal pastor and former state attorney general from the populous southwest. Osinbajo is reported to be widely respected, and he served as Acting President during Buhari's months-long stay in London in 2017, when the latter was receiving medical treatment for an undisclosed condition. Buhari's silence on the nature of his illness fueled speculation about his fitness for office.

## The 2019 Elections

With presidential and legislative elections scheduled for February 16, 2019, and gubernatorial and state assembly polls on March 2, prospects for the ruling APC are uncertain. In October 2018, the party affirmed Buhari as its presidential candidate, but his political standing has arguably weakened since 2015. In advance of the APC primary, several prominent former military and government officials, including former President Obasanjo, publicly urged him to not run again.[11]

Buhari is set to run against Atiku Abubakar, a former vice president under Obasanjo and erstwhile Buhari ally who defected from the APC to rejoin the PDP in late 2017. Viewed as a successful businessman prior to his foray into politics, Abubakar has pledged to revive Nigeria's struggling economy. This will be his fourth attempt at the presidency; analysts expect the 2019 election to be closely fought. Abubakar, who like Buhari hails from the North and is Muslim, may be able to split the northern vote and thereby weaken what was previously an APC stronghold.

Abubakar is one of several recent high-profile defectors from the APC. In mid-2018, an anti-Buhari faction known as the Reformed APC (R-APC) emerged within the ruling party. Shortly thereafter, Senate President Bukola Saraki, several governors, and dozens of representatives defected to the PDP. In turn, a number of high-ranking PDP officials have joined the ruling party.

[8] Buhari is a retired army Major General who attended the U.S. Army War College in 1980 and led a military coup in 1983 against Nigeria's first directly elected president. He served as head of state until 1985, when he was overthrown in another coup. After the 1999 transition to democracy, he ran unsuccessfully for president in 2003, 2007, and 2011.

[9] Buhari won 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.

[10] The White House, "Statement by the President on the Nigerian Elections," April 1, 2015.

[11] Africa Confidential, "Who Goes First," March 9, 2018 and "Rumblings in the Regions," February 9, 2018.

While not unusual in advance of Nigerian elections, such rearrangements threaten to further paralyze an unproductive legislature and widen rifts between the presidency and parliament, hindering the government's ability to respond to pressing humanitarian and security challenges.

In July 2018, a joint preelection assessment by the National Democratic Institute (NDI) and International Republican Institute (IRI) met with senior officials of the Independent National Electoral Commission (INEC) as well as representatives from the government, political parties, civil society organizations, and media.[12] In follow-up statements, the delegation praised INEC's efforts to reinforce the integrity of the electoral process, but noted a lack of public confidence in the neutrality of Nigeria's security services as well as popular concerns about "vote buying, illegal voting, and efforts to compromise the secrecy of the vote on election day."[13] INEC has taken steps to enable voting by marginalized voters, notably those displaced by Nigeria's multiple conflicts. Whether displaced voters are ultimately able to cast their ballots remains to be seen.

In December 2018 testimony before Congress, Assistant Secretary of State for African Affairs Tibor Nagy noted other factors that could threaten the credibility of the 2019 polls, including politically motivated attacks on the legitimacy of INEC, intimidation by state security forces, electoral violence, and the possible exclusion of displaced persons and individuals with disabilities from voting.[14] President Buhari's suspension, just weeks before the election, of the country's chief justice, who is head of the judiciary and was accused of failing to declare assets, prompted widespread criticism. The United States and other donors questioned the constitutionality of the decision, which Buhari made without the support of the legislature, and noted concerns that it could affect the perceived credibility of the elections, given the judiciary's role in resolving election disputes.[15]

Observers have expressed concern over the potential for the elections to spark violence in parts of the country.[16] In some areas, subnational contests for gubernatorial and state legislative seats may present greater risks for violence than the presidential election, though the latter has received more attention from donors and Nigerian officials.[17] The International Crisis Group (ICG) has identified six states as especially vulnerable to violence owing to their political importance and/or the presence of prevailing social fissures or conflicts: Rivers and Akwa Ibom (in the Niger Delta), Plateau and Adamawa (in the Middle Belt), and Kaduna and Kano (in the northwest).[18] With Nigeria's security forces reportedly overstretched in responding to a range of security threats across the country (discussed below), allegations of politicians stoking divisions for political ends, and concerns about partisanship among some security officials, ICG has described the conditions around the 2019 elections as "particularly combustible."[19]

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[12] NDI/IRI, *Statement of the Joint NDI/IRI Pre-Election Assessment Mission to Nigeria*, July 20, 2018

[13] NDI/IRI, *Statement of the Third Joint NDI/IRI Pre-Election Assessment Mission to Nigeria*, December 19, 2018. See also NDI/IRI, *Statement of the Second Joint NDI/IRI Pre-Election Assessment Mission to Nigeria*, September 28, 2018.

[14] Testimony of Assistant Secretary of State for African Affairs Tibor Nagy, House Subcommittee on Africa, Global Health, and Human Rights, *Nigeria at a Crossroads: The Upcoming Elections*, December 13, 2018.

[15] U.S. Embassy in Nigeria, "Statement on the Suspension and Replacement of the Chief Justice," January 26, 2019.

[16] See, e.g., Oge Onubogu, "The Risk of Election Violence in Nigeria is Not Where You Think," United States Institute of Peace (USIP), December 5, 2018.

[17] See, e.g., Aly Verjee, Chris Kwaja, and Oge Onubogu, *Nigeria's 2019 Elections: Change, Continuity, and the Risks to Peace*, USIP, September 2018.

[18] ICG, *Nigeria's 2019 Elections: Six States to Watch,* December 21, 2018.

[19] For more on election-related security concerns, see, e.g., Idayat Hassan, "From Boko to Biafra: How Insecurity Will Affect Nigeria's Elections," African Arguments, December 18, 2018; Mark Amaza, "Nigeria is on Edge With Multiple Internal Security Conflicts as it Prepares for Tense Elections," Quartz, January 9, 2019; and ICG, "10 Conflicts to

# Social Issues and Security Concerns

## Islamic *Sharia* Law

Nigeria is home to one of the world's largest Muslim populations. The north is predominately Sunni Muslim, and 12 northern states use *sharia* (Islamic law) to adjudicate criminal and civil matters for Muslims.[20] Under the Nigerian constitution, sharia does not apply to non-Muslims in civil and criminal proceedings, but Islamic mores are reportedly often enforced in public without regard to citizens' religion.[21] In some areas, citizen groups known as *hisbah* provide social services and enforce sharia-based rulings—some with financial and legal backing from state governments.

## Communal Violence

Divisions among ethnic groups, between regions, and between Christians and Muslims often stem from issues related to access to land and jobs and are sometimes fueled by politicians. In Nigeria's Middle Belt, violence between nomadic herdsmen, many of them belonging to the largely Muslim Fulani ethnic group, and settled farming communities, many—but not all—of them Christian, has increased in recent years. An estimate by the International Crisis Group suggests that over 2011-2016, roughly 2,000 Nigerians died annually in herder-farmer clashes, which surged in 2016 to claim some 2,500 lives—more than the total killed in Boko Haram-related violence that year.[22] Amnesty International asserts that herder-farmer violence killed more than 2,000 Nigerians from January through October 2018 and contends that a failure by the Nigerian government to respond to the violence and hold perpetrators to account had fostered a climate of impunity and a cycle of violence characterized by retaliatory attacks.[23]

Reports suggest that weapons used by all sides have grown more sophisticated, and that the recent surge in violence has involved the rise of ethnic militias and community vigilante groups backed by local leaders.[24] The nongovernmental organization (NGO) Search for Common Ground describes the violence as "neither an ethnic nor religious conflict, but rather a competition for resources playing out on ethno-religious lines in a fragile country characterized by impunity and corruption."[25] Analysis by Reuters indicates that a decades-long expansion of farming activity into traditional grazing zones had resulted in a 38% decrease in land available for open grazing in the Middle Belt between 1975 and 2013.[26] The U.S. Commission on International Religious Freedom (USCIRF) suggests, however, that the violence often takes on religious undertones and

Watch in 2019," December 28, 2018.

[20] 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.

[21] For more on religious freedom issues in Nigeria, see, e.g., the State Department's International Religious Freedom Report and USCIRF's annual report.

[22] International Crisis Group (ICG), *Stopping Nigeria's Spiralling Farmer-Herder Violence*, July 26, 2018.

[23] Amnesty International, *The Harvest of Death: Three Years of Bloody Clashes Between Farmers and Herders in Nigeria,* December 17, 2018.

[24] ICG, *Stopping Nigeria's Spiralling Farmer-Herder Violence,* op. cit.

[25] Chom Bagu and Katie Smith, *Past is Prologue: Criminality & Reprisal Attacks in Nigeria's Middle Belt*, Search for Common Ground, 2017.

[26] Ryan McNeill and Alexis Akwagyiram, "The Fight for Nigeria's heartland," *Reuters,* December 19, 2018.

is perceived by some involved to be a religion-based conflict.[27] Attackers have burned villages and destroyed a number of churches and mosques, even as the conflict has spread beyond the Middle Belt into southern states. The violence also affects northern states like Zamfara, where cattle rustling and banditry have fueled vigilantism; notably, in Zamfara the clashes are often occurring between settled Hausa communities and pastoralist Fulani, both Muslim.[28] Illustrative of Nigeria's charged political climate, Buhari, himself an ethnic Fulani, has been accused of complicity in herder attacks due to what some call an insufficient state reaction to the violence.

**Farmer-Pastoralist Violence: Problems of Attribution**

The classification by the Australia-based Institute for Economics and Peace's Global Terrorism Index of "Fulani militants" as the world's fourth-deadliest terrorist group in 2015 sparked controversy and has drawn criticism from regional experts. Many contend that broadly attributing the violence to the Fulani—a disparate ethnic group that spans much of Central and West Africa—inaccurately suggests that pastoralist militia in Nigeria are a single group with a coherent ideology and agenda.[29] By contrast, most analysts credit the violence to intercommunal competition over resources—notably land and water—as well as tensions related to crop damage and livestock theft amid a gradual southward shift of pastoralist herding routes and expansion of farming activity into lands previously used for grazing.[30] State Department monitors describe the violence as a form of "indigene-settler conflict," pitting settled communities against herders they consider to be nonindigenous.[31]

Generalizations about Fulani complicity in farmer-pastoralist violence have contributed to a documented rise in ethno-religious tensions. A July 2018 report by the International Crisis Group noted an increase in anti-Fulani sentiment and allegations of a Fulani plot to "Islamize" the Middle Belt that have led to ethnically motivated murders of actual or perceived Fulani—emblematic of a broader escalation in which occasional attacks have given way to "premeditated scorched-earth campaigns."[32] The conflation of ethnic, religious, and regional identities has long hindered attempts at resolution, as such categories constitute political and social fault lines.

Anti-Shia Muslim sentiment in northern Nigeria has gained increased attention amid reports that the Nigerian army 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 USCIRF reports, the army killed and buried 347 IMN members, injured hundreds more, and arrested almost 200 others over a two-day span in Zaria, Kaduna State.[33] A Kaduna state commission of inquiry found the army responsible for the mass killing, but no soldiers have faced prosecution; instead, state prosecutors brought murder charges against 177 IMN members—dozens of whom, including Zakzaky, remained on trial as of December 2018.[34] Zakzaky's supporters have called for his release and staged repeated demonstrations that have led to clashes with security forces and mass arrests. In October 2018, soldiers reportedly used live fire to disperse an IMN religious gathering and a separate peaceful protest, both in Abuja, killing dozens of IMN members over three days.[35] Nigeria's Shia population has been estimated at between 4 million and 10 million people.

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[27] USCIRF, *Annual Report 2018*.

[28] See, e.g., Obi Anyadike, "Zamfara: Nigeria's Wild Northwest," IRIN, September 13, 2018; Eromo Egbejule, "Deadly Cattle Raids in Zamfara: Nigeria's 'Ignored' Crisis," Al Jazeera, August 20, 2018.

[29] See, e.g., BBC, "Making Sense of Nigeria's Fulani-Farmer Conflict," May 5, 2016; Obi Anyadike, "The Deadly Conflict Tearing Nigeria Apart (and It's Not Boko Haram)," IRIN, June 13, 2017.

[30] See, e.g., Bagu and Smith, *Past is Prologue: Criminality & Reprisal Attacks in Nigeria's Middle Belt*, op. cit.

[31] State Department, *2017 Report on International Religious Freedom: Nigeria*, May 29, 2018.

[32] ICG, *Stopping Nigeria's Spiralling Farmer-Herder Violence*, op. cit.

[33] USCIRF, Nigeria Chapter, *Annual Report 2017*.

[34] Human Rights Watch (HRW), "Nigeria: End Impunity for Killings of Shia," December 12, 2018.

[35] Ibid. See also Amnesty International, "Nigeria: Security forces must be held accountable for killing of at least 45 peaceful Shi'a protesters," October 31, 2018, and Dionne Searcey and Emmanuel Akinwotu, "Nigeria Says Soldiers

Separately, protests in the ethnic Igbo-dominated southeast have raised concern about resurgent separatism in a region that fought a secessionist war (the Biafra War) from 1967 to 1970 in which up to 2 million people died. Igbo political grievances appear to have risen under Buhari.[36] In October 2015, protests led to clashes with security forces, and in 2016, soldiers killed at least 150 pro-Biafra demonstrators, according to Amnesty International.[37] Economic frustration is reportedly widespread in the region, and some experts suggest that the government's forceful response to separatist sentiments could fuel support for taking up arms.[38]

## *Boko Haram* and Militant Islam in Nigeria

Boko Haram has evolved since 2009 to become one of the world's deadliest terrorist groups, drawing in part on a narrative of vengeance for state abuses to elicit recruits and sympathizers. Key factors contributing to its rise in Nigeria include a legacy of overlapping intercommunal and Muslim-Christian tensions in the country; perceived disparities in access to development, jobs, state services, and investment in the north; and popular frustration with elite corruption and other state abuses.[39] Some research suggests that the reportedly heavy-handed response of Nigerian security forces since 2009 has fueled extremist recruitment in some areas.[40] The reported erosion of traditional leaders' perceived legitimacy among local populations in northeast Nigeria and northern Cameroon may also have contributed to the group's ascendance. Resource struggles related to the shrinking of Lake Chad, once one of Africa's largest lakes, have further exacerbated tensions among communities that Boko Haram has reportedly sought to exploit.[41]

The nickname *Boko Haram* was given by Hausa-speaking communities to describe the group's narrative that Western education and culture are corrupting influences and *haram* ("forbidden"). Boko Haram's ideology combines an exclusivist interpretation of Sunni Islam—one that rejects not only Western influence but also democracy, pluralism, and more moderate forms of Islam—with a "politics of victimhood" that resonates in parts of Nigeria's underdeveloped north.[42] Some of its fighters have reportedly been recruited by financial incentives or under threat.[43]

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Who Killed Marchers Were Provoked. Video Shows Otherwise," *The New York Times,* December 17, 2018.

[36] Conor Gaffey, "Nigeria's Muhammadu Buhari Calls for End to Biafra Agitation," *Newsweek*, December 2, 2016.

[37] Amnesty International, "Nigeria: At Least 150 Peaceful Pro-Biafra Activists Killed in Chilling Crackdown," November 24, 2016.

[38] See, e.g., Nnamdi Obasi, "Nigeria's Biafran Separatist Upsurge," International Crisis Group Blog, December 4, 2015 and Nnamdi Obasi, "Nigeria: How to Solve a Problem Like Biafra," African Arguments Blog, May 29, 2017.

[39] See Jacob Zenn et. al, *Boko Haram Beyond the Headlines: Analyses of Africa's Enduring* Insurgency, Combating Terrorism Center (CTC) at West Point, May 9, 2018; Alex Thurston, *Boko Haram: The History of an African Jihadist Movement* (Princeton, New Jersey: Princeton University Press, 2017); and Brandon Kendhammer and Carmen McCain, *Boko Haram* (Athens, Ohio: Ohio University Press, 2018).

[40] See, e.g., United Nations Development Program (UNDP), *Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment,*" 2017.

[41] For more, see, e.g., U.N. Population Fund, Demographic Dynamics and the Crisis of Countries Around Lake Chad, June 26, 2017; Ben Taub, "Lake Chad: The World's Most Complex Humanitarian Disaster," *The New Yorker*, December 4, 2017; and Philip Obaji Jr., "Recharging Lake Chad Key to Ending the Conflict Between Farmers and Herders," IPI Global Observatory, September 5, 2018.

[42] Alex Thurston. *"*The Disease is Unbelief': Boko Haram's Religious and Political Worldview,*"* Brookings Institution, January 2016.

[43] Mercy Corps, *Motivations and Empty Promises: Voices of Former Boko Haram Combatants and Nigerian Youth*, February 2015.

Some 16,000 people are estimated to have been killed in Boko Haram violence since 2011, and more than 2 million Nigerians are internally displaced.[44] The group has also abducted a large number of civilians, including schoolgirls from Chibok (in 2014) and Dapchi (in 2018); some have escaped or been rescued or released, but dozens from Chibok remain missing as of late 2018, in addition to hundreds of other abductees. Boko Haram has routinely used women and children as suicide bombers since 2014.

### *The Nigerian Response*

Boko Haram commenced a territorial offensive in mid-2014 that Nigerian forces struggled to reverse until early 2015, when regional forces, primarily from Chad, launched a counteroffensive. Regional efforts to counter Boko Haram and its Islamic State-affiliated splinter group (see below) are coordinated within the African Union-authorized Multi-National Joint Task Force (MNJTF). The MNJTF has received U.S. and other donor support. The regional force has found success reclaiming some Boko Haram-held territory, but many areas remain insecure and militants continue to stage attacks in northeastern Nigeria and border areas of Cameroon and Niger.

Multiple factors have undermined the Nigerian response to Boko Haram, notably security sector corruption and mismanagement. A July 2018 report by the Carnegie Endowment for International Peace concluded that "decades of unchecked corruption have hollowed out the Nigerian military and security services and rendered them unable to effectively combat Boko Haram or address ethno-religious and communal conflict."[45] The State Department has also identified other dynamics limiting the response, including a lack of coordination and cooperation between Nigerian security agencies, limited database use, the slow pace of the judicial system with regard to charging and trying suspected militants, and a lack of sufficient training for prosecutors and judges to implement antiterrorism laws.[46] The International Crisis Group, among others, has called for comprehensive defense sector reform, including "a drastic improvement in leadership, oversight, administration and accountability across the sector."[47]

### *Boko Haram's Fracture and the Emergence of Islamic State-West Africa*

Boko Haram currently appears to pose a threat primarily in northern Nigeria and surrounding areas in neighboring countries. The group also poses a threat to international targets, including Western citizens, in the region. Boko Haram's self-described leader, Abubakar Shekau, has issued threats against the United States, but to date no U.S. citizens are known to have been kidnapped or killed by the group. Boko Haram's 2015 pledge of allegiance to the Islamic State raised its profile and may have provided recruitment and fundraising opportunities, though the extent to which affiliation has facilitated operational ties remains unclear (see text box).

In August 2016, the Islamic State recognized the leader of a breakaway faction, Abu Musab al-Barnawi, as the new leader of the Islamic State-West Africa (IS-WA). Barnawi is reported to be the son of Boko Haram founder Mohammed Yusuf and had previously served as Boko Haram's spokesman.[48] His group has reportedly focused its attacks primarily on security force and

[44] Fatality figure compiled by the Council on Foreign Relations' Nigeria Security Tracker subject to periodic review; displacement figures from the International Organization for Migration *Displacement Tracking Matrix*, October 2018.

[45] Matthew Page, *A New Taxonomy for Corruption in Nigeria*, Carnegie Endowment for International Peace, July 2018.

[46] See State Department, *Country Reports on Terrorism: Nigeria*, 2015-2017.

[47] International Crisis Group, *Nigeria: The Challenge of Military Reform*, June 6, 2016.

[48] State Department, "Terrorist Designations of ISIS Affiliates and Senior Leaders," February 27, 2018.

government targets on both sides of the Nigeria-Niger border, mainly operating in Nigeria's Borno state, where both groups appear most active. The name "Boko Haram" is still often used to refer to both groups, reflecting their common history and underscoring debate over the extent to which they are perceived as distinct. Shekau apparently continues to head the other faction. The U.S. Department of Defense has estimated IS-WA to have approximately 3,500 fighters and Boko Haram to have roughly 1,500.[49]

The Barnawi-led faction, IS-WA, was reportedly responsible for the February 2018 kidnapping of over 100 schoolgirls from the northeast town of Dapchi. It has also been credited with a series of devastating attacks against Nigerian military bases in 2018, including a spate of raids in late 2018 that reportedly killed more than 100 soldiers. The military has struggled to defend these bases, and the attacks and resulting death toll have reportedly damaged morale.[50]

**Islamic State-West Africa (IS-WA)**

In March 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. 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 [caliphate]."

Branding itself as part of the Islamic State may have provided recruitment and fundraising opportunities, but the extent to which affiliation has facilitated operational ties between either Boko Haram faction and Islamic State "Central" 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. IS-WA is reported to be the largest Islamic State cell on the continent (significantly larger in size, for example, than cells in Egypt and Libya).[51]

The State Department designated both Boko Haram and IS-WA as FTOs under Section 219 of the Immigration and Nationality Act, as amended, and as Specially Designated Global Terrorists (SDGTs) under Executive Order 13224.[52] 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[53] linked to Boko Haram as SGDTs in June 2012, including Shekau, and in 2013 issued a $7 million reward for information on the location of Shekau through its Rewards for Justice program. 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" broadly aligned with Al Qaeda in 2012, and designated Boko Haram as such in July 2013. Boko Haram was added to the U.N. Al Qaeda sanctions list in May 2014. The State Department designated two more senior Boko Haram leaders as SDGTs in December 2015 and added IS-WA leader Barnawi in February 2018.

[49] Ryan Browne, "US warns of growing African terror threat," April 19, 2018.

[50] Obi Anyadike, "'Year of the Debacle': How Nigeria Lost Its Way in the War Against Boko Haram," *World Politics Review*, October 30, 2018.

[51] Jason Warner and Charlotte Hulme, "The Islamic State in Africa: Estimating Fighter Numbers in Cells Across the Continent," *CTC Sentinel*, Vol. 11, Issue 7, August 2018.

[52] 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.

[53] Shekau, along with Khalid al-Barnawi (not Abu Musab al-Barnawi) and Abubakar Adam Kambar—both of whom had ties to Boko Haram and close links to AQIM, according to the State Department—were designated as SDGTs. Kambar was reportedly killed in 2012, and Nigerian officials confirmed the arrest of Khalid al-Barnawi in April 2016.

## The Niger Delta and its Militants

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.[54] Compared to national averages, 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 production began, causing major damage to the fragile riverine ecosystem and to the livelihoods of many of the Delta's 30 million inhabitants. In 2011, the United Nations Environment Program (UNEP) estimated that it could take 25 to 30 years to clean up Ogoniland, a coastal region in Rivers State hard-hit by pollution.[55] After several delays, the Nigerian government launched a $1 billion Ogoniland restoration program in 2017.

Local grievances related to oil production have fueled conflict and criminality for years. An amnesty program launched in 2009 that includes monthly stipends for former militants largely quieted the area, but attacks on oil installations by a militant group that emerged in 2016 pushed production to a 30-year low and sent Nigeria's economy into recession.[56] The resurgence of militant activity may have been linked to President Buhari's intention to end the amnesty, which had originally been scheduled to expire in late 2015, or his decision to cancel pipeline security contracts awarded to prominent former militant leaders by the Jonathan government. In response to renewed violence, Buhari agreed to extend the amnesty and later nearly tripled its budget; a fractious peace returned to the region in mid-2017 and oil production has since rebounded. Nevertheless, ex-militants routinely threaten to resume attacks, and little has been done to develop long-term solutions to the violence.

Research suggests some former Delta militants have leveraged the resources and patronage opportunities presented by the amnesty to enter politics.[57] Meanwhile, some reportedly remain involved in local and transnational criminal activities, including piracy and drug and arms trafficking. These networks overlap with oil theft and contribute to piracy off the Nigerian coast in the Gulf of Guinea, one of the world's most dangerous bodies of water (see below).

## Security Sector Abuses

Nigerian military and police have been accused of serious human rights abuses, and activists contend that successive Nigerian administrations have done little to hold abusers accountable.[58] The State Department's 2017 human rights report documents allegations by multiple sources of "extrajudicial and arbitrary killings" as well as "torture, periodically in detention facilities, including sexual exploitation and abuse; use of children by some security elements, looting, and destruction of property." While Nigerian officials have acknowledged some abuses by security

[54] 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. 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 Ogoni politicians. They pled not guilty, but Saro-Wiwa and eight others were convicted and executed. The executions sparked outrage against the regime of military ruler Sani Abacha, and the United States recalled its ambassador in response.

[55] United Nations Environment Programme (UNEP), *Environmental Assessment of Ogoniland*, 2011.

[56] "Nigeria's Buhari Sacks Head of Niger Delta Amnesty Programme," Reuters, March 13, 2018.

[57] SDN, *Agitators to legislators: The migration of ex-militants into Niger Delta politics*, December 2018.

[58] Human Rights Watch (HRW), Amnesty International (AI), and other human rights groups have released numerous reports on Nigerian security force abuses. See, e.g., AI, *Nigeria: Human Rights Violations by the Military Continue in the Absence of Accountability for Crimes under International Law: Written statement to the 32nd Session of the UN Human Rights Council*, June 6, 2016.

forces, few security personnel have been prosecuted. The State Department's report suggests that authorities do not investigate the majority of cases of police abuse or punish perpetrators.

Abuses by the Nigerian army have taken a toll on civilians and reportedly driven some support for Boko Haram;[59] they have also complicated U.S. efforts to pursue greater counterterrorism cooperation (see below). Major incidents include the army's alleged massacre of more than 640 people at a military detention facility in northeast Borno state in 2014 and a January 2017 air force bombing raid on an internally displaced persons (IDP) camp in Borno that killed as many as 200 people, many of them children. The military also has been accused of committing human rights violations outside of the terror-affected northeast; in late 2017, for instance, an air raid in response to herder-farmer violence in Adamawa state reportedly killed dozens of villagers.

The military also has cracked down on domestic and international civil society. In December 2018, citing national security concerns, Nigeria's military suspended activities by the U.N. Children's Fund (UNICEF)—a ban it promptly revoked under widespread pressure—and separately threatened to prohibit operations by Amnesty International. In January 2019, military personnel raided the offices of the *Daily Trust*, a respected Abuja-based newspaper, for "undermining national security" by reporting on a planned military operation in the northeast; soldiers reportedly confiscated computers and arrested several staff members.[60]

Human rights monitors have also documented serious abuses by the paramilitary Civilian Joint Task Force (CJTF), a militia that emerged to combat the Boko Haram insurgency.[61] Some observers warn that the government may struggle to demobilize the CJTF, which reportedly numbers over 23,000; some of its members may be integrated into the military or police.[62]

# Reform Initiatives

## Efforts to Combat Corruption

Corruption in Nigeria has been characterized as "massive, widespread, and pervasive," by the State Department, and by many accounts, Nigeria's development will be hampered until it can address the perception of impunity for corruption and fraud.[63] Several analyses have been done seeking to quantify the costs of corruption in Nigeria, which pervades a range of sectors and all levels of government.[64] A 2017 study estimated that Nigeria had lost some $65 billion to power sector corruption from 1999 to 2015,[65] for instance, while a nationwide survey estimated that Nigerian officials took some $4.6 billion in bribes in the year to May 2016.[66] Several international

[59] See UNDP, *Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment,*" op cit.

[60] Committee to Protect Journalists, "Nigeria's military raids Daily Trust offices, arrests editor," January 7, 2019.

[61] See, e.g., Amnesty International, *"They Betrayed Us": Women who survived Boko Haram raped, starved and detained in Nigeria,* May 2018.

[62] Hilary Matfess, "Nigeria Wakes Up To Its Growing Vigilante Problem," IRIN, May 9, 2017; Idayat Hassan and Zacharias Piero, "The Rise and Risks of Nigeria's Civilian Joint Task Force: Implications for Post-Conflict Recovery in Northeast Nigeria," *Boko Haram Beyond the Headlines: Analyses of Africa's Enduring Insurgency*, Combating Terrorism Center at West Point, May 9, 2018.

[63] State Department, "Nigeria," *Country Report on Human Rights Practices 2017*.

[64] For a study of official corruption in Nigeria, see Matthew Page, *A New Taxonomy for Corruption,* op cit.

[65] Socio-Economic Rights and Accountability Project (SERAP), "*From Darkness to Darkness": How Nigerians are Paying the Price for Corruption in the Electricity Sector*, August 2017.

[66] U.N. Office on Drugs and Crime, *Corruption in Nigeria—Bribery: public experience and response*, July 2017.

firms have been implicated in Nigerian bribery scandals. Nigeria is also known globally for cybercrimes, including "419 scams," advance-fee fraud so-named for the article in the country's penal code that outlaws fraudulent e-mails. More recently, analysts have drawn particular attention to "security votes"—opaque discretionary funds widely used throughout the Nigerian government that are particularly vulnerable to embezzlement. Security votes are estimated to total over $670 million annually.[67] According to Transparency International, the Buhari Administration has expanded the number and scale of such discretionary accounts in advance of the 2019 polls. In 2017, Nigeria ranked 148th out of 180 countries on Transparency International's *Corruption Perception Index*, a measure of domestic perceptions of corruption.

Most observers agree that the oil and gas industries form the core of illicit self-enrichment networks in Nigeria, where petroleum provides the majority of government revenues and export earnings. One expert considers petroleum revenues to be "the lifeblood of official corruption in Nigeria," whose "epicenter" is the state oil company, the Nigerian National Petroleum Corporation (NNPC).[68] 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. Former dictator Sani Abacha reportedly stole more than $3.5 billion, much of it originating in the country's oil sector, 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 (DOJ) announced that a federal court in the District of Columbia had ordered forfeited to the United States more than $480 million in Abacha corruption proceeds laundered through U.S. banks and held in foreign bank accounts.[69] DOJ has authority to pay restitution to the victims of the corruption out of the forfeited funds.[70] In 2017, the Swiss government agreed to restitute $321 million through a project overseen by the World Bank, resulting in a total return of $1.2 billion by Switzerland in Abacha assets. In 2017, a Nigerian NGO requested that the Trump Administration return $500 million in Abacha assets "separate from the $480 million" forfeited by the DOJ in 2014.[71] In a mid-2018 visit to the White House, President Buhari announced that Nigeria and the United States were collaborating to secure "the return to Nigeria of over 500 million United States dollars of looted funds siphoned away in banks around the world."[72] Other governments are reportedly assisting in that repatriation effort.[73]

Illicit expropriation of Nigeria's resources did not stop with Abacha. In a 2013 letter to President Jonathan later made public, central bank governor Lamido Sanusi asserted that up to $20 billion in NNPC revenue could not be accounted for and had likely been diverted in the course of opaque no-bid oil contracts and "swap deals" in which crude oil is exported in exchange for refined fuel, among other "leakages."[74] The NNPC denied the allegations, yet then-Minister of Petroleum Resources Diezani Alison-Madueke has since come under investigation for corrupt practices during her tenure as NNPC chairwoman. In December 2018, the EFCC issued an arrest warrant

[67] Transparency International, *Camouflaged Cash: How 'Security Votes' Fuel Corruption in Nigeria*, May 2018.

[68] Ibid.

[69] DOJ, "U.S. Forfeits Over $480 Million Stolen by Former Nigerian Dictator in Largest Forfeiture Ever Obtained Through a Kleptocracy Action," August 7, 2014.

[70] 28 C.F.R. pt. 9 (2018).

[71] SERAP, "SERAP writes Trump, demands return of Nigeria's stolen assets," February 5, 2017.

[72] The White House, "Remarks by President Trump and President Buhari of the Federal Republic of Nigeria in Joint Press Conference," April 30, 2018.

[73] Elisha Bala-Gbogbo, "Nigeria Gets Deal for Return of $500 Million of Stolen Funds," *Bloomberg*, June 13, 2018.

[74] Tim Cocks and Joe Brock, "Special Report: Anatomy of Nigeria's $20 Billion 'Leak,'" *Reuters*, February 6, 2015.

for Alison-Madueke, who also faces charges in an ongoing UK global corruption inquiry. Separately, in 2017, the U.S. DOJ filed a civil complaint seeking the forfeiture of $144 million in ill-gotten assets resulting from corrupt oil dealings between Alison-Madueke and her associates.[75]

Observers have identified major structural challenges that render Nigeria's petroleum industry particularly vulnerable to corruption.[76] One key shortcoming is the NNPC's reliance on direct sale-direct purchase (DSDP) contracts, whereby crude oil is exported in exchange for refined petroleum products—transactions associated with high corruption risks, in part due to the abundance of intermediaries involved.[77] Other factors include a general lack of oversight of the NNPC's operations and financial management, amid repeated concerns that the NNPC has failed to remit sufficient revenues to the federal government.[78] Underscoring the extent of corruption in Nigeria's oil industry, investigations continue into bribes attending the 2011 purchase, by Eni and Royal Dutch Shell, of a license for OPL 245, a massive offshore block. The scandal has spurred a series of lawsuits, including an ongoing trial in which top Shell and Eni executives, including Eni's CEO, are defendants; in late 2018, an Italian court sentenced two accused intermediaries in the deal to four-year prison sentences.[79] Global Witness, an international resource governance NGO, asserts that OPL 245's sale at an artificially deflated price may have cost the Nigerian government an estimated $6 billion in expected revenue.[80]

The Buhari Administration has introduced legislation to increase transparency in the oil industry (see below), and the EFCC is pursuing investigations into alleged large-scale graft during the Jonathan government. Notable targets of such inquiries include Alison-Madueke as well as former National Security Advisor Colonel Sambo Dasuki, accused of embezzling more than $2 billion through fraudulent security sector procurements. Acting EFCC Chairman Ibrahim Magu has also probed allegations against members of the ruling party, including former APC governors. Yet observers warn that the political influence of beneficiaries of grand corruption in Nigeria may thwart attempts at comprehensive reform. Magu's efforts have reportedly stirred discontent across the country's political class, and key targets of his campaign have thus far escaped prosecution.[81]

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

Beyond graft related to the allocation of state oil revenues, concession licensing, and exploration and extraction permits, the outright theft of crude, known 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. The United Nations reports that, in 2017, "oil-related crimes resulted in the loss of nearly $2.8 billion in revenues."[82] According to previous estimates, between $3 billion and $8 billion in Nigerian oil may be stolen annually.[83] Niger Delta militants, Nigerian politicians, security

[75] DOJ, "Department of Justice Seeks to Recover Over $100 Million Obtained From Corruption in the Nigerian Oil Industry," July 14, 2017.

[76] See Aaron Sayne, Alexandra Gillies, and Christina Katsouris, *Inside NNPC Oil Sales: A Case for Reform in Nigeria*, Natural Resource Governance Institute (NRGI), August 2015.

[77] The NRGI considers DSDP contracts to be an improvement over many of Nigeria's traditional oil-for-product "swap deals," while noting the continued risk of corruption and mismanagement. See Aaron Sayne, *Securing Fair Value from Nigeria's DSDP Contracts*, NRGI Briefing, March 2017.

[78] Alexandra Gillies and Aaron Sayne, *NNPC Still Holds 'Blank Check'*, NRGI Briefing, March 2016.

[79] Emilio Parodi, "Italian judge jails two in Nigerian oil graft case," *Reuters*, September 20, 2018.

[80] Global Witness, *Take the Future: Shell's Scandalous Deal for Nigeria's Oil*, November 26, 2018.

[81] See, e.g., *Africa Confidential*, "The Probity Contest," July 27, 2018.

[82] U.N. Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, U.N. doc. S/2018/1175, December 28, 2018.

[83] Christina Katsouris and Aaron Sayne, *Nigeria's Criminal Crude: International Options to Combat the Export of*

officers, and oil industry personnel have been implicated in the theft of Nigerian crude. A lack of transparency compounds challenges in addressing oil theft in the Nigerian oil industry.

Oil theft networks, to which some Niger Delta militant groups are tied, have also been implicated in moving drugs and other illicit materials. Experts suggest trade in stolen oil supports the spread of other transnational organized crimes in the Gulf of Guinea, including maritime piracy. The U.K.-based International Maritime Bureau (IMB) reports that attacks against ships off the Nigerian coast "continue to rise substantially," with 48 such incidents in 2018 alone—driving a broader piracy increase in the Gulf of Guinea, which saw 79 attacks in 2018, more than double the total in 2017.[84]

## Petroleum and Power Sector Reforms

Despite its status as one of the world's largest crude oil exporters, Nigeria reportedly imported as much as 90% of the country's gasoline for domestic consumption in 2017 and suffers periodically from severe fuel and electricity shortages.[85] In an effort to increase its refining capacity and halt oil imports by 2020, the government has granted permits in recent years for the construction of new independently owned refineries.[86]

Nigeria's domestic subsidy on gasoline 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. At the recommendation of the International Monetary Fund (IMF) and others, President Jonathan cut the subsidy in 2011, sparking strong domestic opposition, including riots. In the face of mass protests and a nationwide strike, the government backtracked and reinstated a partial subsidy, then estimated at 2% of GDP.[87] Public scrutiny of the program has increased amid revelations that billions of dollars allocated for the subsidy may have been misappropriated under Jonathan. The subsidy remains in place despite calls for its elimination from international financial institutions; in March 2018, the NNPC estimated that the subsidy costs more than $2 million per day, while warning that much of the oil sold in Nigeria is smuggled for sale at higher prices in neighboring countries.[88] Analysts contend that the subsidy hampers growth, as gains in revenue associated with global oil price increases are at least partly offset by rising subsidy costs.[89]

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.[90] 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 had stalled in parliament for years, and the

*Stolen Oil*, Chatham House, September 2013.

[84] International Chamber of Commerce International Maritime Bureau (IMB), *Piracy and Armed Robbery Against Ships: Report for the Period of 1 January – 31 December 2018*, January 2019.

[85] *Reuters*, "Nigerian State Oil Firm Spent $5.8 Bln on Fuel Imports Since Late 2017," February 20, 2018.

[86] 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.

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

[88] Chineme Okafor, "Smugglers Force NNPC to Record N774m Deficit in Petrol Supply," *This Day*, March 5, 2018.

[89] Neil Munshi, "Nigeria's fuel subsidies bill set to soar on rising oil price," *Financial Times*, October 8, 2018.

[90] "Nigeria's Buhari Warns the Corrupt: 'No Longer Business as Usual,'" Agence France-Presse, October 6, 2015.

regulatory uncertainty surrounding its passage has deterred investment. Lawmakers subsequently split the PIB into four different bills to enable more rapid passage; the first bill, the Petroleum Industry Governance Bill (PIGB), would restructure the NNPC to create four new entities to oversee and regulate bidding and exploration. The NNPC has long been criticized for its lack of transparency and observers have welcomed efforts to improve it, though substantive reform will likely face significant pushback from elites benefitting from the current system.

**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.[91] 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 PIB/PIGB, however, has arguably hindered development of the sector.

## Financial Sector Reforms

Successive Nigerian administrations have made commitments to economic reform, but their track record has been mixed. According to the IMF, reforms initiated under Obasanjo—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.[92] Beginning in 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 revenue shortfalls due to the slump in oil prices, Nigeria has increasingly sought loans from the international community. In 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.[93] Engagement with international financial institutions has expanded under Buhari: in June 2018, the World Bank announced that it had approved a total of $2.1 billion in concessionary loans to Nigeria through its International Development Association (IDA) entity to support access to electricity, promote nutrition, and enhance governance. The government's Eurobond sales garnered $4.8 billion in 2017, with an additional $2.5 million sold in February 2018.[94] The IMF notes that reforms under the Buhari Administration have resulted in "significant strides in strengthening the business environment and steps to improve governance," but stresses the need for non-oil sector activity and revenue mobilization and further structural reforms.[95]

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.[96] The IMF has lauded Buhari's Economic Growth and Recovery Plan (ERGP), which is intended to drive diversification, create jobs, and secure macroeconomic stability. The

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

[92] IMF, "Staff Report for the Article IV Consultation with Nigeria," July 2012.

[93] "Nigerian Govt Borrowing Billions to Pay Salaries – Okonjo-Iweala," *Premium Times*, May 6, 2015.

[94] Paul Wallace and David Malingha Doya, "Nigeria Sells $2.5 Billion Eurobonds to Replace Naira Debt," *Bloomberg*, February 16, 2018.

[95] IMF, "IMF Executive Board Concludes 2018 Article IV Consultation with Nigeria," March 7, 2018.

[96] IMF, "IMF Staff Completes 2016 Article IV Mission to Nigeria," February 24, 2016.

Fund has also welcomed the decline of Nigeria's external debt to GDP ratio, though public debt remains highly sensitive to fluctuations in oil sales and the currency exchange rate.

# Economy

Despite its oil wealth and large economy, Nigeria's population is among the world's poorest, and the distribution of wealth is highly unequal. The average life expectancy for Nigerians (estimated at 59 years in 2018) is rising, but the percentage of the population living on less than $1.90 per day has grown in the past decade to a projected 87 million, making Nigeria the country with the largest population living in extreme poverty.[97] 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, according to the World Bank. Nigeria ranked 157 out of 189 in the United Nations' 2018 *Human Development Index* (HDI).[98] Decades of economic mismanagement, instability, and corruption have hindered investment in education and social services and stymied industrial growth.

These challenges notwithstanding, Nigeria has attained notable success in public health provision. A small Ebola outbreak in mid-2014 was swiftly contained, enabling World Health Organization (WHO) authorities to declare the country Ebola-free in October 2014. The country has taken great strides to eradicate polio, though sporadic cases have precluded its designation as polio-free. Other successes include decreasing malaria and tuberculosis prevalence and reducing HIV prevalence among pregnant women. Nigeria's HIV/AIDS adult prevalence rate of 2.9% is relatively low in comparison to Southern African nations, but Nigeria comprises the largest HIV-positive population in the world after South Africa, with more than 3 million infected persons. Malaria remains the leading cause of death in Nigeria.

In 2014, the Nigerian government announced the rebasing of its economy, which is now recognized as the largest in Africa.[99] The rebased GDP, substantially larger than South Africa's, was almost double what it was previously thought to have been and less reliant on the petroleum sector than expected. Nigeria's GDP now ranks 30th in the world, according to the World Bank, with notable nonoil contributions from the country's mining, services, manufacturing, and agriculture sectors.[100] Economists suggest that the economy nevertheless continues to underperform, held back by poor infrastructure and electricity shortages.

Low global oil prices, compounded by Niger Delta militant attacks on oil installations, led to a recession and sharp decline in real GDP growth in 2016. A subsequent rebound saw growth reach 1.9% in 2018; the IMF forecasts real GDP growth of 2.0% in 2019.[101] The Organization of the Petroleum Exporting Countries estimated Nigeria's crude oil production to be 1.72 million barrels

[97] According to the dataset, extreme poverty headcount grows by six people per minute in Nigeria. Data from German-funded World Poverty Clock, see e.g., Homi Kharas, Kristofer Hamel & Martin Hofer, "The Start of a New Poverty Narrative," Brookings Institution, June 19, 2018.

[98] U.N. Development Program HDI, *2018 Statistical Update*, at http://hdr.undp.org/en/2018-update.

[99] 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.

[100] National Bureau of Statistics, *Nigerian Gross Domestic Product Report Q3 2017*, November 2017. GDP world ranking from the World Bank.

[101] For 2018 figure see IMF World Economic Outlook Database, October 2018 update. For 2019 projection, see IMF, "Nigeria and the IMF," at https://www.imf.org/en/Countries/NGA.

per day (BPD) in 2018, up from 1.66 BPD in 2017 yet below levels recorded in 2010-2015.[102] Insecurity poses a perennial threat to this output: in June 2018, vandalism by oil thieves prompted Shell's Nigerian subsidiary to briefly declare force majeure on exports from one of its streams.[103]

China has played a growing role in Nigeria's economy, notably through investment in transport infrastructure, manufacturing, and agriculture and energy projects. According to the American Enterprise Institute, Chinese investments and contracts in Nigeria totaled $8 billion in 2018, when Nigeria ranked as the largest recipient of Chinese investment in sub-Saharan Africa.[104] Notable projects include the 700MW Zungeru hydropower plant, projected to be completed in 2020; CNEEC-Sinohydro Consortium, a Chinese firm, is developing the $1.3 billion project, which is jointly funded by the Nigerian and Chinese governments.[105] China is also involved in the development of the massive Mambilla hydropower project, which is slated to produce more than 3,000MW of energy once operational. The four-dam, $5.8 billion Mambilla project is being constructed by Chinese firms and is largely funded by China's Exim Bank and other Chinese lenders; it is reportedly expected to be completed in 2023.[106]

## U.S.-Nigeria Trade

Nigeria is the United States' second-largest trading partner in Africa and the third-largest beneficiary of U.S. foreign direct investment on the continent. Two-way trade was over $9 billion in 2017, when U.S. investment stood at $5.8 billion.[107] 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.

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, although U.S. purchases of Nigerian sweet crude have fallen substantially since 2012 as domestic U.S. crude supply increased. 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. India has recently been the largest importer of Nigerian crude. 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 aimed to secure up to $1.5 billion in U.S. exports of goods and services to support power generation reforms. Nigeria is a partner country under USAID's Power Africa initiative, which aims to facilitate 60 million new connections to electricity and 30,000 megawatts of new power generation in Africa by 2030.[108]

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[102] OPEC, *Monthly Oil Market Report,* January 17, 2019.

[103] "Shell Says Force Majeure Still in Place on Nigerian Bonny Crude," Reuters, May 21, 2018.

[104] American Enterprise Institute, "China Global Investment Tracker," accessed January 22, 2019.

[105] *Sahara Reporters*, "Funds May Stall Zungeru Power Project, Says Ministry of Power," March 15, 2018.

[106] Simon Echewofun Sunday, "What to expect for 3050MW Mabilla hydropower in 2018," *Daily Trust*, January 8, 2018.

[107] Assistant Secretary of State Tibor Nagy, "The Enduring Partnership between the United States and Nigeria," November 9, 2018.

[108] See USAID, "Power Africa," at https://www.usaid.gov/powerafrica.

# Issues for Congress

## U.S. Policy Toward 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 (1999-2007) and remain robust. Diplomatic engagement is sometimes tempered by U.S. concerns with human rights, governance, and corruption issues, which Nigerian officials sometimes reject as U.S. interference in their domestic affairs. In 2010, the Obama and Jonathan Administrations established the U.S.-Nigeria Binational Commission (BNC) as a strategic dialogue to address issues of mutual concern. Buhari's election in 2015 ushered in an improvement in bilateral relations, which became strained due to U.S. criticisms of the Jonathan Administration's corruption and poor handling of the Boko Haram crisis. President Obama hosted President Buhari at the White House in 2015.

Bilateral relations under the Trump Administration appear broadly consistent with those pursued under the Obama Administration. President Trump's call to President Buhari in February 2017, his first to any sub-Saharan African leader, suggested continued emphasis on the importance of the bilateral relationship, and Nigeria was among the counties visited by then-Secretary of State Rex Tillerson in March 2018. President Buhari was the first sub-Saharan leader to visit the Trump White House, in April 2018. During the visit, President Trump lauded Nigeria's security efforts and U.S. cooperation while voicing the need to improve commercial and business ties. In November 2017, the Commerce Department launched the U.S.-Nigeria Commercial and Investment Dialogue (CID) with an initial focus on "infrastructure, agriculture, digital economy, investment, and regulatory reform."[109] Deputy Secretary of State John Sullivan outlined security cooperation, economic growth and development, and democracy and governance as defining goals of U.S.-Nigerian relations during the 2017 meeting of the BNC.[110]

Assistant Secretary of State for African Affairs Tibor Nagy visited Nigeria during his first official trip to the continent, in November 2018. He indicated a U.S. interest in seeing Nigeria play a larger role in the region, both in terms of peacekeeping and advancing democracy.[111] The Assistant Secretary described Nigeria as at the center of his efforts to increase U.S. trade and investment in Africa.[112] He and other U.S. officials have stressed the importance of free, fair, transparent, and peaceful elections in 2019. The United States and like-minded donors expressed concern with reported intimidation, interference, and vote-buying during gubernatorial elections in 2018.[113]

The United States maintains an embassy in Abuja and a consulate in Lagos. The State Department also maintains "American Corners" in libraries throughout the country to share information on the culture and values of the United States. The State Department's travel advisory for U.S. citizens regarding travel to Nigeria notes the risks of armed attacks in the Niger Delta and the

[109] U.S. Mission in Nigeria, "U.S. & Nigeria Agree to Commercial and Investment Dialogue," November 21, 2017.

[110] Remarks of Deputy Secretary of State John Sullivan, "U.S.-Nigeria Bi-National Commission," November 20, 2017.

[111] Nigeria ranked among the top ten troop contributors to UN peacekeeping missions until 2016; in late 2018 it ranked 41st. Nigeria was a key troop contributor to the UN mission in Liberia, which ended in early 2018—its declining troop contribution to UN missions partly reflects the drawdown of that mission and the one in Darfur, but it may also reflect competing domestic priorities, i.e., operations to counter Boko Haram.

[112] Assistant Secretary Nagy, "The Enduring Partnership between the United States and Nigeria," November 9, 2018.

[113] U.S. Embassy in Nigeria, Statement on the Occasion of the Beginning of the 2019 Election Campaign, November 18, 2018.

northeast as well as the threat of piracy in the Gulf of Guinea, and it warns against travel to Borno, Yobe, and northern Adamawa states.[114]

## 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 has provided the country with security assistance focused on enhancing its peacekeeping capabilities. Given Nigeria's strategic position along the coast of the Gulf of Guinea, the United States has also coordinated with Nigeria through various regional forums and maritime security initiatives.[115] 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 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 and in 2007 launched the African Partnership Station (APS) there.[116] APS deployments have included port visits to Nigeria and joint exercises between U.S., Nigerian, European, and other regional navies.

Bilateral counterterrorism cooperation increased in the aftermath of the 2009 bombing attempt of a U.S. airliner by a Nigerian national,[117] but was constrained during the Jonathan Administration despite U.S. concern over the rising Boko Haram threat. 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. Cooperation with the Department of Defense has also expanded in recent years. 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, however, has been minor in comparison to Sahel countries.

U.S. military assistance for regional efforts to counter Boko Haram has been channeled primarily through engagement with Nigeria's neighbors: Cameroon, Chad, and Niger. Support has also been focused on the region's Multinational Joint Task Force (MNJTF). The United States and several other foreign countries conduct periodic aerial surveillance operations in the region.

Many U.S. officials, while stressing the importance of the bilateral relationship and the gravity of security threats in and potentially emanating from the country, have been concerned about abuses by security services, and about the government's limited efforts to address perceived impunity within the forces. Obama Administration concerns culminated in the 2014 decision to block the sale of U.S.-manufactured Cobra helicopters by Israel to Nigeria.[118] Security cooperation

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[114] See http://travel.state.gov for the latest warning.

[115] 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.

[116] 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.

[117] 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.

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

subsequently improved and the Obama Administration proceeded with plans for the sale of 12 Super Tucano A-29 aircraft and accompanying ammunition and weaponry, but when a Nigerian jet struck an IDP camp in early 2017, the United States suspended the process. The Trump Administration revisited and approved the sale, worth an estimated $345 million, in December 2017.[119] In a joint press conference during Buhari's 2018 visit to the White House, President Trump downplayed the Obama Administration's concerns.[120] Buhari has faced domestic pressure around the purchase, particularly over his withdrawal, reportedly without parliamentary approval, of nearly $900 million from Nigeria's Excess Crude Account to fund the Super Tucano acquisition and other security-related purchases.[121] According to the contract award, work on the Super Tucanos is expected to be completed in May 2024.[122]

Nigerian officials are reportedly sensitive to perceived U.S. interference in internal affairs and have sometimes rejected other forms of assistance, in particular some U.S. military training offers. Upon taking office, President Buhari pledged to "insist on the rule of law, and deal with any proven cases of deviation from laws of armed conflict, including human rights abuses."[123] Nonetheless, observers question whether the government has taken serious steps to hold senior commanders responsible for abuses, and raise concern that "scorched earth" tactics may persist.

## 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 an average of over $450 million annually (see **Table 1**). According to the State Department's FY2019 Congressional Budget Justification, "assistance will address the drivers of conflict by seeking to strengthen democratic governance, broaden economic growth by introducing methods that increase agricultural sector productivity and efficiency, and expand the provision of basic services to Nigerians at the state and local levels."[124] 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 economic growth initiatives in Nigeria.

**Table 1. Recent U.S. Assistance and FY2019 Requests**

(U.S. dollars, thousands)

| | DA | GHP-USAID | GHP-State | ESF/ESDF | IMET | FMF | FFP | INCLE | Total |
|---|---|---|---|---|---|---|---|---|---|
| **FY2015 Actual** | 57,800 | 173,500 | 403,236 | 4,600 | 817 | 600 | 2,200 | - | 642,753 |
| **FY2016 Actual** | 47,100 | 174,500 | 232,784 | 7,000 | 866 | 600 | 7,000 | - | 469,850 |

[119] DOD, "Contracts for Nov. 28, 2018," DOD Release No: CR-228-18.

[120] The White House, "Remarks by President Trump and President Buhari of the Federal Republic of Nigeria in Joint Press Conference," April 20, 2018.

[121] Tope Alake, "Nigeria MPs Dispute Buhari's $496 Million Jets, ThisDay Reports," *Bloomberg*, April 24, 2018.

[122] See DOD, "Contracts for Nov. 28, 2018," op. cit.

[123] *Premium Times*, "Buhari Vows To Punish Officers, Soldiers Involved in Human Rights Violations," September 12, 2015.

[124] State Department Congressional Budget Justification for Foreign Operations, FY2019.

| | DA | GHP-USAID | GHP-State | ESF/ ESDF | IMET | FMF | FFP | INCLE | Total |
|---|---|---|---|---|---|---|---|---|---|
| **FY2017 Actual** | 80,500 | 203,500 | 224,782 | 45,500 | 1,041 | 500 | 24,063 | 5,000 | 584,886 |
| **FY2018 Request** | - | 96,300 | 250,000 | 67,000 | 800 | - | - | 5,000 | 419,100 |
| **FY2019 Request** | - | 146,300 | 143,512 | 56,000 | 800 | - | - | 5,000 | 351,612 |

**Source:** State Department Congressional Budget Justifications for Foreign Operations.

**Acronyms**: Development Assistance (DA), Global Health Programs-USAID (GHP-USAID), Global Health Programs-State Department (GHP-STATE), Economic Support Fund (ESF) / Economic Support and Development Fund (ESDF), International Military Education and Training (IMET), Food for Peace (FFP; P.L. 480 Title II), International Narcotics Control and Law Enforcement (INCLE).

ESDF is a merger of the DA and ESF accounts proposed in the FY2018-2019 Trump Administration requests.

**Notes**: Table does not reflect funds allocated to Nigeria programs from State Department administered regional accounts or humanitarian assistance provided through the Migration and Refugee Assistance or International Disaster Assistance accounts.

U.S. security assistance to Nigeria has focused on enhancing maritime security, counternarcotics, counterterrorism, and peacekeeping capacity. Counterterrorism assistance to Nigeria, while increasing, has been constrained by various factors, including human rights concerns. The State Department has included Nigeria on its Child Soldiers Prevention Act (CSPA) List since 2015 due to the CJTF's recruitment and use of children.[125] Nigeria has received various equipment via the Excess Defense Articles (EDA) program, including naval vessels and Mine Resistant Ambush Protected vehicles (MRAPs). Nigeria was one of four country recipients of a $40 million Global Security Contingency Fund regional program launched in 2014 to counter Boko Haram. U.S. Africa Command (AFRICOM) has provided advanced infantry training for some of the troops deployed in the northeast and has deployed U.S. military advisors to the Nigerian military's operational headquarters in Maiduguri, in Borno. U.S. advisors have also supported the headquarters of the African Union-authorized, donor-supported MNJTF, which is commanded by a Nigerian general. U.S. military assistance has increased under the Trump Administration: the Department of Defense (DOD) has notified Congress of over $16 million in DOD Train-and-Equip support (10 U.S.C. 333) in FY2018 and FY2019.[126]

## 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; Nigeria's energy sector; and violence in the country's Middle Belt. Nigeria's elections are often a focus of congressional interest: two resolutions introduced in the final weeks of the 115th Congress, H.Res. 1170 and S.Res. 716, would have called for Nigeria to hold credible, transparent, and peaceful elections in 2019; those resolutions have been reintroduced in the 116th Congress as H.Con.Res. 4 and S.Con.Res. 1.

Several congressional committees have held hearings on Boko Haram in recent years. The House Homeland Security Subcommittee on Counterterrorism and Intelligence held Congress's first

[125] Inclusion in the CSPA List triggers certain restrictions on security assistance; President Trump has waived the application of those restrictions with respect to Nigeria.

[126] Total based on CRS calculations from DOD Congressional Notifications.

hearing to examine the group in late 2011.[127] Prior to the State Department's decision to designate the group as an FTO, several Members in the 113th Congress introduced legislation, including H.R. 3209 and S. 198, that would have advocated for the designation. Other recent Boko Haram-related legislation includes, but is not limited to, the following:

- 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.
- P.L. 114-266 (Boko Haram Regional Threat Strategy, 114th Congress), requiring a regional strategy to address the threat posed by Boko Haram.
- P.L. 115-31 (Consolidated Appropriations Act, 2017, 115th Congress), making funds available for assistance for Nigeria, including counterterrorism programs, activities to support women and girls targeted by Boko Haram, and efforts to protect freedoms of expression, association, and religion.

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[127] 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.