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Nigeria: Elections and Issues for Congress

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Summary

Nigeria, Africa's largest producer of oil and its largest democracy, is one of the U.S. government's key strategic partners on the continent. It is Africa's most populous country, with over 155 million people, roughly half Muslim and half Christian, and its second-largest economy. Diplomatic relations with Nigeria, which is among the top five oil exporters to the United States, are strong, and the country is a major recipient of U.S. foreign assistance. After 16 years of military rule, Nigeria made the transition to civilian governance in 1999, and emerged as a powerful actor in African politics. Nigeria's government has mediated disputes in several African countries, and the country ranks fourth among troop contributors to U.N. peacekeeping missions.

Nigeria faces serious social and economic challenges, however, that some analysts contend threaten the stability of both the state and the region, and which have the potential to affect global oil markets. The country has faced intermittent political turmoil and economic crises since independence. Political life has been scarred by conflict along ethnic, religious, and geographic lines, and misrule has undermined the authority and legitimacy of the state. Nigeria's annual oil and natural gas revenues are estimated at over \$60 billion, but its human development indicators are among the world's lowest, and a majority of the population suffers from extreme poverty. The government relies on the oil sector for over 85% of revenues. By some estimates, Nigeria could rank among the world's top five exporters of oil within a few years, but social unrest, criminality, and corruption in the country's oil-producing Niger Delta region have hindered production as well as development.

Inter-communal conflicts in parts of the country are common. Resentment between the northern and southern regions, and among communities in central Nigeria, has led periodically to considerable unrest. Thousands have been killed in periodic ethno-religious clashes in the past decade. The attempted terror attack on an American airliner by a Nigerian in December 2009 and the resurgence of a militant Islamist group, Boko Haram, have also heightened concerns regarding the possible radicalization of Nigerian Muslims. While Boko Haram has remained primarily focused on a domestic agenda, there are reports that some of its members may be expanding ties with more developed violent Islamist groups on the continent.

Nigeria's most recent elections, held in April 2011, were viewed by many as a critical test of the government's commitment to democracy. The State Department had deemed the previous elections to be deeply flawed, and some observers contended that Nigeria had not held a free and fair general election since the return to civilian rule in 1999. Election observer groups characterized the 2011 elections as a significant improvement over previous polls, although not without problems. Post-election violence across the north highlighted lingering communal tensions, grievances, and mistrust. President Goodluck Jonathan, who was re-elected, faces mounting, and at times competing, internal and external pressure to implement reforms deemed critical to addressing corruption and other development and security challenges.

The Obama Administration has been supportive of Nigeria's recent reform initiatives, including anti-corruption efforts, economic and electoral reforms, energy sector privatization, and programs to promote peace and development in the Niger Delta. In 2010, the Administration established the U.S.-Nigeria Binational Commission, a strategic dialogue to address issues of mutual concern. Congress regularly monitors Nigerian political developments and has expressed concerns with corruption and human rights abuses. Congress provides oversight for over \$600 million in U.S. foreign assistance programs in Nigeria—one of the largest U.S. assistance packages in Africa.

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Overview

Nigeria is considered a key power on the African continent, not only because of its size but also because of its political and economic role in the region. One in five people in Sub-Saharan Africa call Nigeria home. Nigeria's economy is Sub-Saharan Africa's second largest, and it is one of the world's major sources of high-quality sweet crude oil and natural gas. Nigerian leaders have mediated conflicts throughout Africa, and Nigerian troops have played a critical role in peace and stability operations on the continent. The country ranks fourth among troop contributors to United Nations peacekeeping missions. Nigeria, roughly twice the size of California, is also home to world's second-largest HIV/AIDS-infected population and has Africa's highest tuberculosis burden. Few countries in Africa have the capacity to make a more decisive impact on the region.

Despite its oil wealth, Nigeria remains highly underdeveloped. Poor governance has limited infrastructure development and social service delivery, hindering economic growth and leaving much of the country mired in poverty.

The country is composed of over 250 ethnic groups, of which 10 account for nearly 80% of the total population. The northern Hausa and Fulani, the southwestern Yoruba, and the southeastern Ibo have traditionally been the most politically active and dominant. Almost half the population, some 75 million people who primarily reside in the northern half of the country, are Muslim. Southern Nigeria is predominantly Christian.

Ethnic and religious strife have been common in Nigeria. Divisions among ethnic groups, between north and south, and between Christians and Muslims often stem from

perceived differences in access to land and socio-economic development, and are sometimes fueled by political elites. More than 15,000 Nigerians are believed to have been killed in local clashes sparked by these tensions in the last decade, and millions have been periodically displaced. An increasingly active militant Islamist group, Boko Haram, has contributed to deteriorating security conditions in the northeast. Recent attacks attributed to the group against Christian targets have the potential to inflame sectarian tensions across the country. Its purported ties with regional terrorist groups are also of concern. In the southern Niger Delta, simmering conflict and criminality have been fueled by regional grievances related to oil production in the area, although the government has had some recent success negotiating with local militant groups.

Nigeria at a Glance

Population:	155 million
Pop. Growth Rate:	1.935%
Independence:	October 1960
Comparative Area:	Slightly larger than twice the size of California
Religions:	50% Muslim, 40% Christian, 10% indigenous beliefs
Languages:	English (official), 250 local languages
Literacy:	68%
Infant Mortality:	91.54 deaths/1,000 live births
Life Expectancy:	47.56 years
Prevalence of HIV:	3.1%
Real GDP Growth:	8.4% (2010 estimate)
Nominal GDP Per Capita:	\$1,191
Unemployment:	4.9%
Exports:	\$45.4 billion
Imports:	\$42.1 billion
External Debt:	\$9.689 billion

Source: CIA World Fact Book, International Monetary Fund

Political Context

Nigeria, which gained its independence from Britain in 1960, is a federal republic composed of 36 states; its political structure is similar to that of the United States. The country has a bicameral legislature with a 109-member Senate and a 360-member House of Representatives. Its president, legislators, and governors are elected on four-year terms. The country was ruled by the military for much of the three decades after independence before making the transition to civilian rule in 1999. Elections held in the decade after the transition were deemed by Nigerians and the international community to be flawed, with each poll progressively worse than the last, according to many domestic and international observers. In the wake of the 2007 elections, which were marred by fraud and political violence, the U.S. State Department expressed its view that the country remained in political transition.¹ Human Rights Watch contended at that point that “Nigeria has not held a free and fair general election since the end of military rule.”² Nevertheless, expectations were high for the most recent round of elections, held in April 2011.

The contest for power between north and south that has broadly defined much of Nigeria’s modern political history can be traced, in part, to administrative divisions instituted during Britain’s colonial administration.³ Northern military leaders dominated Nigerian politics from independence until the transition to democracy just over a decade ago. Since the election of President Olusegun Obasanjo in 1999,⁴ there has been a de-facto power sharing arrangement, often referred to as “zoning,” between the country’s geopolitical zones, through which the presidency was expected to rotate among the regions every two terms. President Obasanjo was from the southwest, and with his retirement pending in 2007, the ruling People’s Democratic Party (PDP), which has dominated Nigerian politics for more than a decade, chose a northern governor, Umaru Yar’Adua, as its presidential candidate. The other main presidential contenders in the April 2007 election were also northerners. Upon President Yar’Adua’s death in office in 2010, his vice president, Goodluck Jonathan, a southerner, took office for the remainder of Yar’Adua’s first term, raising questions as to whether the ruling party would choose another northern candidate to run in 2011 or support a run for the office by the sitting president. President Jonathan ultimately secured the party nomination. His subsequent electoral victory leaves the future of the zoning arrangement unclear.

Previous Elections

Nigeria’s third national elections since the return to civilian rule were held in April 2007, amid widespread allegations of electoral mismanagement and fraud. The Nigerian Senate had rejected a bid by Obasanjo supporters in 2006 to amend the constitution to allow him to run for a third term. Facing retirement, President Obasanjo backed Umaru Yar’Adua, largely unknown to many Nigerians, as the ruling party’s presidential candidate.⁵ Yar’Adua’s running mate, Goodluck

¹ U.S. State Department, “Nigeria,” *Country Reports on Human Rights Practices*, 2008.

² Human Rights Watch (HRW), *Election or ‘Selection’? Human Rights Abuses and Threats to Free and Fair Elections in Nigeria*, April 2007, and “Nigeria: Presidential Election Marred by Fraud, Violence,” April 24, 2007.

³ 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.

⁴ Obasanjo, a former military head of state from 1976-1979, won 62.8% of the votes in 1999; his challenger received 37.2%. In 2003, Obasanjo won 62% of the votes, while his nearest rival, General Muhammadu Buhari, won 32%.

⁵ Yar’Adua, a former chemistry professor, was elected governor of Katsina in 1999. His better-known older brother, the (continued...)

Jonathan, had served as governor of Bayelsa State in the Niger Delta. Yar'Adua was declared the winner with over 70% of the votes cast. The two largest opposition parties, the All Nigeria Peoples Party (ANPP) and the Action Congress (AC), rejected the poll results.

The ruling PDP won the majority of the state and federal elections. Opposition gubernatorial candidates won in seven states, including the two most populous states, Lagos and Kano. Many election results were challenged in the courts, based on allegations of fraud, threats of violence, or the inability of voters to cast their ballots. Ultimately, the results of almost a third of the gubernatorial races were annulled, although many of the candidates who won in the first round won again when elections were rerun. A tribunal hearing the challenges to President Yar'Adua's win reached its verdict in February 2008, finding insufficient evidence to overturn his election. Nigeria's Supreme Court upheld that verdict in late 2008.

Domestic and international observer groups were highly critical of the 2007 elections.⁶ According to the U.S.-based National Democratic Institute (NDI) delegation, "in many places, and in a number of ways, the electoral process failed the Nigerian people. The cumulative effect ... substantially compromised the integrity of the electoral process."⁷ The International Republican Institute (IRI) called the elections "below acceptable standards," noting that the resolution of election disputes would be "critical" to restoring the credibility of the democratic process.⁸ President Obasanjo acknowledged some electoral irregularities, notably "logistical failures," violence, and ballot box theft, but declared that "the magnitude does not make the results null and void."⁹ World oil prices rose the week after the election amid concerns surrounding the disputed polls,¹⁰ but opposition calls for mass protests went largely unheeded.

The 2011 Elections: Opportunities and Challenges

Conceding that the 2007 elections were flawed, President Yar'Adua appointed a panel of government officials, former judges, and civil society representatives to recommend changes to the country's electoral institutions. The panel issued its findings in December 2008, but the government was slow to commence reforms until mid-2010, when the parliament approved the first of several amendments to the electoral laws. Among the most significant of the reforms were those designed to increase independence and fiscal autonomy of the Independent National Electoral Commission (INEC), whose credibility had been badly damaged by the 2003 and 2007 elections.¹¹ President Jonathan won praise for replacing the sitting INEC chairman with a

(...continued)

late General Shehu Musa Yar'Adua, served as Vice President under Obasanjo in the first military regime to transfer power to civilian rule, and he was reported to be one of Nigeria's wealthiest and most powerful men. Shehu died in prison in 1997 after having been sentenced by a military tribunal for treason after calling for dictator Sani Abacha to reestablish civilian rule. Yar'Adua's father was a prominent minister in the first government after independence.

⁶ "Nigeria: Elections Fraudulent; EU, Others," *Daily Trust* (Abuja), April 24, 2007.

⁷ The National Democratic Institute (NDI), "Statement of the National Democratic Institute International Election Observer Delegation to Nigeria's April 21 Presidential and National Assembly Elections," April 23, 2007.

⁸ The International Republican Institute (IRI), "Nigeria's Elections Below Acceptable Standards: Preliminary Findings of IRI's International Election Observation Mission," April 22, 2007.

⁹ "Obasanjo Appeals to Nigerians Over Election Results," *Radio Nigeria-Abuja*, April 23, 2007, and "Nigerian President Olusegun Obasanjo Says Elections Flawed, But Not Fatally," Associated Press, April 25, 2007.

¹⁰ "Landslide Win for Yar'Adua is 'Flawed,'" *Financial Times*, April 23, 2007.

¹¹ International Crisis Group (ICG), "Nigeria's Elections: Avoiding a Political Crisis," *Africa Report No. 123*, March (continued...)

respected academic and civil society activist, Professor Attahiru Jega. Despite lingering concerns about the independence of some state-level electoral officials,¹² Nigerians were optimistic that the 2011 polls would be more credible than the last, according to a survey conducted in late 2010.¹³

Turnout was high for the voter registration exercise, launched in January 2011 to compile a more credible register. INEC reported over 870,000 cases of multiple registration, raising concerns about “widespread but not yet systemic fraud.”¹⁴ The exercise nevertheless appeared to increase voter confidence and many observers generally deemed the register an improvement over previous efforts, although not without problems.

A delayed rerun in January 2011 of one of the flawed 2007 gubernatorial elections was viewed as another test for INEC’s new management. Observer reports suggest that, while rigging and voter intimidation occurred, the poll was an improvement in a state heavily controlled by the PDP. By one account, the rerun “demonstrated both the potential for INEC to administer improved elections with the support of communities and the risk that political actors can still overwhelm reforms with systematic fraud.”¹⁵ As April approached, analysts argued that Jega’s INEC had demonstrated the will, if not necessarily the capacity, to overcome problems in the 2011 polls.

Observers noted positive developments prior to the elections, but also raised concerns about electoral preparedness and other areas deemed problematic in previous polls, including ballot secrecy, intimidation, and transparency in the counting of ballots and tabulation of results.¹⁶ Previous instances of electoral fraud included the falsification of voter information, bribery, theft, incitement, and intimidation. Some civil society groups suggested that these practices were likely to occur in the 2011 elections, but that there might be a shift “from blatant fraud with state acquiescence to a pattern of suppressing opposition voting areas while inflating strongholds.”¹⁷ The International Crisis Group declared the party primaries to be “as manipulated as ever,” resulting in court challenges to the parties’ candidate lists.¹⁸ Last minute court rulings related to the lists required ballots to be reprinted and caused delays in the delivery of voting materials.

As mentioned above, there has been an unwritten agreement that the presidency should rotate among the country’s regions, and there was considerable debate on whether Jonathan’s decision to vie for the presidency would lead the ruling party to split. Prior to the party primaries, many northerners argued that since Yar’Adua, a northerner, had only served one term, a candidate from their region should hold the office for another term, given that Obasanjo, a southerner, had two terms in office. Some reports suggest that a lack of consensus among the PDP elite on the zoning

(...continued)

28, 2007, p. 14.

¹² ICG, “Nigeria’s Elections: Reversing the Degeneration?” *Africa Briefing No. 79*, February 24, 2011; *Breaking the Cycle of Electoral Violence in Nigeria*, U.S. Institute for Peace, December 2010.

¹³ A poll conducted by IRI in late 2010 indicated that over 60% of Nigerians had confidence in the new electoral commission, and that 74% of Nigerians thought the 2011 polls would be more credible than the last.

¹⁴ ICG, “Nigeria’s Elections: Reversing the Degeneration?” Ibid.

¹⁵ Stakeholder Democracy Network, *The Delta Governorship Rerun: Signposts and Storm Warnings for the 2011 Elections*, February 24, 2011.

¹⁶ See, e.g., IRI, “Statement of IRI’s Pre-Election Assessment Mission,” March 3, 2011; NDI, “Nigeria Election Watch,” Issue 3, March 15, 2011.

¹⁷ Stakeholder Democracy Network, *The Delta Governorship Rerun*, Ibid.

¹⁸ ICG, “Nigeria’s Elections: Reversing the Degeneration?” Ibid; NDI, “Nigeria Election Watch,” Issue 3, Ibid.

issue contributed to the apparent reluctance by Yar'Adua's cabinet to formally transfer power to Jonathan in early 2010 (see below). Jonathan ultimately won the support of key PDP leaders, including a majority of the northern governors, for his candidacy, winning the primary overwhelmingly with over 2,700 votes against roughly 800 for his northern rival, Atiku Abubakar.

President Jonathan, along with his running mate, Vice President Namadi Sambo (a northerner), was among almost 20 candidates contesting the presidency, including former military leader Muhammadu Buhari,¹⁹ representing the Congress for Progressive Change (CPC); former head of Nigeria's anti-corruption authority Nuhu Ribadu, representing the Action Congress of Nigeria (ACN); and a northern state governor, Ibrahim Shekaru, representing the ANPP. These three leading opposition contenders all hailed from the north and chose running mates from the south.

With over 73 million registered voters, almost 120,000 polling stations, and more than 50 political parties, the challenges facing INEC were daunting. The 2011 elections were scheduled to be held on three successive Saturdays in April; however, logistical delays in the delivery of materials to polling stations across the country resulted in all three elections being delayed by a week.²⁰ For some, the delay reinforced concerns regarding the polls' credibility. Others argued that the "trial run" allowed INEC the opportunity to identify and address some deficiencies.

The ruling PDP maintained its dominant position in Nigerian politics in the 2011 elections, retaining the presidency, a majority of the seats in the National Assembly, the gubernatorial posts and state assemblies. The CPC and ACN made some significant regional gains, however. The ACN dominated state elections in the southwest, where the PDP retained a majority in only one of the state assemblies and lost all gubernatorial positions. Nationally, opposition parties now control 13 governors' posts and hold a majority in 10 state assemblies.²¹ Incumbent President Goodluck Jonathan won 59.6% of the vote, taking a majority in 23 states and gaining enough support nationwide to avoid a run-off.²² Buhari, who followed with 32.3% of the votes, led in one-third of the states, notably in the north. Ribadu came in third with 5.5% of the votes.

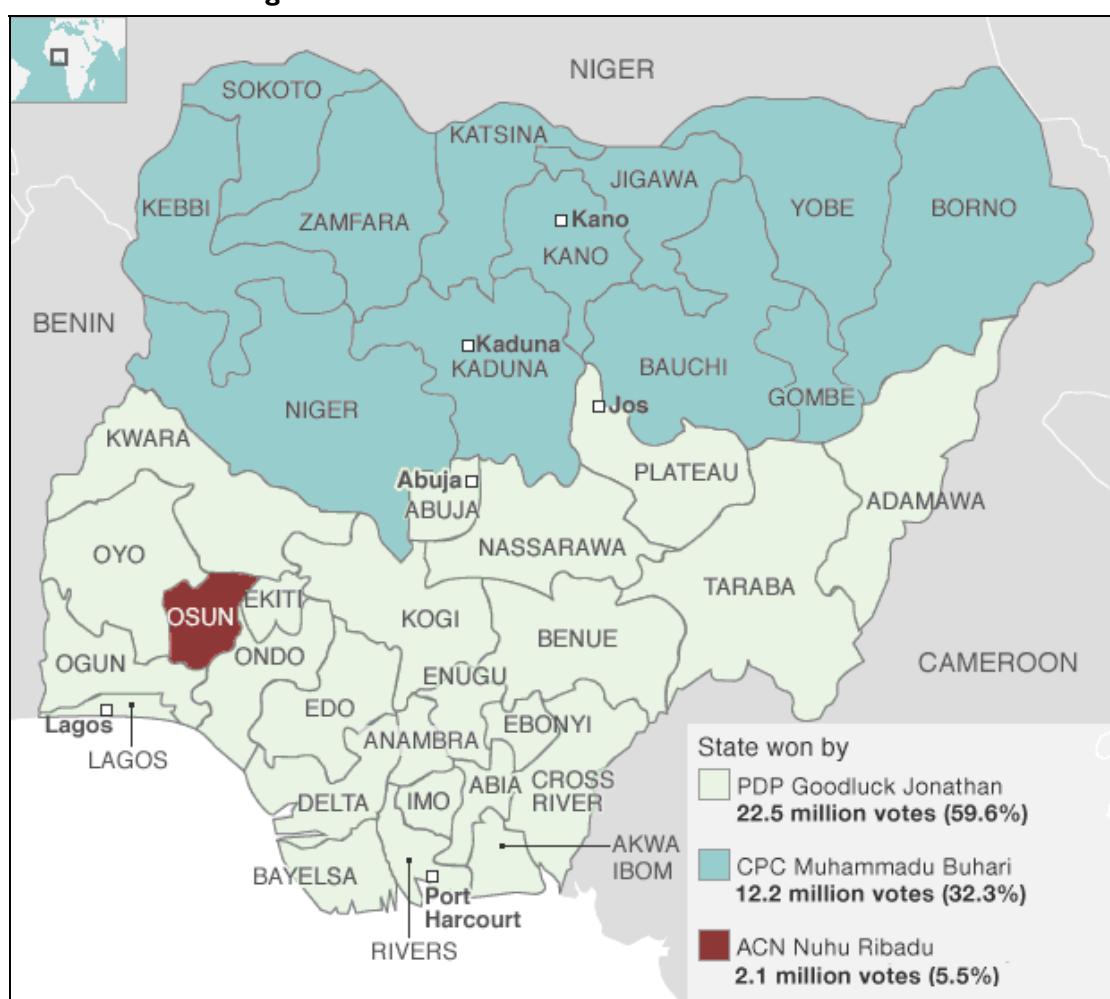
¹⁹ General Buhari also ran for the presidency in 2003 and 2007.

²⁰ Gubernatorial elections were not held in 10 states 2007 election results were overturned or rerun.

²¹ Opposition candidates took Ogun, Oyo, and Lagos in the southwest (ACN), Yobe in the north (ANPP), and Imo in the southeast (APGA). ANPP retained control in Borno and Zamfara. The CPC won Nasarawa from the ANPP. Osun, Ekiti, Ondo, Edo, and Anambra were already held by the opposition.

²² A candidate must win at least 25% in at least two-thirds of the states and the Federal Capital Territory to avoid a runoff. Jonathan gained at least 25% in 31 states. Buhari gained 25% in 18 states.

Figure 1. Results of the 2011 Presidential Election



Source: BBC, adapted by CRS.

U.S. government comments on the conduct of the 2011 elections were largely positive. Secretary of State Clinton declared, “This historic event marks a dramatic shift from decades of failed elections and a substantial improvement” over the 2007 election, but noted that “while this election was a success for the people of Nigeria, it was far from perfect.”²³ Another senior State Department official called the polls “the most successful elections since [Nigeria’s] return to multiparty democracy, ... despite some technical imperfections,” and argued that “this reverses a downward democratic trajectory and provides the country a solid foundation for strengthening its electoral procedures and democratic institutions.”²⁴ When President Obama called to congratulate President Jonathan, he stated that “the success of the elections was a testament to Nigerian voters who...were determined that these elections mark a new chapter in Nigerian history.”²⁵

²³ Secretary of State Hillary Clinton, *Press Release: Election in Nigeria*, April 19, 2011.

²⁴ Special Briefing by Assistant Secretary Johnnie Carson, “The Recent Elections in Nigeria,” April 28, 2011.

²⁵ The White House, *Statement by President Obama on Elections in Nigeria*, May 4, 2011.

International observers also generally noted significant improvements in the electoral process in the National Assembly and presidential polls, but most stopped short of calling the elections “free and fair.” The IRI and NDI delegations both termed the 2011 elections a key step forward.²⁶ The African Union called the legislative and presidential elections “credible and creditable and reflect(ing) the will of the Nigerian people.”²⁷ The Commonwealth declared that “previously held notions that Nigeria can only hold flawed elections are now being discarded and this country can now shake off that stigma and redeem its image.”²⁸ The European Union (EU) was also generally positive, but raised concerns with presidential results from some states in the Niger Delta and the southeast, where turnout appeared to be near 100%.²⁹ This echoes the findings of some domestic groups, who reported the largest number of electoral incidents in the “south-south” (i.e., the Niger Delta) and southeast, including intimidation, harassment, and in some cases, violence.³⁰ Under-age voting was cited as a common concern by observers, and most suggested that over-crowding at polling stations and complicated vote collation procedures vulnerable to error or malfeasance remained a problem during the polls. The EU delegation, one of the few groups to observe the state elections, found that they “did not resemble the quality of the process and environment of the elections for President and National Assembly,” and noted increased attempts to influence voters.³¹ Domestic observer reports suggest harassment increased in the state elections.

Various parties filed legal suits challenging the results of the 2011 elections. Nigeria’s Supreme Court upheld a verdict rejecting the CPC’s challenge to President Jonathan’s win in December 2011. Nigeria’s next elections are scheduled for 2015.

Violence Surrounding and Following the 2011 Elections

Despite generally positive preliminary statements on the conduct of the April 2011 legislative and presidential elections, election-related violence surrounding the polls was higher than in previous years, highlighting lingering communal tensions. Rioting that broke out in the north in protest of President Jonathan’s win reflected grievances that many in that region feel had been left unaddressed by the ruling party.

Violence had accompanied previous elections in Nigeria. Over 150 people were estimated to have been killed in violence related to the 2003 elections, and by some estimates, as many as 350 people were killed in violence related to the 2007 polls.³² Violence prior to the 2011 elections included clashes between party supporters and several assassinations. Poll-related security concerns were further heightened by a spate of bombings during political rallies, predominantly in Bayelsa state in the Delta. There were at least six bombings in April in the northeast state of Borno, where Boko Haram, a local militant Islamist group, has been most active. Boko Haram claimed responsibility in January 2011 for the assassination of the state’s leading gubernatorial candidate and several of his supporters. On the eve of the legislative elections, a bombing at the

²⁶ IRI, “Nigerian Election Major Step Forward,” April 18, 2011; NDI, “Statement of the National Democratic Institute’s International Election Observer Mission to Nigeria’s April 16 Presidential Election,” April 18, 2011.

²⁷ Preliminary Statement of the AU Observer Mission on the 2011 Presidential Election in Nigeria, April 16, 2011.

²⁸ Interim Statement by the Chairman of the Commonwealth Observer Group, April 18, 2011.

²⁹ Preliminary Statement of the European Union Election Observation Mission, April 18, 2011.

³⁰ Project 2011 Swift Count (www.pscnigeria.org) and the Transition Monitoring Group (www.tmgelection2011.org).

³¹ EU Election Observation Mission, Press Release: EU EOM on the Elections of 26 and 28 April, April 29, 2011.

³² HRW, “Nigeria: Pass Bill to Prosecute Electoral Abuses,” March 13, 2011.

state election commission headquarters in Niger state killed at least 10 people. President Jonathan and Chairman Jega pledged to increase security during the elections, and observers generally commented positively on the presence and behavior of security forces during the polls.

Protests erupted in the northern states the day after the presidential election, with Buhari supporters alleging that the ruling party had rigged the election. The protests devolved into violent riots and, in some areas, killings, largely along religious and ethnic lines. In some parts of the north, the violence lasted for several days until soldiers were deployed to enforce stability. At least 800 people were killed in a three-day period, according to Human Rights Watch, and as many as 65,000 displaced. An independent panel led by a prominent Islamic scholar who was appointed to conduct an official government inquiry into the post-election violence submitted a final report in October 2011, faulting the failure of successive administrations to act on the recommendations of previous commissions on communal and political violence. The panel also suggested that statements made by politicians such as Buhari for voters to “guard their votes” may have fueled popular frustrations and inadvertently sparked acts of violence.³³

The Death of President Yar'Adua and the Transition of Power

Questions about President Yar'Adua's health plagued his administration throughout his tenure (2007-2010). Many speculate that he suffered from a chronic kidney condition, and his hospitalization in Saudi Arabia in November 2009, reportedly with acute pericarditis, threatened to spark a political crisis. His prolonged absence spurred rumors of his death, and several groups launched legal suits suggesting that Yar'Adua had violated the constitution by not transferring power during his absence. Some observers contend that the president was completely incapacitated, and that close advisors, including his wife, were making decisions for him.³⁴ President Yar'Adua's absence also raised concerns regarding a tenuous ceasefire with Niger Delta militants.³⁵

Pressure for presidential authority to be transferred to Vice President Jonathan increased in early 2010, despite the cabinet declaring Yar'Adua fit for office in late January and a court ruling that there was no need for a formal transfer of power during a “medical vacation.” Under pressure from influential state governors, the National Assembly passed resolutions recognizing Jonathan as the acting head of state. The cabinet accepted the National Assembly's decision. Although the resolutions were not legally binding, the move allowed Jonathan to conduct critical government business. In June 2010, in response to the ambiguity surrounding Jonathan's role as acting president, the National Assembly amended the constitution to address procedures for the temporary transfer of presidential powers in the event of the president's absence or inability to discharge his duties.

On May 5, 2010, the Nigerian government announced the death of President Yar'Adua at age 58. Goodluck Jonathan was sworn in as Nigeria's new president the following day, choosing as his vice president Namadi Sambo, a former architect and governor of the northern state of Kaduna.

Development Challenges and Reform Initiatives

Nigeria generates over \$60 billion a year in oil and gas revenue, but despite its large economy its population is among Africa's poorest. As many as 70% of Nigerians live beneath the poverty line, and the average life expectancy is less than 48 years. Nigeria also has the world's second-largest HIV/AIDS population (after South Africa). Access to clean water remains a major challenge—

³³ “Post-Election Violence – FG Panel Report Indicts Buhari,” *Vanguard*, October 11, 2011.

³⁴ John Campbell, “Nigeria Fragmented and Unstable,” *Huffington Post*, March 5, 2010, and “On Her Majesty's Secret Service,” *Africa Confidential*, March 5, 2010.

³⁵ “MEND's Fresh Resurgence as Yar'Adua's Absence Enters 2nd Month,” *AllAfrica*, January 4, 2010.

almost half the population has no access to improved sources of water and less than one-fifth of households are served by piped water. Sanitation is also a problem, with 30% of people lacking access to adequate sanitation. Diarrhea remains the second-leading cause of death among Nigerian children, and the country ranks second only to India in the number of diarrhea-related child deaths globally. The country ranks 156th out of 187 countries on U.N. Development Program's (UNDP) 2011 Human Development Index.³⁶ Due to decades of economic mismanagement, political instability, and widespread corruption, Nigeria's education and social services systems have suffered from lack of funding, industry has idled, and Africa's largest oil producer suffers periodically from severe fuel and electricity shortages.

When Goodluck Jonathan assumed power in February 2010 from the ailing President Yar'Adua, he made public commitments to "restoring Nigeria's image" abroad, both by continuing to act as a key partner in regional peace and counterterrorism efforts, and by ending the "culture of impunity" in Nigeria in terms of corruption and human rights concerns.³⁷ He vowed to continue President Yar'Adua's various reform initiatives. Those efforts are discussed below.

Reforms to the Petroleum and Energy Sectors

Nigeria's economy depends heavily on its oil sector, and for decades, as the country's extractive industries grew, many of its other industries stagnated or declined. According to the World Bank, oil and gas production accounts for almost 80% of government revenues and 95% of export earnings. Despite increased deepwater oil production, persistent conflict and criminality in the oil-producing Niger Delta region and swings in world oil prices have threatened Nigeria's fiscal outlook for much of the past decade. Economists suggest that the economy continues to underperform because of poor infrastructure and electricity shortages, although the performance of the manufacturing and telecommunications sectors is improving. Agricultural production contributes over one-third of GDP, but less than 5% of exports.

President Jonathan has stressed his commitment to reforming the oil and gas industry. In 2007, the government announced plans to restructure the Nigerian National Petroleum Corporation (NNPC), which oversees regulation of the industry and has been criticized for its lack of transparency. Nigeria's oil and gas sector has long been a focal point for corruption charges, and numerous government officials have been accused of taking bribes in exchange for approving deals with foreign firms. President Yar'Adua appointed a committee to review Nigeria's contracts with foreign oil companies, a process through which the committee chair suggested, "We may have to reconsider some of our generous terms."³⁸ President Jonathan appointed Nigeria's first female oil minister, Diezani Allison-Madueke, a former executive with Royal Dutch Shell, in 2010. She is leading the administration's efforts to press parliament to pass the ambitious Petroleum Industry Bill (PIB), which would restructure the NNPC and reportedly increase transparency within the industry. Nigeria was designated compliant with the Extractive Industries Transparency Initiative (EITI), a global standard for transparency in the oil, gas, and mining sectors, in March 2011.

³⁶ The UNDP index is a composite measure of life expectancy, adult literacy and school enrollment, and income.

³⁷ President Jonathan has referred to Nigeria's "culture of impunity" in several speeches, including one quoted in "Again, We've Succeeded in Moving Nigeria Forward - Jonathan," *Daily Champion* (Lagos), February 10, 2010.

³⁸ Matthew Green, "Nigeria Considers Oil Contracts Review," *Financial Times*, October 23, 2007.

Despite its position as one of the world's largest exporters of oil, Nigeria imports an estimated \$10 billion in refined fuel annually, and it continues to face a nationwide power crisis. In an effort to increase its refining capacity, the government has granted permits for the construction of several independently owned refineries. The government aims to halt oil imports by 2020. In 2010, with two of Nigeria's existing four oil refineries running at only 60% capacity, the NNPC signed a \$23 billion agreement with China for the construction of three new refineries.³⁹

In addition to its oil reserves, Nigeria has the ninth-largest natural gas reserves in the world and the largest in Africa, but to date they have provided little benefit to the Nigerian economy. Many of Nigeria's oil fields lack the infrastructure to produce natural gas. The government has repeatedly set deadlines for oil companies to stop flaring gas at oil wells, estimated at roughly one-third of annual production and \$2.5 billion in lost revenue, but significant flaring has continued.⁴⁰ In March 2011, President Jonathan announced a series of new agreements to develop gas processing facilities as part of a "gas revolution" designed to create new jobs and revenues and to end flaring.⁴¹ 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. Nigeria now exports natural gas to Benin, Togo, and Ghana through the new West Africa Gas Pipeline. The initiative, led by Chevron, had been delayed due to supply shortages resulting from sabotage to production facilities in the Niger Delta. Reports suggest that gas supplies have increased as pipelines have been repaired since 2009.

A decision by the Jonathan Administration in late 2011 to remove a fuel subsidy, which totaled almost \$8 billion annually (roughly one-quarter of the government's 2012 budget), was controversial domestically. In removing the subsidy, fuel prices doubled in early January 2012, leading to mass protests. The subsidy benefit has long been deemed unsustainable by economists, but in the face of a nationwide strike by unions, the government was forced to compromise and reinstate a partial subsidy. The Jonathan Administration plans to refocus funds from the subsidy cut on improving health, education, and the nation's power supply.

The Jonathan Administration has pledged to increase Nigeria's electricity generation tenfold over the next decade; President Jonathan emphasized this as a key priority in his campaign. Efforts to privatize power stations and distribution companies are underway, despite objections from the country's trade unions, but are behind schedule. The Obama Administration has praised the government for its progress thus far in rehabilitating the power sector,⁴² but its ability to deliver on its promises of improved supply will be a key test for President Jonathan.

Financial Sector Reforms

Successive Nigerian administrations have made commitments to economic reform, but their track record is mixed. According to the IMF, reforms initiated under the Obasanjo Administration and continued by his successors, most importantly the policies of maintaining low external debt and budgeting based on a conservative oil price benchmark to create a buffer of foreign reserves,

³⁹ "Two Nigerian Refineries Running at 60 Pct Capacity," Reuters, March 30, 2010.

⁴⁰ U.S. Energy Information Administration

⁴¹ "Jonathan Sets Agenda for Ending Gas Flaring," *BusinessDay*, March 25, 2011.

⁴² U.S. Department of State, "U.S. Commends Nigerian Authorities on Power Sector Reforms," January 14, 2011.

lessened the impact of the recent global economic crisis on Nigeria's economy.⁴³ Oil revenues above the benchmark price have been saved since 2003 in an Excess Crude Account (ECA), although the government drew substantially from the account in 2009-2010 in an effort to stimulate economic recovery. The ECA's balance fell from \$20 billion in early 2009 to less than \$500 million in September 2010, but Nigerian officials report that the rise in the price of oil brought the ECA back above \$2 billion at the end of 2010, and it has since risen to over \$4 billion.⁴⁴ The Jonathan Administration's efforts to create a sovereign wealth fund, which would draw seed money from the ECA, have met with some resistance from the state governors. The country has made significant gains in the past decade in paying down its external debt, which declined from 36% of GDP in 2004 to under 3%, freeing funding for programs aimed at poverty reduction and reaching the country's Millennium Development Goals (MDGs).

Like his predecessors, President Jonathan has committed his Administration to reforms that aim to fuel development. In mid-2011 he appointed World Bank managing director Ngozi Okonjo-Iweala, who led efforts to reduce Nigeria's debt while serving as finance minister under President Obasanjo, to resume her former post at the finance ministry. Jonathan has retained Lamido Sanusi as governor of Central Bank of Nigeria. He has led efforts to modernize the country's banking system, pushing reforms to tighten banking supervision. In late 2009 he instituted new regulations that require banks to report large cash transactions between accounts if one of the account holders is considered to be "politically exposed." Bank audits ordered by Sanusi in 2009 found 10 banks near collapse due to reckless lending; most of the banks' top executives were fired. The government provided \$4 billion in 2009 to rescue the banks, and in late 2010, under pressure from Sanusi, the legislature approved the establishment of the Asset Management Company of Nigeria (AMCON) to buy bad bank loans in exchange for government bonds, in an effort to get the banks lending again. AMCON is jointly funded by the central bank and the finance ministry. Some Nigerian legislators believe the central bank overstepped its authority in rescuing the banks. By some estimates it may take a decade for AMCON to divest its toxic assets.⁴⁵

Efforts to Combat Corruption

According to the U.S. State Department, corruption in Nigeria is "massive, widespread, and pervasive."⁴⁶ Nigeria's ranking on Transparency International's Corruption Perceptions Index has consistently worsened in the past three years, after momentarily improving in 2008 following President Yar'Adua's victory.⁴⁷ Human Rights Watch suggests that the country's political system rewards rather than punishes corruption, which has been fueled by oil revenues for decades.⁴⁸ Nigeria also has one of the world's highest incidences of cyber crime, including "419 scams," so-named for the country's penal code that outlaws fraudulent e-mails. Observers suggest that the

⁴³ International Monetary Fund, "Staff Report for the Article IV Consultation with Nigeria," January 27, 2011. The price benchmarks set by the Nigerian government are \$58/barrel for 2011, \$60 for 2012, and \$62 for 2013.

⁴⁴ EIU, "Nigeria," Country Reports, March 2011 and November 2011.

⁴⁵ AMCON bought non-performing loans from 9 rescued banks and margin loans from 12 other domestic banks.

⁴⁶ U.S. State Department, "Nigeria," *Country Report on Human Rights Practices 2009*, March 2010.

⁴⁷ The Corruption Perceptions Index measures the perceptions of business people and country analysts regarding the degree of corruption among public officials and politicians. A high score indicates greater levels of corruption.

⁴⁸ HRW, *Corruption on Trial?*, August 25, 2011.

country's development will continue to be hampered until it can reverse its perceived "culture of impunity for political and economic crimes."⁴⁹

According to the Economic and Financial Crimes Commission (EFCC), a Nigerian law enforcement agency created in 2003 to combat corruption and fraud, more than \$380 billion has been expropriated by the country's political and military leaders since oil sales began in the 1970s.⁵⁰ Former dictator Sani Abacha reportedly stole more than \$3.5 billion during his five years in power. Switzerland was the first country to repatriate stolen funds to Nigeria, some of which have been used by the government toward meeting the country's Millennium Development Goals. The Nigerian government has recovered other funds stolen by Abacha and his family from several European countries, but some Abacha funds remain frozen in other European accounts.

The Obasanjo Administration won praise for its efforts to combat corruption, but some observers suggest that the former head of state also used corruption charges to sideline critics and political opponents. EFCC investigations resulted in the arrest of more than 2,000 Nigerians for illegal email scams and in over 130 convictions for fraud during Obasanjo's tenure.⁵¹ The International Crisis Group suggests that the EFCC was "used as a political weapon to whip political foes, especially state governors likely to stand for the presidency and their supporters, into line."⁵²

President Yar'Adua, reportedly a devout Muslim, campaigned on an anti-corruption platform; in 1999 he became the first governor to publicly declare his assets. Upon taking the presidency, he ordered the review of all privatization agreements approved by former President Obasanjo, amid charges of corruption associated with the sales, and subsequently reversed several contracts. President Yar'Adua moved to distance himself from the former president, dismissing many of Obasanjo's political appointees and military leaders in late 2008 and overturning several key government contracts made by the former administration. In December 2008, he proposed that the National Assembly amend the constitution to remove the immunity clause that prevents the president, vice president, governors, and deputy governors from being prosecuted for corruption while in office. His proposal was not adopted.

Human Rights Watch has called on the Jonathan Administration to reform the EFCC to increase its independence. According to the group, the anti-corruption body has suffered from executive interference that has undermined its investigations and derailed prosecutions, and the EFCC chairman "remains deeply vulnerable to the whims of the president and lacks security of tenure."⁵³ The transfer and eventual dismissal of the EFCC's first chairman, Nuhu Ribadu, in late 2007, drew widespread criticism from the international donors.⁵⁴ Ribadu's successor, a former high-ranking police officer, Farida Waziri, was dismissed by President Jonathan in late 2011.

⁴⁹ International Crisis Group, "Want in the Midst of Plenty," *Africa Report No. 113*, July 19, 2006.

⁵⁰ "Strong Convictions: Nigeria's First Anticorruption Czar," *Christian Science Monitor*, February 8, 2007.

⁵¹ "Strong Convictions: Nigeria's First Anti-Corruption Czar," *Christian Science Monitor*, February 8, 2007.

⁵² ICG, "Nigeria's Elections: Avoiding A Political Crisis," *Ibid*.

⁵³ HRW, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission*, August 2011.

⁵⁴ Matthew Green, "Nigerian Anti-Graft Police Arrest Governor," Reuters, January 22, 2008. Some questioned whether Ribadu's removal from office was linked to effort to prosecute former Delta State Governor James Ibori, one of Yar'Adua's primary financial contributors. Ibori's case was dropped by a federal judge in late 2009. The EFCC obtained a new warrant for his arrest in April 2010, charging that he had embezzled over \$250 million. Ibori eluded capture and fled Nigeria for Dubai, where he was arrested by Interpol in May 2010. He was extradited in April 2011 to the United Kingdom, where he has been charged with money laundering.

Several multinational corporations have been investigated for paying bribes in Nigeria. In 2007, the German telecom giant Siemens was found guilty in a German court of paying an estimated 10 million euro in bribes to Nigerian officials. Bribes allegedly paid in relation to a Nigerian natural gas project by the U.S. firm Halliburton, France's Total, and Italy's Eni are being investigated in several countries, including France, Nigeria, Japan, and the United Kingdom. Halliburton and its subsidiary Kellogg, Brown, and Root, Inc. (KBR) reached a \$177 million settlement with the U.S. Securities and Exchange Commission in 2009 related to the case; KBR paid a \$402 million fine to settle Justice Department charges.⁵⁵ Nigeria's EFCC brought charges against former U.S. Vice President Dick Cheney in early December 2010 based on his tenure as chief executive of Halliburton, but later dropped them after the company agreed to pay \$250 million in fines.

Social Issues and Security Concerns

Islamic *Sharia* Law

Nigeria is home to Sub-Saharan Africa's largest Muslim population. The north is predominately Sunni Muslim, and 12 northern states have adopted Islamic *sharia* law since 1999 to adjudicate criminal and civil matters for Muslims.⁵⁶ 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. In some states, the introduction of sharia was a flashpoint between Muslims and Christians. The State Department reports that sharia "technically does not apply to non-Muslims in civil and criminal proceedings," although observers note that Islamic mores are often enforced in public without regard for citizens' religion. In some areas, state-funded vigilante groups known as *hisbah* patrol public areas and attempt to enforce sharia-based rulings. Many analysts nonetheless see the interpretation and implementation of Nigerian sharia as moderate in comparison to that of some other Muslim-majority countries.

Sectarian Violence in Nigeria's Middle Belt

The U.S. Commission on International Religious Freedom has recommended since 2009 that Nigeria be classified as a "Country of Particular Concern" for religious freedom violations. It is not currently designated as such by the Secretary of State. According to the Commission, as many as 13,000 Nigerians have been killed since 1999 in sectarian violence, and the commissioners have based their recommendation on their belief that the Nigerian government is tolerating the violence. The Commission's 2011 report notes some progress by the government, however, citing the first prosecutions, in late 2010, against perpetrators of religious violence in more than a decade.⁵⁷ The State Department, in its annual Religious Freedom report, states that "the government generally respected religious freedom in practice, although some local political actors stoked communal and sectarian violence with impunity."⁵⁸

⁵⁵ "Halliburton, KBR Paying \$547 Million in Bribery Settlement," *Market Watch*, February 11, 2009.

⁵⁶ 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.

⁵⁷ U.S. Commission on International Religious Freedom, *Annual Report 2011*, May 2011.

⁵⁸ U.S. Department of State, *July-December 2010 International Religious Freedom Report*, September 13, 2011.

Sectarian violence continues to be a particular problem in Jos, the capital of Plateau State in central Nigeria, which sits between the predominately Muslim north and Christian south. Clashes among communities in this culturally diverse “Middle Belt” in the past decade reflect tensions that are both religious and ethnic, and which have been exacerbated by some local politicians. These tensions stem from a competition over resources—land, education, government jobs—between ethnic groups classified as settlers or “indigene” (original inhabitants of the state), a designation that conveys political and economic benefits. In Jos, the mostly Christian Berom are considered indigene, and the predominately Muslim Hausa-Fulani, who were traditionally nomadic and pastoralist, are not. In 2010, the Nigerian government established a special task force composed of both military and police to restore stability in the state; periodic outbreaks of violence have nonetheless continued.

Boko Haram and Militant Islam in Nigeria⁵⁹

Boko Haram, a violent Islamist group in northern Nigeria, has grown increasingly active. While its attacks have not exclusively focused on Christian targets, actions attributed to the group are fueling religious tensions in Nigeria, and may more broadly have the effect of delegitimizing the state. Some observers have also raised concerns that Boko Haram members may be expanding ties with more developed violent Islamist groups on the continent. The group emerged in the early 2000s as a small, radical Sunni Islamic sect that advocated a strict interpretation and implementation of Islamic law for Nigeria. Calling itself *Jama'a Ahl as-Sunna Li-da'wa wa-al Jihad* (JASLWJ; roughly translated from Arabic as “People Committed to the Propagation of the Prophet’s Teachings and Jihad”), the group is more popularly known as *Boko Haram* (“Western education is forbidden”), a nickname given by local Hausa-speaking communities to describe its view that western education and culture have been corrupting influences. It engaged in periodic skirmishes with police during its formative years, but the group’s activities were limited in scope and contained within several highly impoverished states in the predominately Muslim northeast.

In July 2009, the Nigerian government’s attempts to stop Boko Haram’s attacks on police stations and other government buildings resulted in at least 700 deaths. In the course of that violence, the group’s leader, Mohammed Yusuf, a charismatic young cleric who had studied in Saudi Arabia, was killed while in police custody.⁶⁰ A sizeable number of Yusuf’s followers were also killed or arrested. The group appeared to dissipate after the heavy-handed security crackdown, but reemerged a year later, orchestrating a large-scale prison break in September 2010 that freed 700 prisoners, including more than 100 of its own members. The group’s attacks have since increased substantially in frequency, reach, and lethality, now occurring almost daily in northeast Nigeria, and periodically beyond. It has primarily focused its attacks on state and federal targets, but has also targeted civilians in churches, mosques, and beer halls. Bank robberies have also been attributed to the group and may contribute to its financing, although Nigerian authorities warn that criminal groups may also be opportunistically posing as Boko Haram militants.

By most accounts, Boko Haram is not a monolithic organization. According to U.S. government sources, the core group of Boko Haram militants may number in the hundreds, but the group also draws support from a broader following of several thousand Nigerians, primarily from the

⁵⁹ For more information on Boko Haram, see Congressional Research Service testimony before a hearing of the House Homeland Security Subcommittee on Counterterrorism and Intelligence, “Boko Haram: Emerging Threat to the U.S. Homeland?” November 30, 2011.

⁶⁰ “Islamic Death ‘Good for Nigeria’,” BBC, July 31, 2009.

northeast. Some observers suggest that attacks attributed to Boko Haram may actually be the work of several different groups, noting variations in the tactics and bomb-making styles employed in recent attacks. Others suggest Boko Haram may be susceptible to fracturing, with a segment of the leadership working to build ties with the international Al Qaeda franchise while most other elements of the group remain focused exclusively on a local agenda.

Since its reemergence, Boko Haram has appeared increasingly committed to acts that aim to discredit and delegitimize the Nigerian state by exposing the weakness of its security apparatus and creating generalized insecurity. Attacks attributed to the group since 2010 have increasingly featured improvised explosive devices (IEDs), car bombs, and, more recently, suicide attacks. According to Human Rights Watch, more than 425 people, including politicians, community and religious leaders, members of the security forces, and civilians have been killed in attacks attributed to Boko Haram.⁶¹

The bombing of the U.N. building in Abuja on August 24, 2011 has put Boko Haram under increased international scrutiny. The targeting of the United Nations marks a major departure from the group's previous focus on domestic targets. It was also Boko Haram's first clearly intentional suicide bombing. Spokesmen for the group claimed the attack was retribution for the state's heavy-handed security response against its members, referencing U.S. and international "collaboration" with the Nigerian security apparatus as rationale for targeting the U.N. The bombing may indicate an aspiration by some in Boko Haram to move beyond local politics toward an international jihadist agenda, or it may be part of an effort to elicit backing from international jihadists for the group's domestic agenda. Boko Haram currently appears to pose more of a threat to local stability than to the country as a whole. Nevertheless, there are concerns that it may seek to align itself with more developed violent Islamist groups. The regional AQ affiliate Al Qaeda in the Islamic Maghreb (AQIM) has publicly offered the group assistance.⁶²

The attempted terrorist attack on an American airliner by a Nigerian passenger, Umar Farouk Abdulmutallab, on December 25, 2009 has also contributed to concerns regarding the possible radicalization of Nigerian Muslims. According to reports, Abdulmutallab, son of a respected Nigerian banker and former government minister, became "radicalized" while living abroad, most recently in Yemen, and Al Qaeda in the Arabian Peninsula (AQAP) claims to have sponsored his attempt to detonate an explosive device while onboard a flight bound from Amsterdam to Detroit. The attempted bombing, allegedly scheduled to coincide with Christmas Day, raised questions regarding airport security in both the Netherlands and Nigeria, where Abdulmutallab's journey began. Both countries began using full body scanners in their international airports in 2010. The attempt also led to increased screening measures at airports around the world. In January 2010, the Department of Homeland Security (DHS) announced that passengers flying to the United States who are citizens of 14 countries deemed to be either "state sponsors of terrorism" or "countries of interest" would be subject to additional screening, including compulsory "pat-downs." Nigeria was among five African countries, including Algeria, Libya, Sudan, and Somalia, included in the new regulation, and the Nigerian government protested the rule as discriminatory.⁶³ In April 2010, DHS announced new security measures for screening all

⁶¹ Human Rights Watch (HRW), "Nigeria: Boko Haram Attacks Indefensible," November 8, 2011.

⁶² "Fertile Ground: The Potential for Jihad in Nigeria," *Jane's Intelligence Review*, September 2010.

⁶³ "Nigeria Criticizes 'Unfair' US Air Passenger Screening," BBC, January 4, 2010.

passengers on international flights to the United States, superseding the regulations that specifically targeted Nigerians for further screening.⁶⁴

Abdulmutallab's actions are considered by most to be an isolated incident. Many observers stress that, by all accounts, his radicalization and training took place outside Nigeria. Nevertheless, the expansion of conservative Sunni Islamist movements and clashes between security forces and Islamist sects in northern Nigeria have raised concerns among some observers and officials that other Nigerians may be susceptible to recruitment by Al Qaeda or other groups hoping to use violence against government or civilian targets in Nigeria or abroad. Many Nigerian experts caution, however, that a heavy-handed security response to the Boko Haram threat in the northeast may further alienate local communities and possibly facilitate extremist recruitment.

Conflict in the Niger Delta

Background of the Struggle

Oil from the southern Niger Delta region has accounted for over 75% of the country's oil production since the 1970s, and the area's political history has been one of conflict and marginalization. The Delta is home to more than 30 million people. Among them are the Ogoni, an ethnic minority whose members have received international attention for their efforts to highlight the extensive environmental damage done by oil extraction in the region. In 1994, author and activist Ken Saro-Wiwa, president of the Movement for the Survival of the Ogoni People (MOSOP), and 14 others were accused of involvement in the murder of several prominent Ogoni politicians. They pled not guilty, but Saro-Wiwa and eight others were convicted and sentenced to death in 1995. Their executions sparked international outrage against the regime of dictator Sani Abacha, who was accused of extensive human rights abuses. The United States recalled its ambassador in response. In 2009, Shell established a trust fund to benefit the Ogoni people, part of a \$15.5 million settlement in a New York court case related to the 1995 executions. The company maintains that it played no role in the executions or other abuses.

Criminality and Violence

Nigeria's oil wealth has been a source of continuing political tension, protest, and criminality in the Delta, where most of the country's oil presently originates. The conflict has been linked to the vandalism of oil infrastructures; massive, systemic production theft known as "oil bunkering," often abetted by state officials; protests over widespread environmental damage caused by oil operations; hostage taking; and public insecurity and communal violence. Several thousand people have been killed in pipeline explosions in southeast Nigeria since the late 1990s. These explosions are triggered when people siphon off oil from holes punched in the above-ground pipeline for personal use, resulting in a reported loss of some 100,000 barrels of oil per day.

In 1998, militants from the Delta's largest ethnic group, the Ijaw, initiated "Operation Climate Change," triggering violent conflict between the Ijaw and the Nigerian military and disrupting oil production in the region. Threats of an "all out war" against the government and the oil companies by Mujahid Dokubo-Asari, one of the leaders of that group, reportedly played a role in

⁶⁴ DHS, "Secretary Napolitano Announces New Measures to Strengthen Aviation Security," April 2, 2010.

an unprecedented rise in the world price of oil in 2004.⁶⁵ The group later called off the threat after negotiations with the government. Dokubo-Asari then led a new rebel movement, the Niger Delta People's Volunteer Force (NDPVF), in a series of attacks against government forces and threats against foreign oil workers. The NDPVF demanded autonomy for the region and a share of oil revenues. An estimated 500 people were reportedly killed in the ensuing violence, according to Amnesty International. Dokubo-Asari was arrested in 2005 and charged with plotting to overthrow the government. He was released on bail in 2007, allegedly because of failing health, and upon his release he reportedly denounced the practice of hostage-taking and subsequently assisted in the government's negotiations with militants. Militants in the Delta also rallied around former Bayelsa State Governor Diepreye Alamieyeseigha, who was impeached in late 2005. British authorities had charged Alamieyeseigha with money laundering when he visited London earlier that year. The former governor, who returned to Nigeria, was found guilty of money laundering and embezzlement in 2007, but was later released by President Yar'Adua on a plea bargain to help advance peace talks. The British government has returned over \$2 million in assets allegedly stolen by Alamieyeseigha to Nigerian authorities.

A new rebel group, the Movement for the Emancipation of the Niger Delta (MEND), emerged in late 2005, using kidnappings to bring international attention to its cause and to demand that the government release various regional figures, including Dokubu-Asari and Alamieyeseigha. Conflict between the Delta's militants and the Nigerian military subsequently escalated, and the kidnapping of foreign oil workers increased exponentially. Media reports suggest over 300 foreigners, including several American citizens, were kidnapped between 2006 and 2009.

Attacks on oil facilities by militant groups like the MEND have periodically cut Nigeria's oil production by as much as 25%, and analysts partially blame supply disruptions in Nigeria for periodically raising the world price of oil.⁶⁶ According to the State Department's Coordinator for International Energy Affairs, "If Nigeria was to produce oil at capacity, it would play a major role in helping to lower and stabilize world oil prices."⁶⁷ Nigeria's deep-water production has proven vulnerable to militant attacks as well, and the threat of sea piracy is high. According to some estimates, up to 10% of Nigeria's oil is stolen every year, and criminal activities in the region have reportedly been used to fund local political campaigns.⁶⁸

From 2007 through mid-2009, militant activity in the Delta was punctuated with periodic ceasefires and negotiations with the government. Acts of sabotage by the MEND and other militant groups increased in early 2009, cutting oil production by approximately 273,000 barrels per day. In May 2009, Nigeria's Joint Task Force (JTF), a special combined military and police unit established in 2004 to restore order in the Delta, launched a new offensive against the militants. The ensuing fight, combined with JTF air and land strikes against militant camps, displaced thousands, according to Amnesty International.⁶⁹ Armed conflict between security forces and militia has decreased in the aftermath of an amnesty program, although periodic skirmishes continue.

⁶⁵ "Pumping Up the Oil Price; the Price of Oil," *The Economist*, October 1, 2004.

⁶⁶ See, for example, "Oil Steady Over 70 USD as Concerns about US Gasoline Supply, Nigeria Continue," *AFX News Limited*, May 22, 2007, and "Assault at Gas Pumps Related to Attacks on Nigerian Pipelines," CNN, May 23, 2008.

⁶⁷ David L. Goldwyn, testimony before the Senate Committee on Foreign Relations' Subcommittee on African Affairs, Washington, D.C., September 24, 2008.

⁶⁸ HRW, *Criminal Politics: Violence, "Godfathers" and Corruption in Nigeria*, Vol. 19, No. 16(A), October 2007.

⁶⁹ Amnesty International, "Hundreds Feared Dead and Thousands Trapped in Niger Delta Fighting," May 22, 2009.

Amnesty Offer for Delta Militants

In June 2009, President Yar'Adua extended an offer of amnesty to Delta militants; those who surrendered their weapons, renounced violence, and accepted rehabilitation by October 2009 would be granted a presidential pardon, along with cash and job training. Within days, five militant groups had announced their intention to accept amnesty. MEND initially rejected the president's gesture, but in July, after jailed MEND leader Henry Okah, who had been arrested in 2007 in Angola and extradited to Nigeria, was pardoned, the group announced a ceasefire. While MEND has not collectively accepted the amnesty offer, several of its purported leaders have. According to Nigerian government estimates, 15,260 "militants" accepted the amnesty and turned in weapons by the October 2009 deadline; almost 20,200 self-declared militants had been demobilized by late 2011. President Jonathan has pursued efforts to establish job training centers in the Delta, a key pledge in the second phase of the amnesty and reconciliation plan, which focuses on the rehabilitation of militia members. The government's ability to deliver on promised infrastructure improvements and job creation will be critical to addressing regional grievances.

Security in the Delta has improved in the wake of the amnesty offer, and oil output has increased to over 2.4 million barrels per day, but observers warn that unless the root causes of the conflict are addressed, the region will remain volatile.⁷¹ MEND, citing outstanding grievances, has continued to periodically claim responsibility for attacks, including explosions in Abuja in October 2010 that killed 10 people. A MEND spokesman claimed that the group had warned officials prior to the bombings to avoid loss of life.

Who are the MEND?

The identity and composition of MEND has changed since it first emerged in 2005. Various militant groups in the Niger Delta have claimed actions under the name of MEND, and analysts suggest that it is now an umbrella group with a decentralized structure. Several high-profile militant commanders, including Soboma George, Ateke Tom, and Government Ektemupolo (alias Tompolo), who were rumored to be among MEND's senior leadership, accepted the President Yar'Adua's amnesty offer in 2009, raising questions about the group's current cohesiveness.⁷⁰

Efforts to Address Environmental and Development Challenges

Oil production in the Delta has caused major damage to the area's fragile riverine ecosystem, and ultimately to the livelihoods of its inhabitants.⁷² Reports on the amount of crude leaked into the Delta's fragile ecosystem vary significantly and there is no accurate measure, but millions of barrels of oil are believed to have been spilled since oil production began in Nigeria.⁷³ Gas flares, which burn unwanted natural gas during oil drilling, have plagued the Delta with acid rain and air pollution. This pollution has severely limited locals' access to clean water, and has largely destroyed the fishing stocks the majority of Delta inhabitants depended on to make a living.⁷⁴ In 2006, Shell Oil, which has the largest production capacity of the oil companies in Nigeria, was ordered by a Nigerian federal court to pay \$1.5 billion to compensate local communities for

⁷⁰ Soboma George was killed in August 2010, reportedly by men he had hired to kill two politicians in the region.

⁷¹ "In Niger Delta, Uneasy Peace as Rebel Disarmament Dates Nears," *Washington Post*, July 27, 2009.

⁷² Amnesty International, *Petroleum, Pollution, and Poverty in the Niger Delta*, June 2009.

⁷³ Amnesty International, *Petroleum, Pollution, and Poverty in the Niger Delta*, Ibid.; UNDP, *Niger Delta Human Development Report*, 2006; Jonathan Brown, "Niger Delta Bears Brunt After 50 Years of Oil Spills," *The Independent* (London), October 26, 2006; Popken, Ben, "BP Gulf-Sized Spilling Occurs in Nigeria Annually, but Nobody Cares," *The Consumerist.com*, June 15, 2010.

⁷⁴ ICG, "Fueling the Niger Delta Crisis," *Africa Report No. 118*, September 28, 2006.

environmental damage. President Yar'Adua announced in 2008 that Shell would be replaced by another company in the oil fields of Ogoniland.⁷⁵ The U.S. Supreme Court is scheduled to consider a suit filed by Ogoni residents against Shell for complicity in torture and other crimes against humanity in 2012; their case is based a 200-year-old law used in recent years to sue corporations for alleged abuses abroad.

Under President Yar'Adua, the government took several important initial steps to engage the Delta's disaffected communities, efforts that activists hope the Jonathan Administration will expand. An unprecedented 20% of Yar'Adua's first federal budget proposal, for 2008, was allocated for security and development projects in the Delta, although activists expressed concern that the amount allocated for security far outweighed funds for development.⁷⁶ The government has continued to allocate significant financing for "post-amnesty" interventions and development projects in the region, targeting transport, education, and health infrastructure. Concerns remain regarding the government's ability to spend the funds effectively.

Most observers agree that the crisis in the Delta must ultimately be solved politically, rather than militarily, but there is considerable disagreement on the details of such a solution. The current federal system provides states with a 13% share of local revenues (predominately from oil sales). Groups like MEND argue that the states should receive a 50% share, as was stipulated in the 1960 constitution. A technical committee nominated by President Yar'Adua to identify policies to stimulate development and improve security in the Delta region issued a report in December 2008. In the report, the committee advocated raising the share of oil revenues allocated to the oil-producing states to 25%. Some analysts suggest that corruption within the state governments is so high that the local populations would see little improvement even if the state share were raised. Some of the oil-producing states have reported revenues of \$1 billion per year but have dismal records of development or service delivery.⁷⁷ Other analysts question what effect a change in revenue allocation might have on the northern states, several of which have lower development indicators than those in the Delta. In late 2009, President Yar'Adua proposed transferring 10% of the revenues from the government's oil and gas joint ventures to local Delta communities.

In September 2008, President Yar'Adua created a new cabinet-level Ministry for Niger Delta Affairs. The position was intended to build on development plans started under the Obasanjo Administration in 2007 under the auspices of the Niger Delta Development Corporation (NDDC), established in 2000 to improve social and environmental conditions in the Delta. Improvements in infrastructure and education were identified as areas of major focus for Obasanjo's 15-year, \$50 billion plan.⁷⁸ In his first year in office, President Yar'Adua doubled the budget for the NNDC, to \$566 million. Some observers have raised concerns that the ministry's programs and those of the NDDC, which is intended to be a part of the ministry, may be duplicative. Some analysts suggest that given the level of corruption endemic in the Delta, the international community should work with the Nigerian government to establish a new development fund that would have independent oversight. New opportunities for foreign investment in the Delta could also contribute to improvements in the region, although unrest may deter investors.

⁷⁵ "Nigeria's Removal of Shell Hailed," *BBC News*, June 5, 2008.

⁷⁶ "Nigeria's Pledge to Increase Niger Delta Spending Elicits Skeptical Response," *VOA News*, November 11, 2007.

⁷⁷ "Blood and Oil," *The Economist*, March 15, 2007.

⁷⁸ "Nigeria Launches New Development Plan for Niger Delta," *Voice of America*, March 27, 2007, and "New Hope for Old 'Master Plan' on Niger Delta," *IRIN*, November 19, 2007.

Effects on the Oil Industry and the World Market

Nigeria has an estimated oil production capacity of three million barrels per day (bpd), but output has struggled to meet capacity. Instability, criminality, and oil leaks in the Delta have cut output by one-fifth since 2006. Nigeria's production now averages 2.4 million bpd, but prior to the 2009 amnesty offer output fell below two million bpd. The threat of a renewed militant campaign against oil targets in the Delta could affect the price of oil on the world market. A longer and more sustained disruption of Nigeria's oil supply, particularly if combined with the disruption of another major supplier's product, could have a significant impact on the world economy.

Abuses by Security Forces

Nigerian security forces, particularly the police, have been accused of serious human rights abuses, and activists suggest that the government has done little to address issues of impunity and corruption within the Nigerian Police Force.⁷⁹ In 2007, the U.N. Special Rapporteur on Torture reported that "torture is an intrinsic part of how law enforcement services operate within the country," and called on the Nigerian government to criminalize the practice.⁸⁰ The State Department's annual human rights reports on Nigeria document numerous instances of "politically motivated and extrajudicial killings by security forces, including summary executions ... torture, rape and other cruel, inhuman, or degrading treatment of prisoners, detainees, and criminal suspects," and a variety of other offenses. In its reporting, the State Department noted serious abuses by both police and soldiers related to the July 2009 Boko Haram uprising and referenced "credible media reports" claiming that police executed the group's leader. Nigerian officials have acknowledged some abuses; in 2010 the country's police minister called the situation "condemnable and unacceptable."⁸¹ Nigeria's prison system has also drawn criticism; Amnesty International has alleged that more than half of the country's inmates had never been convicted of a crime, some awaiting trial for up to 10 years.⁸²

HIV/AIDS, Education, and Population Growth

Nigeria's HIV/AIDS prevalence rate of 3.6% is relatively low in comparison to Southern African nations with adult seropositivity rates of 10 to 25%. However, the West African nation comprises nearly one-tenth of the world's HIV/AIDS infected persons with an estimated 3.3 million infected people, the largest HIV-positive population in the world after South Africa. Nigeria's population is expected to double by the year 2025, which is likely to multiply the spread of HIV. In addition to the devastation HIV/AIDS continues to cause among Nigeria's adult population, over 40% of the current population is under the age of 15. With almost a third of primary-school-aged children not enrolled in school and a large number of HIV/AIDS-infected adults, Nigeria faces serious challenges and significant obstacles in the education and health care sectors.

⁷⁹ Recent reports on abuses include *Arbitrary Killings by Security Forces*, by Human Rights Watch; *Killing at Will: Extrajudicial Executions and Other Unlawful Killings by the Police in Nigeria*, by Amnesty International; and *Criminal Force: Torture, Abuse, and Extrajudicial Killings by the Nigerian Police Force*, by the Open Society Justice Initiative and the Network of Police Reform in Nigeria.

⁸⁰ United Nations Press Release, "Special Rapporteur on Torture Concludes Visit to Nigeria," March 12, 2007.

⁸¹ "Nigeria Condemns Police 'Killing'," BBC, March 5, 2010.

⁸² Amnesty International, "Nigeria: Criminal Justice System Utterly Failing Nigerian People; Majority of Inmates Not Convicted of Any Crime," February 26, 2008.

International Relations

Nigeria has been an important player in regional and international affairs since the 1990s, although domestic challenges may distract the Jonathan Administration from playing a more robust regional role in the near term. The government has mediated political disputes in Togo, Mauritania, Liberia, Sudan and Cote d'Ivoire. Nigeria was critical of the international community for "contradictions" in its reaction to the recent crises in Cote d'Ivoire and Libya, questioning the comparatively robust Western response to protect civilians in Libya.⁸³ Nigerian troops have played a vital role in peacekeeping operations in Sierra Leone and Liberia. Nigerian police, military observers, and experts are also deployed in U.N. missions in Cote d'Ivoire, the Democratic Republic of Congo, Haiti, Timor-Leste, Sudan, South Sudan, and Western Sahara.

The country is one of 12 members of the Organization of the Petroleum Exporting Countries (OPEC), and Nigeria is a key member of the Economic Community of West African States (ECOWAS). The United States is the top destination for Nigerian exports, followed by India, Brazil, Spain and France. China is the lead source for Nigerian imports, followed by the United States, the Netherlands, South Korea, and the United Kingdom.⁸⁴ Nigeria has become a top destination for Chinese investment on the continent.

Issues for Congress

Administration Policy on Nigeria

After a period of strained relations in the 1990s, when Nigeria was under a military dictatorship, U.S.-Nigeria relations steadily improved under President Obasanjo, and they have remained strong under Presidents Yar'Adua and Jonathan. The Bush Administration praised the Nigerian government's improved budget practices, banking sector reforms, and efforts to eliminate the country's foreign debt, although it remained critical of the country's human rights record and questioned its commitment to ensuring free and fair elections. President George W. Bush visited the country in 2003, and First Lady Laura Bush visited Nigeria in 2006. Following the 2007 elections, though, the Bush Administration expressed concern with what it termed "a flawed election, and in some instances, deeply flawed."⁸⁵ Nevertheless, the State Department stressed the need to "engage," rather than isolate, Nigeria to "nurture Nigeria's fragile democracy."⁸⁶

President Barack Obama's Assistant Secretary of State for African Affairs, Johnnie Carson, has referred to Nigeria as "probably the most important country in Sub-Saharan Africa."⁸⁷ President Obama has reiterated the importance of the U.S.-Nigeria relationship. He formally acknowledged the country's role as a regional leader during a meeting with then-Acting President Goodluck Jonathan at the White House in April 2010. Hillary Rodham Clinton visited Nigeria in August

⁸³ "Nigeria Lashes at World's Focus on Libya While I. Coast Burns," AFP, March 22, 2011.

⁸⁴ CIA, "Nigeria", *The World Factbook*, last updated November 10, 2011.

⁸⁵ "Governing Party Wins in Nigeria, but Many Claim Fraud," *New York Times*, April 23, 2007.

⁸⁶ Testimony of Assistant Secretary of State Jendayi Frazer before the House Subcommittee on Africa and Global Health, June 7, 2007.

⁸⁷ U.S. Department of State, "Remarks by Ambassador Carson on Secretary Clinton's Africa Trip," July 30, 2009.

2009 on her first visit to the continent as Secretary of State. Clinton's discussions in Nigeria focused on regional security, democracy, corruption, and economic development. She stressed the need for electoral reform and expressed support for the government's political approach toward resolving the conflict in the Niger Delta.⁸⁸

The United States and Nigeria agreed in January 2010 to establish a binational commission on areas of mutual concern, as called for by Members of the House of Representatives in H.R. 2410, the Foreign Relations Authorization Act, Fiscal Years 2010 and 2011. The first meetings of the commission, formally established in April following then-Acting President Jonathan's participation in the Nuclear Security Summit in Washington, DC, were held in late May 2010. The commission is composed of four working groups that meet regularly: Good Governance, Transparency, and Integrity; Energy and Investment; Food Security and Agriculture; and Niger Delta and Regional Security Cooperation.

U.S.-Nigeria Trade and Maritime Security Issues

Nigeria is an important trading partner for the United States and is the largest beneficiary of U.S. investment on the continent. The country is eligible for trade benefits under the African Growth and Opportunity Act (AGOA). AGOA-eligible exports, nearly all of which are petroleum products, account for over 90% of Nigeria's exports to the United States. Nigeria vies with Venezuela to be the United States' fourth-largest source of imported oil (behind Canada, Mexico, and Saudi Arabia), depending on how much of its oil production is shut-in in any given month. U.S. imports account for over 40% of Nigeria's total crude oil exports, making the United States Nigeria's largest trading partner. 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 NNPC signed an agreement with Russia's Gazprom in 2009 to create a joint venture for oil and gas exploration. Nigeria has also signed an agreement in 2009 with Algeria and Niger to build a 2,500-mile pipeline across their territories to deliver gas to Europe, though its prospects are uncertain. Nigeria exports natural gas to neighboring countries through the new West Africa Gas Pipeline.

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 oil-producing countries makes its oil particularly attractive to U.S. interests. In 2005, the United States, Nigeria, and other interested partners initiated the Gulf of Guinea Energy Security Strategy, a forum through which participants would work to address challenges to oil production. Other regional and international initiatives focused on maritime security in the Gulf have followed.⁸⁹ Nigeria's waters have been named among the most dangerous in the world; the country ranked first in global pirate attacks until it was overtaken by Somalia in 2008, according to the International Maritime Bureau. Maritime piracy in Nigerian waters remains a major concern. Nigeria is also considered a growing transshipment hub for narcotics trafficking, and several Nigerian criminal organizations have been implicated in the trade. The U.S. Navy has increased its operations in the Gulf of Guinea in recent years to enhance security in the region and in 2007 launched a new initiative, the African Partnership Station (APS).⁹⁰ APS deployments have included port visits to Nigeria and

⁸⁸ U.S. Department of State, "Remarks With Nigerian Foreign Minister Ojo Maduekwe," August 12, 2009.

⁸⁹ 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.

⁹⁰ Under APS, U.S. and partner naval ships deploy to the region for several months to serve as a continuing sea base of (continued...)

joint exercises between U.S., Nigerian, European, and other regional navies. Nigerian military personnel have also embarked as trainees, and a Nigerian naval captain has served as the APS Deputy Commander. U.S. Africa Command (AFRICOM) has maintained increased focus on maritime security in the region.⁹¹

Nigeria's Role in Regional Stability and Counterterrorism Efforts

Nigeria plays a significant role in peace and stability operations across Africa, as noted above, and the United States provides it with military training with an emphasis on professionalization and respect for human rights and civilian authority through a range of security assistance programs, including those focused on enhancing its peacekeeping capabilities. Bilateral cooperation on counterterrorism reportedly improved in the aftermath of the December 2009 airliner bombing attempt, although some government officials remain sensitive to perceived intrusion in domestic affairs. 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. Nigeria is also a participant in the State Department's Trans Sahara Counterterrorism Partnership (TSCTP), a U.S. interagency effort that aims to increase border protection and regional counter-terrorism capabilities. The Nigerian parliament adopted new anti-terrorism legislation in February 2011 after a series of bombings in the country. The Obama Administration has urged the Nigerian government to balance its security response to the emerging threat of Islamic extremism with efforts to address some of the legitimate grievances voiced by northern communities.

U.S. Assistance to Nigeria

Nigeria is the second largest recipient of U.S. foreign assistance in Africa, following another strategic partner, Kenya, whose population is less than a third the size of Nigeria. The United States is the largest bilateral donor in Nigeria, providing it with over \$616 million in foreign aid in FY2010 and \$632 million in FY2011. Democratic governance, agriculture and economic reform, improved education and health services, professionalization and reform of the security services, and HIV/AIDS have been the main focus for U.S. assistance programs in recent years. Nigeria is a focus country under the President's Emergency Plan for AIDS Relief (PEPFAR) and the President's Malaria Initiative (PMI). The State Department's FY2012 foreign aid request for Nigeria, which totals \$660.5 million, includes approximately \$588 million (89% of the total) in funding for HIV/AIDS and related health programs.⁹² In 2008, the State Department's Office of the Inspector General (OIG) reported that:

Exceptionally high funding levels for HIV/AIDS create a clear imbalance in the embassy program mix and present a skewed picture of U.S. policy priorities. In addition, this level of HIV/AIDS funding has unintended consequences for Nigeria's broader health infrastructure,

(...continued)

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.

⁹¹ For more information on AFRICOM and Nigeria's response to the command's creation, see CRS Report RL34003, *Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa*, by Lauren Ploch.

⁹² Congress passed H.R. 2055, the Consolidated Appropriations Act, 2012 (P.L. 112-74), in December 2011. The legislation cuts \$6.15 billion from the President's request. Final country-specific allocations have yet to be announced.

monopolizing the country's supplies of medical goods and services, including the qualified health professionals needed to meet Nigeria's other health needs.⁹³

Although AIDS-related interventions have composed the majority of health funding for Nigeria, the funds also target other health concerns, including maternal and child health, malaria, and tuberculosis. U.S. health assistance focused on tuberculosis aims to double the case detection rate and halve Nigeria's incidence in the next decade.

In addition to health programs, the State Department's FY2012 foreign assistance request for Nigeria includes funding for an array of programs focused on economic growth, education, and good governance. U.S. economic and agriculture assistance supports programs that will increase productivity and build trade and investment capacity. This funding also aims to address climate change, including through efforts to increase the production of clean energy and reduce gas flaring. As the FY2012 request points out, one-third of Nigeria's 30 million school-aged children are not enrolled in school, and the request includes over \$15 million in basic education funding. The FY2012 request would further increase assistance for programs aimed at strengthening democratic governance in Nigeria, up from \$9.5 million in FY2008, \$16 million in FY2009, and \$21 million in FY2010, to over \$27 million for the upcoming fiscal year. USAID provided over \$14 million to support the 2011 elections, which included funding for technical assistance to increase INEC capacity. The Administration has requested funding in FY2012 for new conflict mitigation programs to address extremism in the north and conflict in the Niger Delta. USAID has paired with Chevron on a four-year, \$50 million program (of which USAID is contributing half) to improve agricultural development as well as civil society and governance capacity in the Delta. The State Department maintains 10 "American Corners," located in libraries throughout the country, to share information on American culture and values with Nigerians.

Table 1. State Department and USAID Assistance to Nigeria

(\$ in thousands)	FY2010 Actual	FY2011 Actual	FY2012 Request
Development Assistance	70,967	55,791	70,276
Foreign Military Financing	1,850	1,212	1,000
Global Health and Child Survival - State	471,227	471,227	471,227
Global Health and Child Survival - USAID	69,100	101,971	117,000
International Military Education and Training	1,016	940	950
International Narcotics Control and Law Enforcement	500	1,250	0
Nonproliferation, Antiterrorism, Demining and Related Programs	1,520	0	0
TOTAL	616,180	632,391	660,453

Source: State Department Congressional Budget Justifications for Foreign Operations.

USAID is implementing several "flagship" programs designed to concentrate resources and achieve maximum impact. They are focused on two northern Nigerian states: Bauchi and Sokoto (within Nigeria, human development indicators are lowest in the north). USAID's flagship

⁹³ U.S. Department of State Office of the Inspector General, *Report on Inspection: Embassy Abuja and Consulate General Lagos, Nigeria*, Report Number ISP-I-08-25A, July 2008.

education project, the Northern Education Initiative (NEI), is being implemented in the two focus states to strengthen state and local government systems for the delivery of education services. USAID's flagship peace and democratic governance project in these two states is known as Leadership, Empowerment, Advocacy and Development (LEAD). The project is designed to build partnerships between state and local governments, civil society, and the private sector to improve governance, accountability, and service delivery. A third flagship program, the five-year, \$85 million Targeted States High Impact Project (TSHIP) is being implemented in the same two states to reduce maternal and child deaths. The project aims to build the states' health systems to effectively deliver primary health care, and to support overall improvement of the primary health care delivery system through capacity building and institutional strengthening.

U.S. security assistance to Nigeria was suspended from FY2003 until 2006, when the State Department restarted a modest International Military Education and Training (IMET) program.⁹⁴ Security cooperation has increased since then, and the State Department's FY2012 security assistance request, which focuses on military professionalization, peacekeeping support and training, and land and maritime border security, includes \$1 million in Foreign Military Financing (FMF) and almost \$1 million for IMET. Nigeria has also received maritime security assistance through the U.S. Navy's Africa Partnership Station and the State Department's African Coastal and Border Security (ACBS) program.⁹⁵ As an important troop contributor to peacekeeping missions, Nigeria continues to receive U.S. support through the African Contingency Operations Training and Assistance (ACOTA) program. The country also participates in security cooperation activities with the California National Guard through the National Guard State Partnership Program. U.S. counterterrorism assistance to Nigeria includes programs coordinated through TSCTP. Nigeria has also received security assistance through Department of Defense funds, including \$2.2 million in "Section 1206" funding for the development of a counterterrorism infantry company and \$6.2 million aimed at building the capacity of a counterterrorism unit and its tactical communications interoperability. Nigeria also received coastal radar and communications training and equipment through regional Section 1206 programs. U.S. support for Nigerian law enforcement has been limited due to human rights concerns.

Recent Congressional Action

The United States Congress continues to monitor political developments in Nigeria. Congress also continues to monitor Nigeria's energy sector and its role in world oil supplies, as well as humanitarian and human rights issues in the country. Congressional hearings have examined the attempted terrorist attack by a Nigerian citizen on a U.S. airliner in December 2009, raising concerns with the State Department's visa process and with "systematic failures across the Intelligence Community (IC), which contributed to the failure to identify the threat."⁹⁶

The Director of National Intelligence (DNI), during February 2011 hearings by the House and Senate intelligence communities on worldwide threats, highlighted a range of security concerns in Nigeria in his testimony, including political and sectarian violence and militancy in the Niger

⁹⁴ U.S. security cooperation with Nigeria was suspended in the early 2000s when Nigeria hosted exiled Liberian President Charles Taylor.

⁹⁵ For more information on APS, see CRS Report RL34003, *Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa*, by Lauren Ploch.

⁹⁶ Senate Select Committee on Intelligence, "Unclassified Executive Summary of the Committee Report on the Attempted Terrorist Attack on Northwest Airlines Flight 253," May 18, 2010.

Delta and the northeast. The DNI suggested that although the group Boko Haram appeared to be focused on local issues, “it may be pursuing interests it shares with” regional Al Qaeda affiliate AQIM. As international media attention on Boko Haram grew in the wake of the August 2011 U.N. bombing, the House Homeland Security Subcommittee on Counterterrorism and Intelligence held a hearing to examine the group’s potential to commit acts of terrorism against U.S. interests or against the United States. In a related report, the committee raised concerns about the dearth of information available on the group and the potential to underestimate Boko Haram’s potential threat to U.S. interest. The report suggested that the U.S. government expand military and intelligence support, as well as diplomatic engagement with Nigeria, and examine whether Boko Haram should be designated as a Foreign Terrorist Organization (FTO).⁹⁷ Congressional attention to these and other issues is expected to continue during the second session of the 112th Congress.

⁹⁷ *Boko Haram: Emerging Threat to the U.S. Homeland*, Report of the House of Representatives Committee on Homeland Security Subcommittee on Counterterrorism and Intelligence, November 30, 2011.

Figure 2. Map of Nigeria



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