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THE ONGOING STRUGGLE AGAINST BOKO HARAM

Before the

Committee on Foreign Affairs

**Subcommittee on Africa, Global Health, Global Human Rights, and
International Organizations**

United States House of Representatives

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Mr. Chairman, ranking member and distinguished congressmen and women, I thank you most kindly for once again giving me the opportunity to engage with you on a topic that currently agitates the conscience and consciousness of many on our globe today.

I. ABDUCTED CHIBOK CHILDREN: A TURNING POINT?

Global outrage has finally attended the atrocities unleashed by the terrorist group Boko Haram years after you took the lead in alerting the world about these alarming killers but it appears that the hashtag twitter campaigns have been more robust than any actual domestic or multilateral action in Nigeria to truly bring back the girls. Prior to the Chibok schoolgirl abductions, much of the international response was inattention and inaction, now it is attention but inadequate action.

It took the US twenty-five months after the first two American's were attacked and one year after the third and fourth Americans were targeted before Boko Haram was designated a Foreign Terrorist Organization.

It took the UK sixteen months from the time its first citizen was killed by Boko Haram to legally brand them terrorists.

It took the UN thirty three months after the UN HQ in Nigeria was bombed before Boko Haram was sanctioned as an Al-Qaida-linked terror group.

On June 2, 2014, the EU finally designated Boko Haram a terror group. This was about twenty-five months after the first European hostages were killed by Boko Haram.

During my visit to Nigeria in April, the average deaths were a hundred per week; in my 4-day visit last week, it was an average of one hundred deaths a day. Almost triple the number of missing girls have been killed by Boko Haram in the eight weeks since the kidnappings. The world may solidly against Boko Haram but Boko Haram is still horridly against the world.

II. SITUATION REPORT

I would like to highlight a few notable trends and findings from our recent fact-finding visits:

A. THE STATE OF BOKO HARAM'S INSURGENCY

1. GEO-REGIONAL EXPANSION OF CONFLICT

The insecurity and ferocity of the insurgency has seen a resurgence and is spreading southward to the capital Abuja and east to the neighboring country of Cameroon. In the 8 weeks under review, there have been bombings in the northwest, north central and federal capital area outside of the traditional northeastern conflict epicenter.

2. SERIAL ATTACKS ON VICTIMS

Existing victims are being re-traumatized by the inadequate response of the Nigerian government and the international community. Those who did not flee the area as refugees

or IDPs have been subjected to second and third waves of Boko Haram's further atrocities.

3. ELEVATED GENDER-BASED VIOLENCE

The terrorists have escalated their gender-based targeting of women. In the last eight months, we were involved in the relocation and rehabilitation of four slave-brides fleeing Boko Haram captivity. With the recent abductions of almost three hundred Chibok girls, Boko Haram has made it clear that they are now targeting females.

4. ESCALATED SCORCHED EARTH STRATEGY

Boko Haram continues to ravage Northern Nigeria, killing over 1000 people in 8 weeks. The terrorists are bolder and more diabolical than ever and have completely overrun several borderline rural communities. Indeed, swathes of Borno state are now virtually ungovernable and government operations have been shut down whilst the terrorists often install their flags instead.

5. INCREASED GLOBAL JIHADI TIES

A British-radicalized Nigerian, the suspected mastermind of the April bus park bombings, had once been arrested by Nigerian security agents before he was released on bond. This was the first known British-radicalized Nigerian Islamist to strike in Nigeria. The first known British-radicalized jihadist was the underpants bomber who struck on a US plane at Christmas 2009. The next were the clever murderers who beheaded a British soldier in 2013 and now this bus station bomber on April 14, 2014. Also, British media links the so-called British "Black Widow" terrorists to the April Abuja bombings.

The UK is therefore now a source, transit and destination country for jihadists going to Africa, America, Europe and the mid-east. Not only do terrorists transit from UK via Turkey to fight in Syria, but arms from Turkey and jihadists from the UK are now finding their way into Nigeria as well. More needs to be done in the UK-Turkey terror transit corridor to curtail the foreign fighter and arms influx in the global jihad supply chain.

6. INCREASED REGIONAL FOREIGN FIGHTERS

While Boko Haram has historically had foreign members in its midst, the new trend is to recruit young boys from neighboring countries such as Niger to beef up their numbers during raids and attacks. These foreign fighters, unlike their predecessors, are not ideologues or doctrinal jihadists per se. They are generally hired guns and non-immigrants who return to their home countries and view this more as contract-killing.

B. NIGERIA'S RESPONSE TO THE INSURGENCY

1. LACK OF POPULATION MANAGEMENT DATA BACKBONE:

Nigeria lacks rudimentary systems and structures for demographic management. In Nigeria, there is no functional phone or vehicle registration system, nor comprehensive personal identification or licensing infrastructures. These systemic failures allow terrorists to blend in with civilians, breeze past checkpoints, and continue pillaging with ease. Corruption is not the reason Boko Haram is fighting Nigeria, but corruption is

partly the reason Nigeria has been unable to fight off Boko Haram. Nigeria's satellite dropped from the skies in 2008, its much touted multi-million dollar CCTV system, is moribund and its aerial drones are grounded.

2. DIVERSION OF MILITARY ASSETS:

Nigeria has reportedly mobilized even customs officials to the northeast to help with the counter-insurgency. Concurrently, significant military and police resources are being utilized for political campaigns and other activities such as the huge security deployments for the World Economic Forum at the peak of the missing girls' saga. This detracts from what should be the main mission: searching for the girls and protecting Nigerian citizens. Ironically, last week the Nigerian government launched an offensive against the media—protesters and even opposition rallies—further diverting from the real enemy.

In what is arguably a losing strategy, the army launched a recruitment effort where applicants are required to pay for the opportunity to be enlisted and deployed to combat the terrorists. Even if this marketing strategy were effective, the learning curve for the new recruits is too steep and would take too long to resolve the insurgency any time soon.

3. COMMUNITY DEVELOPMENT PROJECTS

The Nigerian army has built boreholes and conducted development projects in the northeast to win hearts and minds. Boko Haram has reportedly come and destroyed those projects thus undermining the government's ability to better engage with the community.

4. INADEQUATE VICTIM RELIEF AND PSYCHO-SOCIAL SUPPORT:

Nigerian aid to victims and victims' families is scarce. At least one escaped Chibok school girl we met had not received proper medical assistance for her injuries sustained while fleeing, mostly because she lacked personal resources to pay for treatment. Media reports say that some parents have even died from the stress caused by the abduction and the sheer hopelessness of the situation.

5. DECREASING TROOP MORALE:

There continues to be break downs in the chain of command. Mutiny and general discontent amongst the ranks of the Nigerian security forces have led to several very public incidences.

C. THE INTERNATIONAL RESPONSE

1. INADEQUATE RESIDENT DIPLOMATIC AND DEFENCE RESOURCES

Although the United States has sent Nigeria law enforcement help, the United States' response has been similarly inadequate. Existing U.S. bilateral security and intelligence cooperation assets are overstretched and understaffed. At this critical point of investigation when the girls were still newly missing, resident US assets were reportedly deployed outside Nigeria to other missions instead of prioritizing on this situation.

Similarly, a Treasury-affiliated office which is critical to financial crimes and terror funds tracing was relocated from the Lagos consulate to South Africa many years ago. It is unclear if there are plans to bring it back to help implement FTO and SDGT sanctions.

It is interesting that the US response to Al-shabab's horrific attack on a Kenyan mall last year was to send Special Forces to take out the mastermind. Yet, Boko Haram is an admitted affiliate of Al-shabab and has perpetrated similar atrocities, such as sorting out Christians from Muslims and beheading them on the highways in last September's horrific Benesheikh chainsaw massacres.

If the argument could be made that American action was predicated on Kenya's East African regional security role in Somalia and Sudan why would American action be so tentative given Nigeria's global security role in Sierra Leone, Sudan, Somalia, Congo, Bosnia, Rwanda, Haiti and Liberia (America's sole African love child.) When America would not put boots on the ground in the one African nation co-founded by Americans, Nigeria did so at a cost of billions of dollars and Nigerian soldiers' lives. Nigeria's military engagement in Liberia is the longest-running commitment in the nation's history. The point here is not that there should be American boots on the ground. It is simply that Nigerian boots have been on the ground for America numerous times over the years so choosing to help Nigeria, in whatever shape, size or form, should not be such a struggle. A strategic ally deserves better.

2. MISPLACEMENT OF MILITARY RESOURCES

The US troop deployment to Chad is somewhat puzzling as it does not appear to be part of a definite strategy. Boko Haram is clearly active in Cameroun, but not very active in Chad. Northern Nigeria is vast enough without throwing Chad into the mix. The deployment smacks of a political half-measure that is more aesthetic than effective. It soothes the populist push for action while appeasing some Nigerian Muslim clerics who have warned about the effects of American troops in Nigeria. Chad is more Muslim than Nigeria so this speaks volumes as to their sensitivities compared to northern Nigeria's.

3. COMPETITIVE DISADVANTAGE

America's aerial surveillance of northern Nigeria is of suspect efficacy. Boko Haram is light years ahead of this technology. The press reported that last year, Boko Haram's training camps in Mali engaged in drone evasion drills and techniques.

4. MISGUIDED PRIORITIES

The United Nations is behind on humanitarian assistance to victims. Rather than prioritizing victim assistance, the United Nations is spending scandalous sums of money "documenting human rights abuses." Atrocities have already been well-documented by human rights groups and the media. What the world needs is a solution, not another document. Yet, the U.N. is reinventing the wheel instead of addressing the obvious needs of victims.

5. INADEQUATE REFUGEE SUPPORT

The Nigerian, American, and international humanitarian response has been less than adequate. Refugees are still fleeing and there is inadequate provision for this

humanitarian crisis. The state of emergency, first declared in May 2012, resulted in a major population displacement. These refugees are simply trying to stay out of Boko Haram's way by either fleeing south or across international borders. Relief agencies complain of inaccessibility or non-responsiveness from UNHCR officials while UNHCR complains of insufficient resources to cater for the refugees.

6. POOR DOMESTIC AID

U.S. and EU diplomats and aid agencies continue to insist that it is impossible to deliver humanitarian assistance because of the intense conflict. Even yet, they neglect the local relief organizations, FBOs, CBOs, and NGOs who constantly risk their lives to save others.

7. POOR INTELLIGENCE

Our team met families from the attacked school. However, in speaking with one of the escaped Chibok school girls, no one had interviewed her— not the police, not the army, and not the intelligence people. She had only spoken to her school principal, her church members and the district head. This is a gap that the multi-disciplinary, multi-lateral assistance team should have brought up with their Nigerian counterparts.

There is something instinctively wrong with the notion that a critical first-hand witness was first interviewed by an American charity and a congressman than by a joint intelligence team from her own nation.

III. RECOMMENDATIONS

A. INTERNATIONAL

The following are a few recommendations for a proper international response to the situation:

1. The satellite surveillance systems should be enhanced with all available technology in order to detect Boko Haram movement. Intelligence cooperation and tactical support should be rapidly deployed to assist in finding the girls. The United States, as a world leader with huge technical capabilities, should upgrade its intelligence and tactical support to Nigeria—a key African ally.
2. The international community should increase overall humanitarian assistance. Currently, there are scant signs of international humanitarian assistance.

The U.N. should scale up its humanitarian efforts by reimbursing terrorism victims the \$30 million the Nigerian government spent to repair the U.N. headquarters in Abuja after its bombing by Boko Haram in 2011. This U.N. headquarters repair project deprives Nigeria's poorest victims of terrorism, vital resources needed for critical surgery, physiotherapy, and rehabilitation and yet benefits the world's largest international bureaucracy with new office buildings.

In terms of humanitarian assistance from the United States, the Department of Justice ("DOJ") should apply Nigerian funds confiscated under asset forfeiture towards humanitarian relief. The Department of Justice's Kleptocracy project has recovered

millions of dollars stolen from Nigeria. These funds need to be injected back into Nigeria to help the neediest victims, as well as to build up security and law enforcement to contain the insurgency. The DOJ has half a billion dollars in assets frozen from the late Nigerian dictator's looted stash. These funds could significantly reconfigure Nigeria's non-existent national security and social security infrastructure. Further, the Security and Exchange Commission ("SEC") should apply the millions of dollars in fines levied on American companies sanctioned for corrupt practices in Nigeria to victim assistance and anti-terrorism capacity building.

3. All involved parties should stop appeasing Boko Haram with a so-called "soft approach." A soft approach is giving in to terror and undermining the rule of law in our civilization. Hundreds of years of history have confirmed that appeasement seldom stops radicals who desire to overtake society. Boko Haram needs to be stopped on the short-term while other programmatic interventions are developed longer-term. This includes finding insurgents, jailing them, and putting them through the judicial processes without interference.
4. Currently, the U.N. has designated Boko Haram an Al-Qaida affiliate and has imposed a series of sanctions. As proven by the United States dilly-dallying over designation, inaction has achieved nothing if not more deaths. The UN should aggressively implement immediate sanctions, and cripple Boko Haram's ability to operate. The U.N. Security Council recently condemned Boko Haram's actions and threatened to take action. Thus, the U.N. Security Council should refer Boko Haram to the International Criminal Court for investigation and prosecution on crimes against humanity charges under the Rome Statute. As a world leader, the US can champion these initiatives at the U.N.

The FTO sanction should be aggressively implemented to target movement of cash and weapons. For instance, Turkish Airlines was recently reported as having been used to ferry weapons into Nigeria. The international community and U.S. should fully investigate this with a view to imposing sanctions where necessary.

5. The US should expand its YES project aimed at bringing eligible children from around the world for a one year study in the US program to include child victims of education-based terrorism. YES has evolved in Nigeria over the years but there is need to include an expansion to accommodate child victims of terrorism.
6. The US State Department has just this year begun funding child survivors of terrorism summer therapy camps in collaboration with a 911 charity. This is highly commendable and should be maintained.
7. Over one hundred UK and Canadian higher institutions aggressively recruit for international students in Nigeria. These international students help subsidize the cost of education for British kids to attend university. These countries should consider providing scholarships for northern Nigerian students who are highly under-represented in the international student enrollment.
8. The US can train exceptional candidates selected from across the Nigerian police, military, immigration, customs, and other paramilitary agencies to create a Special Elite

Force or SEALs to be able to handle hostage rescue and counter-insurgency operations. This could circumvent the Leahy amendment's restrictions while shortening the learning curve for candidates who have basic training.

9. The US Binational Commission should follow through with its commitment to integrate NGOs into its dialogues. Groups like ours who have extensive knowledge and networks within the country can help guide and better inform the consultative processes on how best to help.
10. Nigerian Americans are the most educated group in the US as the Houston Chronicle reported a couple of years ago. The US should consider expanding international study opportunities access for Nigerian students from the vulnerable zones especially since the US recently delisted Nigeria from the visa lottery program.
11. Many prominent Americans including congresswomen, US ambassadors, distinguished academics amongst others studied in Nigeria years ago and it is time to give back to Nigeria during this unspeakable assault on its educational system. Dr Elizabeth Wallace, the first African American Ph.D holder Aberdeen Mississippi (Shivers High School Class of '63) had her studies paid for by a Nigerian university. Today she has returned to Nigeria to build a school in the north.

B. NIGERIA

The following recommendations may be useful to the Nigerian government as far as a Human Impact Mitigation Planning and counterinsurgency response strategies are concerned.

1. First, schools in the vulnerable parts of northern Nigeria should be shut down and students relocated to more secure locations to continue their education. Parents and teachers should explore temporary home-based instruction using a combination of homeschooling, online and nomadic education concepts.

If the government could shut down schools for months simply to allow voter registration, there is no reason why they cannot be shut down to save children's lives. A state of emergency urgently needs to be declared in the education sector of the Terrorism-Prone Zones (TPZ).

2. The government should provide emergency scholarships and grants to existing institutions to help expand their absorptive capacity for student intake. This should include running multiple shifts—morning and afternoon—to ensure continuity of education for children evacuated from the TPZ.
3. A reasonable reward should be offered for each of the missing Chibok children. Their names and pictures splattered across the region in a global amber alert. Given reports that some of the girls have been given out for small dowries as little as N2000 (\$13) the government should be able to offer a N500,000 (\$3000) reward per child for their safe

return. Following Abu Shekau's threat to sell the girls, a buy-back program similar to what human rights groups did in Sudan should be contemplated.

4. A prisoner exchange offer should be made to Boko Haram for the return of the girls. If Nigeria could sign a prisoner exchange treaty with UK which has only one known citizen in custody compared to hundreds of Nigerians in UK goals, it would be well worth considering the release of a high value captive.
5. Border crossings in particular must impose a zero exit policy for young girls without proper parental certification. As I visited a UN refugee camp for Nigerians in Cameroun, two gendarmes were killed by Boko Haram. Cameroon immediately shut the borders. A similar policy should be implemented here.
7. Mandatory ID checks must be the order of the day for all travelers using any mode of transportation. There must be manifests obtained, filed and reviewed for every travel movement.
8. Hospitals should be given anticipatory approval to treat victims of attacks and the government must honor the financial obligations arising from these bills.

Ambulances, helicopters and special mobile casualty units should be mobilized and stationed in terrorism-prone zones to ensure rapid medical intervention after attacks.

9. Satellite and other surveillance apparatus should be utilized to detect nocturnal movements and preempt terrorist activity. Nigeria's Nigcomsat Company must be fully repositioned to maximize its operational capabilities for national security purposes.
10. A DNA and biometric ID and corresponding databank needs to be urgently established for improved evidence-based policing and forensic investigation.
11. All local government funds in the areas most affected should be channeled towards victim and IDP support. No actual governing is going on in many areas. Indeed, thousands of citizens have been displaced. Thus, the budgeted social services for them needs to be redirected to their current exigencies and emergencies.

The TPZs need the equivalent of a government-in-exile to adequately cater for those who are refugees abroad or IDPs in other states. At a UN refugee camp we visited, almost 3000 Nigerians were just being given food rations for the first time in 49 days. Yet Nigeria hosted the World Economic Forum at a cost of millions of dollars while citizens are starving in foreign lands.

Refugees say Emergency Management officials visited from Nigeria in November promising aid. They have not been seen since. Officials of Nigeria's refugee commission have not shown up. Nigeria needs to sign an IDP agreement with the UN to provide a bilateral assistance framework.

12. The larger population of the terror-prone zones should be relocated to safe locations and the exited area thoroughly combed to isolate the terrorists. This includes evacuating Sambisa forest of regular villagers, relocating and resettling them in newly established towns, and completely isolating the Sambisa forest to ensure the terrorists are cordoned off. The same applies to Gwoza hills where the terrorists must be uprooted or hemmed into the caves and crevices. This method will reconfigure the combat into symmetrical warfare rather than urban guerrilla warfare amidst vulnerable civilian populations.
13. The government of Nigeria needs to return all schools confiscated from missions and private owners to enable them be properly run. They should be given grants and subventions to allow them expand their enrolment and provide scholarships to children from the TPZs.
14. Lastly, the government of Nigeria needs to establish a Victim Relief Fund similar to the US' 911 Victims' Compensation Fund that will provide long and short-term assistance including implementing the Human Impact Mitigation Plan outlined above.

As a human rights lawyer, one does not come to these conclusions lightly. However it is all too apparent that the Boko Haram conflagration is the most clearly articulated and orchestrated quest to extinguish contemporary human civilization as we know it.

If Al-Qaida was motivated by anger at US presence in holy lands, Boko Haram is simply incensed at all things "other"—thus espousing a broader hate-filled universe for attack. That this is a clash of civilizations is no more in doubt. The education, modest development, and inchoate legal, governmental, and global systems in Africa are at high risk of collapse from groups like Boko Haram. Where Al-Qaida merely put constraints on entrenched Western constitutional concepts of freedom of movement and privacy, what is at stake in Africa is much more foundational. The threat of Boko Haram in Nigeria, MUJAO in Mali, and Al-shabab in Somalia is nothing if not existential. Africa cannot afford to drop out of the civilization/development production line, nor can the world afford to let it. The era when Rome falls to the barbarians must not be relived.

The world stood up and then moved the oceans in search of the missing Malaysian airline. The time has come for the world to stand together and confront this monstrosity because unlike the missing plane, this situation can still be turned around.

IV. THEY CAME FOR THE GIRLS: A TIMELINE OF NOTABLE BOKO HARAM ABDUCTIONS

The saga of over two hundred school girls abducted by the Nigerian terrorist group Boko Haram is yet another cruel twist in the ongoing Nigerian tragedy. After initially stating that one hundred girls were abducted, the government eventually concluded that two hundred seventy six girls were kidnapped. Considering that some girls have now managed to escape, two hundred seventy six is still conservative since the government says about four hundred female students were present at the time. The government is still trying to account for the non-abducted students.

Whether or not the government ever gets the figures right, the child-shaped vacuum in each parents heart breaks each moment as they anxiously wait for news. Each child is a life—not a statistic. Beyond the numbers is the deeply disturbing fact that this incident highlights the continued brutality of the Islamists’ terror war on Nigeria and the government’s continued pattern of inadequately responding.

On April 14, 2014, a week before I arrived in Nigeria on a relief mission, suspected Boko Haram insurgents attacked the predominantly Christian village of Chibok and violently abducted hundreds of innocent female students. Although the national and global news reports have given increased attention to the situation in Nigeria, this is not the first time Boko Haram has conducted jihadist abductions. Furthermore, unless the world unites to stop this barbaric behavior, it will not be the last time Boko Haram kidnaps children in a desperate attempt to carry out its jihadist agenda.

- In 2005, Boko Haram infamously abducted Christian pastors and moved them into Boko Haram’s mountain camps. The pastors were used as slaves until their subsequent rescue by the Nigerian army.
- In 2009, Boko Haram’s leader, Mohammed Yusuf, abducted scores of pastors and other Christians. The Christians were kept in Yusuf’s mosque grounds in Maiduguri, capital of northeastern Borno state where the terrorists are largely based. In a notorious conversion ceremony, Yusuf demanded that the Christians either convert or die. Yusuf personally beheaded Pastor George Ojih when he refused to renounce his Christian faith. The surviving Christians, who recanted their faith after the public decapitation, were rescued only after the Nigerian army captured the terrorists’ campus. Yusuf died in police custody shortly after his arrest.
- Post-2009, Boko Haram evolved into a more lethal, bloodthirsty, and sophisticated jihadist group under new head terrorist Abu Shekau. They have now gained advanced weaponry and media savvy to achieve their jihadist agenda. The National Consortium for the Study of Terrorism and Responses to Terrorism (“START”) ranked Boko Haram the second deadliest terror group in the world in 2012, with over a thousand deaths resulting from Boko Haram attacks. Only the Taliban is more destructive.
- Head terrorist Abu Shekau oversaw the southward expansion of Boko Haram’s theater of conflict, expanding the reign of terror to four bombings in Abuja, Nigeria’s capital, in 2011. Boko Haram bombed the police headquarters in June, the All Christian Fellowship Church in July, the United Nation’s building in August, and St. Theresa’s Catholic Church in December. St. Theresa’s Christmas Day suicide bombing had the highest number of casualties in the capital area—44 lives—before the April 14, 2014 bus station attack that doubled that figure.
- Boko Haram and its offshoot Ansaru also have been linked to several kidnappings of westerners in Northern Nigeria and Cameroon. Those abducted were held for ransom. On two occasions, when the army attempted to rescue the abductees, Boko Haram executed the hostages. On another occasion, Boko Haram executed hostages based on media speculation of an impending rescue attempt. In all about fifteen countries have suffered citizen casualties, including Italy, the UK, and Germany.

- In September 2013, Boko Haram perpetrated one of its most heinous attacks yet. They blocked off a major highway and systematically beheaded Christian travelers and government workers. Over 160 people died. Muslim men who did not work for the government were spared but abducted. Escaped female slave-brides said that these Muslim men were forcefully conscripted into Boko Haram.

However, the 276 Chibok school girl's abduction on the same day as the bus bombings has focused global attention on Boko Haram's unknown history of gender-based violence. While the world watched in horror as hundreds died on the missing Malaysian flight 370 and the South Korean ferry disaster, Boko Haram's capture of Chibok's children marks a new low of man's inhumanity to woman. Boko Haram's violence against girl children simply boggles the mind due to its sheer avoidability.

Sadly, these abductions were not completely new. A September 2013 fact-finding mission I conducted determined that Boko Haram had begun specifically targeting females and school children. During the mission, we encountered a lady, Mrs. Shettima, whose husband was killed in front of her children for refusing to convert to Islam. Irritated by her crying daughters, the terrorists abducted the girls. This occurred in February 2012 when the girls were ages seven and nine. Far from being an isolated incident, it was not until Jubilee Campaign's unscheduled rescue of a fleeing Boko Haram slave-bride that the systematic pattern of targeting females became evident. In February 2012, we visited an IDP camp for Christians who had fled coordinated house-to-house killings in northeastern Yobe state. These Christians reported that their homes had been marked with graffiti to identify them. At night, the terrorists would invade and kill only the men. This was Boko Haram's strategy for genocide and religicide .

With the massive flight of men, it was only a matter of time for the resilient terrorists to devise a strategy that also encompasses women. The abduction of women, as low ransom value captives, is a stark reminder that the jihad Boko Haram wages is not an economic rebellion as some would have us to believe. As Boko Haram has repeatedly declared, this is a war aimed at Christians and those who value women as equals, not an economic problem.

Our studies have concluded that the mass displacement of mostly religious and ethnic minorities as Internally Displaced Persons ("IDP") within Nigeria or refugees in neighboring countries caused Boko Haram to target other available victims. The shuttering of many northeastern churches, coupled with a multitude of frightened refugees and an ineffectual government response, has made northeastern Nigeria vulnerable to mutating jihadist violence.

Yobe state previously had over one thousand churches. Now, according to a pastor we interviewed there, barely eighty pastors remain. The 95% attrition is a higher percentage than the decimation of Christians in Iraq. Currently, Yobe state has been virtually de-Christianized—and Boko Haram has released a soundtrack bragging as much.

How about schools? Why school kids? For starters, Boko Haram has an infamous stance against western education. Pakistan and Nigeria accounted for more terror attacks on schools than the rest of the world combined in 2012. While those attacks were mostly on empty school buildings, there was the occasional campus massacre like the Mubi polytechnic attack of October 1, 2012.

Students were asked their names and religion, asked to recite a Koranic verse, and killed when they failed to satisfactorily quote the Koran.

By 2014, Boko Haram attacked a middle school and butchered fifty–nine boys in a horrific massacre that set a new moral, age, and terror low for the jihadists. Survivors reported that their genitals were methodically checked for pubic hair growth to determine their eligibility for slaughter. In northern Nigeria, children don't need to be as outspoken as Pakistan's Malala to get shot in the head. They just need to show up at school.

The Buni Yadi middle school massacre in February 2014 was the first time young children were killed on such a huge scale. During that attack, the terrorists warned female students to leave school and get married because they were of "marriageable" age. A Chibok victim we spoke to had his house bombed by the terrorists. Fifteen family and community members were among the abducted girls. One of them who escaped the Boko Haram camp by crawling under a briar fence that badly scarred her back, quoted her captors as stating: "school is bad." She reported that Boko Haram promised to "share" the girls out in marriage.

As we analyzed Boko Haram's rules of engagement which forbid the direct killing of women (but not in mass explosions) a female colleague remarked: "there are things you can do to a woman that are worse than death." Even if every Chibok child were recovered alive, this is a tragedy that requires immediate contingency planning. The government must invent a strategy to defeat Boko Haram to stop these barbaric terrorists from murdering sleeping villagers, selling teenage girls, and denying promising children an education. Nigeria's lost girls could all be found—but yet still more be lost.

Ultimately, the Chibok abductions highlight two main issues that are deeply unsettling on both a macro and micro level. First, the fact that the terrorists were able to con the school to hand over the girls to "protect" them, creates a credibility crisis for future government directives on a micro level. The government needs to ensure that security systems and strategies to prevent young girls from being so readily abducted and taken like lambs to the slaughter. Just last week, Boko Haram insurgents dressed like soldiers, rounded up villagers in a church, and told the people that they were the military deployed to protect the village. Once the trusting villagers were easily accessible, Boko Haram summarily massacred them.

Second, the macro crisis of confidence in the government is aggravated by the government's inadequate response to the kidnappings. A military statement calling for "prayer" was decidedly ineffectual—not a confidence-inspiring strategy. There are no known credible lines of communication or negotiation with the terrorists. Thus, desperate parents trooped through the forest in search of their children because there was no visible presence of the army in a notorious terrorist enclave.

Sadly, the terrorists now know what atrocities garner media attention. Being resilient and media savvy, Boko Haram will come for more girls again. As it stands, the terrorists have reportedly abducted at least 8 more girls during my visit in May and another twenty women last week. Even worse, with inadequate record keeping, lack of citizen demographics, absence of human impact mitigation responses, and systemic dissimulation as state strategies, it will be difficult to confirm

if all the abducted Chibok girls will ever be rescued or accounted for—whether there be 243 or 276 estimated girls. For each individual parent, the child-shaped vacuum in their heart renders these sketchy statistics moot.

V. A PERVASIVE THREAT TO THE STRUGGLE AGAINST BOKO HARAM

Several factors threaten the international community’s ability to understand and effectively respond to Boko Haram terroristic threat. However of primary focus for discussion is threat appreciation beclouded by the fog of diplomacy and political expediency.

DISINFORMATION AND MISINFORMATION

The continuing false narratives of both the US government and the Nigerian government complicate an already complex insurgency. Till this date, it is impossible to determine accurate numbers of casualties of both civilian and military victims of Boko Haram from the Nigerians. Till this day, the US does not acknowledge a minimum of four Americans known to have survived or escaped Boko Haram attacks.

Nigeria’s misinformation is somewhat explicable as Boko Haram has the monopoly of showcasing via video its own propaganda on YouTube while the Nigerian army is left with e-mailed press statements claiming stupendous victories in undocumented battles or downplaying casualties. The US need for disinformation, on the other hand, is not so easily comprehensible.

nited States officials and other international leaders statements that display either intentional bias or a lack of knowledge about Boko Haram.

1. The top targets of Boko Haram:

When Ambassador Robert Jackson, Acting Assistant Secretary of State for African Affairs, testified to the Senate Foreign Relations Committee on May 15, 2014, he said: “I would offer that more of the thousands of people who died as a result of Boko Haram’s activities are Muslim than Christian.”¹ Dr. Sewall, another State Department official, similarly testified to the House Committee on Foreign Affairs on May 21, 2014: “Indeed, the majority of Boko Haram’s estimated 4,000 total victims to date have been Muslim.”² Just a few days ago, the Congressional Research Service stated: “The group [Boko Haram] has focused on a wide range of targets, but civilians in the impoverished, predominately Muslim northeast have borne the brunt of the

¹ #BringBackOurGirls: Addressing The Threat of Boko Haram: Hearing Before the United States S. Comm. on Foreign Relations, Subcomm. on African Affairs, 113th Cong. 2nd sess. (May 15, 2014) (testimony of the Honorable Robert P. Jackson, Acting Assistant Secretary of State for African Affairs).

² Boko Haram: The Growing Threat to Schoolgirls, Nigeria, and Beyond: Hearing Before the United States H. Comm. on Foreign Affairs, 113th Cong. 2nd sess. (May 21, 2014) (testimony of the Honorable Sarah Sewall, Under Secretary for Civilian Security, Democracy, and Human Rights, U.S. Department of State).

violence.³ In 2012, The U.S. Institute of Peace reported that Boko Haram believes that Northern Nigeria is ruled by corrupt Muslims and thus must wage war against the false Muslims.⁴

These uninformed statements are patently false. Effectively defeating an enemy requires knowing the psyche of the enemy: what motivates them, what their goals are, and whom they target. Only when the U.S. acknowledges what the data clearly shows, will the U.S. be able to advance an effective strategy to defeat Boko Haram.

Current data unmistakably shows that Boko Haram primarily targets Christians, not fellow Muslims who generally are collateral damage. **(Please see attached graph)** Furthermore, it is feasible that most of the unidentified civilian targets (25% of deaths) were Christians. It is a well-known fact that Boko Haram targets areas where Christians congregate such as churches, bars, foot-ball viewing centers (not usually patronized by Muslims) and Christian villages and sections of town. Though some killed in bomb blasts were certainly Muslims who happened to be in the wrong place at the wrong time, the reality in Nigeria is that most of the people who attend churches or live in Christian villages are in fact Christians. For high-ranking U.S. officials to make such unfounded statements is astounding especially given the available data.

The 2013 Country Reports on Terrorism mentioned several Boko Haram attacks, including attacks on the military, polio vaccination workers, a French family, luxury motorbuses, students and mosques,⁵ but the Department of State neglected to mention that the majority of these horrific attacks, both in brutality and in sheer numbers, were directed at Christians. For example, Boko Haram separated Christian factory workers from Muslims and slaughtered all 17 Christians on February 23, 2013; killed 50 Christians during a funeral ceremony on May 14; killed over 100 Christian villagers between July 1–7; murdered 53 Christians in front of their church (16 burnt alive inside the church) on August 7; and slaughtered 26 Christian villagers in random attacks between December 8–11, 2013.⁶ These horrific attacks should have been mentioned as notable in the “2013 Terrorist Incidents” section of the report. The Report did not directly mention a single attack on Christians, although attacks on Christians comprised the majority of both incidents and casualties in 2013. Though the Report did briefly acknowledge the most brutal attack, the September 17, 2013 attack in which Boko Haram blockaded a road and slaughtered over 160 civilians with guns and chainsaws, it failed to mention the anti-Christian sentiment motivating the attack. Boko Haram looked at travelers’ ID’s to ascertain their names and religion and asked civilians to recite certain Koranic verses before slaughtering the Christians. Muslim men were spared and forcibly conscripted into Boko Haram, but those working for the government were killed. The State Department glossed over the facts and made the attack sound like an indiscriminate attack on random citizens.

In fact, the village of Chibok was specifically targeted as a slave-raiding attack on a predominantly Christian community. Thus, this sample attack by itself shows how 90% of the

³ Lauren Ploch Blanchard, *Nigeria’s Boko Haram: Frequently Asked Questions*, CONGRESSIONAL RESEARCH SERVICE, May 28, 2014.

⁴ Andrew Walker, *Special Report: What is Boko Haram?* United States Institute of Peace, June 2012.

⁵ United States Department of State, COUNTRY REPORTS ON TERRORISM 2013 37–38 (United States Department of State Publication, Bureau of Counterterrorism 2014).

⁶ The Facts on Nigeria Violence: Incidents, Reports, Statistics, 2013, <http://factsnigeriaviolence.org/spreadsheet/2013-2/> (last visited June 2, 2014).

girls abducted were Christians whom Boko Haram proudly announced it had “liberated” and forcefully converted. The lesser known fact is that the Christian girls are mostly from one Christian denomination which is affiliated to the Church of the Brethren in America.

EYN has so far documented the deaths of 369 members, the destruction of over 1115 member’s homes and the abduction of over 178 members at the hands of Boko Haram⁷. In Gwoza county, only two out of 34 churches have not been destroyed. In Michika town, the local church membership fell by 577 people due to killings, abductions and population displacement by Boko Haram.

A newly released report by a northern Nigerian minority rights group states:

“The Chibok Girls

The abduction of over three hundred female secondary school students from Government Girls Secondary School (GGSS), Chibok, Borno State, Nigeria on April 14, 2014 has elicited consternation all over the world. This is not the first time that Boko Haram has abducted female students. This is, however, its biggest haul. Chibok is a predominantly Christian community and the bulk of the abductees reflect this predominance in the ratio of 9:1. A few facts have since arisen about the abduction saga:

- The Sambisa Forest is some 60 kilometers from Chibok, Borno State;
- The Federal Minister of Education had advised the state Governor, Alhaji Kashim Shettima, to relocate all students sitting for this year’s West Africa School Certificate Examination (WASCE) to Maiduguri the state capital of Borno State, Nigeria for adequate protection, because the examination body, West Africa Examination Council lost three invigilators to *Boko Haram* in 2013. The advice was implemented everywhere in Borno State except as it relates to GGSS Chibok;
- Muslims in Chibok cooperated with the insurgents when they invaded to carry out the abduction. As a matter of fact, a son of the former Secretary of the All Progressives Congress (APC) in Chibok ward was the supplier of petrol to *Boko Haram*. He was arrested by the community and handed over to the military;
- Chibok is a bastion of the Peoples Democratic Party (PDP) in Borno State, though the state is an All Progressive Congress (APC) Party ruled state;
- Boko Haram was generally avoiding Chibok after a former Chairman of the LGA, Hon. Wanangu Kachuwa, was gunned down in front of his house, shortly after returning from a Church service;
- *Boko Haram* invaded Chibok with fighters dressed in military fatigues in 25 pick-up vans and operated from 11 p.m to 3 a.m;
- The invaders burnt down some houses belonging to Christians in Chibok town while a detachment proceeded to the school premises, where they told the students that they were soldiers who had come to rescue them;

⁷ EYN Summary of Attacks Spreadsheet (Annexure)

- Two of the vehicles that were used to transport the female students were commandeered from the local motor park;
- *Boko Haram* insurgents looted the school's food store before burning the school down;
- The school's Principal and Vice Principal, Administration, (both Muslims) and their families, and other teachers were nowhere around the school on the night of the abduction, suggesting some foreknowledge. The Principal is new to the school having just been appointed to take over from the former Christian Principal in keeping with the unwritten policy in Borno State to not allow Christians head any state government institution;
- The Governor of the state claimed that he alerted the military of the pendency of an attack on the school four hours before the attack took place, yet made no attempt to evacuate the students from the school. In any case, *Boko Haram* does not require four hours to travel to Chibok from the Sambisa Forest, their believed embarkation point. As such, anyone with foreknowledge of four hours before the attack must be a *Boko Haram* insider;
- The state Governor kept contradicting the Defence Headquarters spokesman, and the Principal repeats whatever the Governor says;
- Certain individuals are in cahoots with the insurgents. For instance, Governor Shettima of Borno State announced to the media that the girls abducted in Chibok had been forcibly converted to Islam and married off to *Boko Haram* fighters. A day later, Abubakar Shekau, the sect's leader released a video clip making the same claim. Shehu Sani, an "activist", claimed that the sect wanted to exchange the girls with members of the sect arrested by the Nigerian authorities. A day later, another clip emanated from Shekau making the same demand;
- Notable northern and opposition leaders have voiced opposition to international assistance to help bring back the Chibok girls and to fight terrorism in Nigeria.

As shocking as the Chibok incident is it is not a happenstance. Non-Muslim females have historically been preyed upon by Muslims in Northern Nigeria. The obvious conclusion is that the Chibok girls were abducted because of their faith. Also:

- In May 2013 *Boko Haram* attacked a police barracks in Bama, Borno State, and abducted 12 Christian women and children. Shekau took responsibility for the attack and abductions on May 7 2013;
- Hajja, a 19 year old Christian was abducted from the Gwoza, Borno State area. She was forced to convert to Islam, forced to involve herself in the sect's operations and was set to be married to one of her captors when she managed to escape;
- In August 2013, a Christian student reported an attack on her university accommodation. The men were murdered, the women segregated into Muslim and non-Muslim and the Christian women were systematically raped;

- Mid-February 2014, *Boko Haram* murdered 51 persons in Konduga, Borno State, and abducted 20 young women;
- In Buni Yadi, Yobe State, earlier in 2014, 76 students of Federal Government College were murdered in cold blood and 16 female students abducted. They have not been heard of ever since.”⁸

2. Goals of Boko Haram:

Ambassador Robert Jackson also told the Senate Foreign Relations Committee, “As the world now knows, Boko Haram opposes democracy and formal education. It has attempted to crush the kind of faith in the promise of education and prosperity that families in Chibok showed . . . I actually think the prime motivator is to raise more funds for Boko Haram through a ransom. However, the fact that Boko Haram opposes Western education is certainly a reason why these girls were targeted.”⁹

This statement could not be further from the truth. The school girls were low value captives, unlike the Westerners Ansaru and BH have abducted from time to time. One person we interviewed stated that with almost 300 female students, Boko had captured a whole “nation” of female forced converts who could be impregnated and forced to breed an entire brood of Muslim children. If Boko Haram is selling the girls off for \$12 as reported, the gross income from selling three hundred girls is \$3600. For a well-armed, RPG-launching terror group, this amount is a drop in the bucket compared to the millions of dollars they derive from the kidnap of French citizens.

3. Motivations of Boko Haram

Ms. Amanda Dory, Deputy Assistant Secretary of Defense for African Affairs, stated in a speech on June 18, 2012 that the effort to defuse Boko Haram “must focus on addressing underlying socioeconomic, political, environmental and governance challenges from a Nigerian basis.”¹⁰ Johnnie Carson, former U.S. Assistant Secretary of State for African Affairs, was quoted as saying in an interview, “. . . we believe that the bulk of the Boko Haram movement is – they’re focused on trying to discredit the Nigerian Government, trying to do everything in its power to show that the government is ineffective in the defense of its people and in the protection of government institutions.”¹¹

⁸ What The World Needs to Know – Briefing Paper of the Middle Belt Dialogue

⁹ #BringBackOurGirls: Addressing The Threat of Boko Haram: Hearing Before the United States S. Comm. on Foreign Relations, Subcomm. on African Affairs, 113th Cong. 2nd sess. (May 15, 2014) (testimony of the Honorable Robert P. Jackson, Acting Assistant Secretary of State for African Affairs).

¹⁰ Karen Parrish, *Strategy Guides Africa Engagement, Defense Official Says*, U.S. DEPARTMENT OF DEFENSE (June 18, 2012), <http://www.defense.gov/news/newsarticle.aspx?id=116792> (last visited June 2, 2014).

¹¹ Interview by Holly Jensen with Johnnie Carson, Assistant Secretary, Bureau of African Affairs, *LiveAtState: U.S. Policy Toward Sub-Saharan Africa* (September 20, 2012), available at <http://www.state.gov/r/pa/ime/198023.htm>.

These statements ignore Boko Haram's stated tenets of radical jihad against all other religions, especially Christianity. **Their full name, "People Committed to the Propagation of the Prophet's Teachings and Jihad," makes it blatantly obvious that Boko Haram's true intentions are to promote radical Islamic law in the face of all other religions.** Boko Haram's actions demonstrate this religiously charged agenda—over 49% of individuals killed over a 2 year period were Christians. During 2013, Boko Haram only targeted 2-3 mosques, killing approximately 56 people in an effort to warn moderate Muslims to cooperate with Boko Haram's extremist ideals.¹² Simultaneously, over 60 churches were destroyed and hundreds of Christians slaughtered, many of them during the night when Boko Haram attacked sleeping villagers.¹³ It is simply inexcusable for United States officials to ignore readily available data and instead assert speculation and conjecture as facts.. In response to the common misconception that Boko Haram exists because of economic inequality or discontentment with the Nigerian government's "service delivery", Boko Haram's leaders have made their goals and targets crystal clear. Head terrorist Abu Shekau s: "This war is between the Muslims and the Infidels . . . you should know that it is not an ethnic war, it is not an ignorant war, it is not a war for money, it is not a war for any other reason. No, it is a religious war!" His predecessor Mohammed Yusuf stated, "They will say, 'you know, Christians and Muslims can stay at peace.' This is a lie. Do you know why? Allah said it. This is what Allah is saying, 'won't you kill?'"

In the face of all this evidence, it is absolutely incomprehensible why the United States government keeps denying what Boko Haram has affirmed—that they exist to kill Christians and implement a total Sharia state. Boko Haram has repeatedly stated that their interpretation of their religion is to kill all non-Muslims, especially Christians and Jews. The United States would be better equipped to contain the terrorists if officials would simply acknowledge that Boko Haram's stated objective is to target primarily Christians (and in their world view American is Christianity personified) and Nigeria's American-style democracy. Only then can the United States help Nigeria implement an effective strategy for saving thousands of innocent lives.

4. Denial of Al-Qaida and Global Jihad Affiliations:

On May 7, 2014, Johnnie Carson said to an interviewer, "It [Boko Haram] is not yet part of a larger international jihadist movement, and it is not Al-Qaida in the Islamic Maghreb or the old Al-Qaida East Africa cell. This is largely a Nigeria-focused insurgency . . ."¹⁴ United States officials have been denying Boko Haram's ties with Al-Qaida for years. In 2012, Coordinator for Counterterrorism Daniel Benjamin denied Boko Haram's transnational connections when he said, "While not a formal Al-Qaida affiliate, the group known as Boko Haram launched widespread attacks across Nigeria, including one in August against the United Nations

¹² The Facts on Nigeria Violence: Incidents, Reports, Statistics, 2013, <http://factsnigeriaviolence.org/spreadsheet/2013-2/> (last visited June 2, 2014).

¹³ Peter Clotey, *Nigeria Group Warns of Boko Haram Christianity Attacks*, VOICE OF AMERICA May 14, 2014, available at <http://www.voanews.com/content/nigeria-group-warns-of-boko-haram-christianity-attacks/1914722.html> (last visited June 2, 2014).

¹⁴ Interview by Robert McMahon with Johnnie Carson, former U.S. Assistant Secretary of State for African Affairs, *Media Call on Nigeria* COUNCIL ON FOREIGN RELATIONS (May 7, 2014), available at http://www.cfr.org/nigeria/media-call-nigeria/p32955?cid=nlc-religion-religion-and-foreign-policy-bulletin-link5-20140515&sp_mid=46057449&sp_rid=anViaWxlZUBqdWJpbGVlY2FtcGFpZ224ub3JnS0.

headquarters in Abuja that signaled its ambition and capability to attack non-Nigerian targets.”¹⁵ This statement is odd, however, as just two months later the State Department designated three of Boko Haram’s most prominent leaders as foreign terrorists because of their global terrorist affiliations, of which their most significant was Al-Qaida. For such a prominent US official covering counterterrorism abroad, it is unsettling that he did not know of Boko Haram’s partnership with Al-Qaida, especially when it became part of US foreign policy a mere two months later.¹⁶

Even now in 2014, influential former officials such as Johnnie Carson continue to deny the obvious—that Boko Haram is affiliated with Al-Qaida. It is inconceivable that Boko Haram could have carried out its attacks on the U.N. and subsequent civilian targets without the assistance and training from Al-Qaida. In April 2012, documents obtained in the house where Bin Laden was killed showed that Boko Haram leaders had been in contact with Al-Qaida leaders. A Boko Haram spokesperson boasted, **“We are together with Al-Qaida. They are promoting the cause of Islam, just as we are doing. Therefore they help us in our struggle and we help them too.”**

Boko Haram launched its career of international terrorism when it bombed the United Nations compound in Abuja. Afterward, they released a video stating that the bombing’s purpose was to send a message to the United States President and other infidels. Since then, Boko Haram has killed citizens of 15 countries: Kenya, China, Norway, Nigeria, Italy, France, India, Ghana, Germany, South Korea, Lebanon, Syria, Cameroon, United Kingdom and Mali. They have kidnapped and held for ransom citizens of several countries. Boko Haram is particularly a threat to America because of their perception that America is the head of the Christian world.

On January 27, 2012, Abu Shekau released a video stating the United States is an enemy of Islam. Addressing the United States he said, “Do not think jihad is over. Rather jihad has just begun. O America, die with your fury.” More recently, journalists and researchers have begun to question Shekau’s mental stability, calling him “insane” and a “wannabe Osama Bin Laden.” Despite his mental state, Shekau follows in Bin Laden’s footsteps by making increasingly dire threats to the United States, President Obama, and other leaders. Clearly, Boko Haram will not hesitate to murder or kidnap America citizens. Access to Al-Qaida resources makes Boko Haram a serious threat to Americans travelling internationally and to the U.S. homeland. Former American officials should stop calling Boko Haram a regional threat and should recognize the groups for what it is—an international terrorist organization posing a major threat to the United States.

Furthermore, even the International Criminal Court Chief Prosecutor recently stated that Boko Haram is a “non-international armed conflict,” referring to the violence in Nigeria although this is debatable given the terror group’s activities in Mali and Cameroun. Although the Chief Prosecutor is currently conducting a preliminary examination into Boko Haram

¹⁵ *Bureau of Counterterrorism: Budget, Programs, and Policies: Hearing Before the United States H. Comm. on Foreign Affairs, Subcomm. on Terrorism, Nonproliferation, and Trade*, 112th Cong. 2nd sess. (April 18, 2012) (testimony of the Honorable Daniel Benjamin, Coordinator for Counterterrorism U.S. Dep’t of State).

¹⁶ Office of the Spokesperson, *Terrorist Designations of Boko Haram Commander Abubakar Shekau, Khalid al-Barnawi, and Abubakar Adam Kamar* (June 21, 2012) U.S. DEPARTMENT OF STATE, available at <http://www.state.gov/r/pa/prs/ps/2012/06/193574.htm>.

atrocities for evidence of crimes against humanity, the ICC needs to upgrade this into a full-fledged crimes against humanity investigation especially following the UN's referral of this issue. Ties with Al-Qaida make Boko Haram very dangerous, especially considering that Abu Shekau desires to emulate Osama Bin Laden, the mastermind of the World Trade Center attacks. Al-Qaida has proven their potential to destroy countless lives. Access to those global jihadist resources makes Boko Haram more than a mere "Nigerian problem."

Mr. Carson, Mr. Benjamin, and other prominent U.S. officials should not be underestimating the true potency of Boko Haram. Boko Haram clearly has ties with the most dangerous, most virulent terrorist organization on earth whom it has actually surpassed in brutality.

"At the time -- and I still think it's very true -- we didn't move on Boko Haram because we thought it would give them a recruitment boost," said Johnnie Carson, denying that he and then Secretary of State Hillary Clinton were asleep at the switch regarding Boko Haram designation. "We engaged the Nigerians quite extensively. Not being on the [FTO] list didn't inhibit our ability to help . . . It could evolve over time, but [Boko Haram] is not a threat today to the homeland."¹⁷

Boko Haram is a very lethal threat to the homeland and it has been so for a while. It has actually attacked at least four Americans that we know of:

1. An American diplomat serving in the UN in Nigeria in 2011
2. An American diplomat serving at the US embassy in Nigeria in 2011
3. An American couple serving as charity workers in northern Nigeria in 2012

Mr. Carson is currently at the U.S. Institute of Peace where even in semi-retirement his patently flawed assessments still carry weight on these issues.

Improper problem analysis leads to inaccurate problem solving and in this case amounts to willful intelligence failure and a potential threat to national security. It is indeed troubling when Boko Haram statements appear to have more credibility than the interpretations and explanations of officials.

5. Denial of Boko Haram's Congruency:

John Campbell, former ambassador to Nigeria, and other officials have consistently denied Boko Haram's congruency as a unified jihadist group. On May 7, 2014, John Campbell said to the media, "Boko Haram seems to me to be not such much an organization as a movement. It's highly diffuse. It's multilayered. It does not seem to have a unified command and control. Abubakar Shekau, the most prominent part of Boko Haram, appears to be much more a warlord than he does the leader of an organization."¹⁸ This is a distinction without a difference

¹⁷ James Gordon Meek and Dana Hughes, *Debates in DC Delayed Action on Boko Haram, Officials Say*, ABC NEWS, May 8, 2014, available at <http://abcnews.go.com/Blotter/debates-dc-delayed-action-boko-haram-officials/story?id=23642464&page=2>.

¹⁸ Interview by Robert McMahon with John Campbell, former Ambassador to Nigeria, *Media Call on Nigeria* COUNCIL ON FOREIGN RELATIONS (May 7, 2014), available at <http://www.cfr.org/nigeria/media-call-nigeria/p32955?cid=nlc-religion->

because whether or not he fits into our idealized western box of what a terrorist should look like, his lethality is indubitable – Boko Haram has held off Africa’s largest military force.

While Boko Haram certainly has factions within itself, such as Ansaru, it is widely known to have a defined, although highly esoteric, leadership structure that organizes, encourages, and acknowledges violence as its own. The State Department hesitated to declare Boko Haram a foreign terrorist organization until November 2013, due in part to claims that it was not a unified terrorist group. As the recent kidnappings have proven, Boko Haram displays all the signs of an organized group, i.e., capability to retain hundreds of prisoners, coordinate multiple attacks, achieve military objectives and strategize future violence. Abu Shekau has titled himself as its leader; and, without evidence to the contrary, there is no reason to doubt his proclamation. He is certainly accomplishing his mission—murdering, pillaging, and terrorizing innocent people. Furthermore, Boko Haram is financially stable through such means as robbing banks, demanding protection money, and gathering ransom in addition to influx of funds, foreign fighters and arms from abroad. They consistently organize and carry out systematic attacks on Christians, military, schools, Muslims who cooperate with the authorities and anyone who don’t fit their agenda.

Johnnie Carson has given a multitude of reasons why lingering on the Foreign Terrorist Organization (“FTO”) designation was correct. He has consistently stated that the U.S. feared FTO status would give Boko Haram a recruitment boost, and that it would make Boko Haram target international instead of primarily Nigerian interests.¹⁹ However, Jubilee Campaign and The Washington Working Group on Nigeria have been urging a FTO designation for years. In hindsight, Boko Haram had only been gathering more support while the U.S. quibbled over whether they were “organized” enough for designation. As proven by the United States dilly-dallying over designation, inaction has achieved nothing, if not allowing more deaths. The U.N. should learn this lesson, proactively implement immediate sanctions, and cripple Boko Haram’s ability to function.

At several hearings, senior officials have made statements that are either false or ill-informed. In 2012 they told Congress they didn’t know about Iran arms shipments to Nigeria; in 2014 they don’t know of BH attacks on Americans in Nigeria even though one of the four Americans known to have survived an attack insists that US intelligence was privy to that information before it occurred. US government officials should be known for what they know and not for what they don’t know.

VI. CONCLUSION

A. POLICY REVIEW

As the world now can see, Boko Haram is as evil a terror group as the world has ever seen. This group for years got away with murder based on a “see no jihad, hear no jihad, and say no jihad” US policy that cited “legitimate grievances.” The truth is that hate, tribalism and

[religion and foreign policy bulletin-link5-20140515&sp_mid=46057449&sp_rid=anViaWxlZUBqdWJpbGVlY2FtcGFpZ24ub3JnS0.](#)

¹⁹ James Gordon Meek and Dana Hughes, *Debates in DC Delayed Action on Boko Haram, Officials Say*, ABC NEWS, May 8, 2014, available at <http://abcnews.go.com/Blotter/debates-dc-delayed-action-boko-haram-officials/story?id=23642464&page=2>.

religious intolerance are not “legitimate grievances”. Where the US claims a north/south dichotomy is responsible for tensions in northern Nigeria, the fact is that a northern hegemony over the south is at the core of the said tensions. Yet, Southern and Central Nigeria, for the years the underdogs in the North’s political domination have not shown this level of militancy and violence which their marginalization could have provoked. Boko Haram has been violent for 10 years but the north has been backward for a 100 years.

B. LEAHY AMENDMENT

Officials say assistance to Nigeria is limited because of the Leahy Amendment which restricts support to troops accused of human rights violations. This is an important law and as someone who fourteen years ago this week was abducted by Nigerian security forces, detained and brutally assaulted for months as a human rights lawyer advocating in Nigeria, I am cognizant of its importance.

However in our struggle to achieve FTO designation for Boko Haram, we realized two things:

1. It is easier to blacklist a foreign army for human rights violations than to designate terrorists.
2. There are better guidelines for appealing an FTO designation by a terrorist than there are for foreign armies blacklisted by Leahy.

Poor implementation of this law could undermine a critical regional ally and potentially US strategy of down-sizing military and working via regional forces. It is deeply ironic that the Nigerian military division accused of human rights abuses in the Niger Delta was actually working closely with international oil companies. Indeed the human rights abuses afflicted in the region was in an effort to protect vital US and European oil investments in Nigeria. US courts were presented with evidence that Nigerian security personnel were substantially appendages of the oil companies and were ferried, fed, and funded by them in many instances²⁰

A waiver, compartmentalization, or some other work around would be needful in these circumstances. US has to be a role model for Nigerian army on how to handle this situation. Whether by examples of what it did wrong with the Afghan and Iraq insurgencies or what it did right. The fact is that it is the same source—global jihad, the same modus operandus, the same ideology, and the same threat.

C. CONTAINING GLOBAL JIHAD PROLIFERATION

Three military actions in which the US has been involved have arguably helped empower to Boko Haram to where it is today.

²⁰ <http://www.theguardian.com/world/2009/jun/08/nigeria-usa>

1. The US invasion of Afghanistan in 2002 discovered the presence of Nigerian foreign fighters alongside Al-Qaida and the Taliban. None is known to have been moved to Guantanamo. A year later the “Nigerian Taliban” surfaced in northern Nigeria.
2. The US-supported NATO ouster of Libya’s Gaddafi in 2011 led to the proliferation of arms and possibly fighters to northern Nigeria.
3. The US-supported French/AU roll-back of Jihadists in northern Mali in 2013 again led to proliferation of both arms and foreign fighters into northern Nigeria.

In this sense the Taliban/POW Prisoner transfer could likely have an impact on Boko Haram and the captive girls. It creates a precedent of appeasement where Boko Haram may now insist on freeing some of its key members already in custody.

While I am not opposed to the safe return of the girls, the Bergdahl swop sends a message of victory to the Taliban and their BH acolytes that they can “rescue” their men from the belly of the great Satan. If BH was tentative about their demands before, they will be no more.

In dealing with such a diffuse matrix of globally-linked Jihadists, the US needs to be more circumspect about the ripple effect such a high-profile prisoner exchange can cause. American citizens could potentially become the human bit coins for terror trades across multiple continents.

D. BILATERAL MUTUAL RESPECT

The protracted FTO debate revealed to some extent the duplicity in diplomatic relations between Nigeria and the US. While on the face of it both countries showed a joint determination to stall our pro-designation efforts, the USG still refused to do it even after Nigeria finally caved in and outlawed Boko Haram under its own laws. US sources secretly whispered that they held out because of fear of Nigerian military human rights abuses and not so much Boko Haram after all.

While Nigerian military sources had privately hinted that Nigerian politicians were wary of FTO because of the potential search light on their financial dealings, the US itself was opposing FTO and at the same criticizing Nigeria for corruption and blaming it for the insurgency.

There would need to be greater mutual respect and transparency. Some US military sources have sincerely acknowledged that transitioning Nigerian military from peacekeeping operations abroad straight into a home-front insurgency can be problematic and these are the sorts of issues that should be frankly dealt with.

The US appears to care more about security in the South South of Nigeria where oil is produced. Clearly the crisis in the north has not impacted US access to oil from the Niger Delta. Indeed the US is a large beneficiary of oil theft from the south so its access to Nigerian crude seems assured regardless of what happens. Nigerian officials express frustration that although they have sought help in stopping crude oil theft, America’s response has been tepid. Therefore the northern conflict is much less a priority of the US.

In conclusion, let me share an experience last week. Family members of missing girls told us that they had agreed to levy themselves and raise \$70,000 for a Camerounian witchdoctor who said he could find the girls. They dropped the plans when they heard that the US and others

were going to assist the Nigerian government in finding their girls. Instead of retreating into the dark ages, they have reached out to the modern world for help. I think this says it all. Thank you.