

**EXAMINING THE U.S.-NIGERIA RELATIONSHIP
IN A TIME OF TRANSITION**

HEARING
BEFORE THE
SUBCOMMITTEE ON AFRICAN AFFAIRS
OF THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
ONE HUNDRED ELEVENTH CONGRESS

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EXAMINING THE U.S.-NIGERIA RELATIONSHIP IN A TIME OF TRANSITION

TUESDAY, FEBRUARY 23, 2010

U.S. SENATE,
SUBCOMMITTEE ON AFRICAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:15 a.m., in room SD-419, Dirksen Senate Office Building, Honorable Russell D. Feingold (chairman of the subcommittee) presiding.

Present: Senators Feingold, Cardin, Kaufman, and Isakson.

OPENING STATEMENT OF HON. RUSSELL D. FEINGOLD, U.S. SENATOR FROM WISCONSIN

Senator FEINGOLD. The hearing will come to order and on behalf of the Senate Foreign Relations Committee Subcommittee on African Affairs, I welcome all of you to this hearing entitled “Examining the U.S.-Nigeria Relationship in a Time of Transition.”

I am honored to be joined by our ranking member of the subcommittee, Senator Isakson, and I’ll invite him to deliver some opening remarks in just a moment.

Nigeria has received increased attention by the United States media following the Christmas Day attempted terrorist attack. Although it appears that al-Qaeda in the Arabian Peninsula, based in Saudi Arabia and Yemen, played a significant role in Abdulmutallab’s recruitment and radicalization.

I don’t think we should dismiss the possibility that certain conditions in Nigeria have played some role, too, however small. I expect we’ll discuss this at today’s hearing, as well as Nigeria’s inclusion on the new TSA list of 14 countries from which travelers will receive additional security screening.

But today’s hearing is about far more. The U.S.-Nigeria relationship covers a wide range of important issues and strategic interests. Nigeria is the most populous country in Africa, and the eighth most populous in the world. It is home to Africa’s largest Muslim population as well as an estimated 250 ethnic groups. It is Africa’s second largest economy and a major global supplier of oil. And as a current member of the U.N. Security Council, a major contributor to global peacekeeping and the host of ECOA’s headquarters, Nigeria has been a leader in regional—and increasingly—in global affairs.

For all of these reasons, Nigeria’s recent political paralysis has been cause for great international concern. Since November, President Yar’Adua has reportedly been in a hospital in Saudi Arabia.

His prolonged absence and failure to appoint an interim leader for months created a constitutional crisis.

Meanwhile, Nigeria's role in key regional matters has been diminished and this has been, perhaps, no more evident than with the continuing crisis in neighboring Niger.

Earlier this month, the National Assembly voted to make Vice President Goodluck Jonathan, the Acting President, but much uncertainty still remains. Nigeria will likely be in a state of transition for the foreseeable future, particularly as Nigeria moves closer to general elections which are scheduled for 2011.

Sorting out the many political challenges facing Nigeria while still respecting the constitution will take time, patience, and leadership. A successful transition for Nigeria must address the historic tensions and corruption that pervaded most of the country's political system.

Last month, sectarian violence broke out once again in Central Nigeria and hundreds of people were massacred. This is not the first time we have seen this type of fighting, and yet disturbingly, there have been no police investigations despite a government pledge to the effect that there would be. A cycle of retribution will likely continue until there is some effort to achieve accountability, and furthermore the discriminatory policies carried out by Nigeria's security forces against certain groups, many of them Muslim, has the potential to fuel extremism.

Indeed, in the northeast of Nigeria, the extremist group Boko Haram has already sought to exploit these tensions.

At the same time in the south of Nigeria the crisis continues in the oil-rich Delta Region. For the last 30 years, local communities in the Niger Delta have been—Niger Delta have been marginalized politically and economically. Over time, frustration and endemic poverty have given rise to several armed groups pursuing increasingly criminal ends. The trade in stolen oil from the Delta's vast pipelines, known as "bunkering" has become a lucrative industry and created a complex war economy.

I've tried over recent years to focus on Nigeria's domestic climate, because I think it has serious implications for a strategic partnership as well as for Nigeria's role as a key actor on the global stage. The Obama administration has rightly reaffirmed the importance of our bilateral relationship with Nigeria, and I look forward to hearing today how we can ensure that we have the resources and the diplomatic presence and the strategic vision to actively engage with and support Nigeria's transitional leadership.

At the center of this effort, we'll be working with Nigerians at the Federal, State and local level to address the country's many political and economic challenges, as well as working to rather address the many regional and global challenges of mutual concern.

So, with that, let me introduce our witnesses this morning. On our first panel, we'll hear from Assistant Secretary for African Affairs, Johnnie Carson. Assistant Secretary Carson just returned from a trip to Nigeria earlier this month, and it has been great to work with him on this and many other issues over the last year, and I thank him for his willingness to testify.

On our second panel, we'll hear from three experts. First, Ambassador John Campbell who was the U.S. Ambassador to Nigeria

from 2004 to 2007 and served as a political counselor in Nigeria from 1998 to 1990. He served for over 30 years in the Foreign Service and now works as a senior fellow for Africa Policy Studies at the Council on Foreign Relations. I'll just note that Ambassador Campbell has a first-class education; he received his Ph.D. from the University of Wisconsin in 1970. And returned to Madison in 2007 as a visiting professor.

Second, we'll hear from Dr. Peter Lewis who is an associate professor and director of the African Studies Program at Johns Hopkins University School for Advanced International Studies. Dr. Lewis has written and worked extensively on issues of democratic reform and political economy in Africa, particularly in Nigeria.

And third and finally, we are honored to have with us Mr. Nuhu Ribadu. Mr. Ribadu is currently a visiting fellow at the Center for Global Development. From 2003 to 2007, he was head of Nigeria's Economic and Financial Crimes Commissions, during which time he was recognized widely for his efforts to combat corruption.

But he was forced to step down from that post after charging a powerful State Governor with corruption in December 2007 and a year later, he was forced to leave the country after facing harassment, death threats, and even attempts on his life. In fact, in 2008, both Senator Isakson and I sent a letter to President Yar'Adua, requesting that he ensure Mr. Ribadu's personal safety. So we're especially glad he's here today.

So, I thank you all for being here. I ask that you keep your remarks to 5 minutes or less so we have plenty of time for questions and discussion and we'll submit the longer statements for the record. And now it's my pleasure to turn, of course, to the distinguished ranking member, Senator Isakson.

**STATEMENT OF HON. JOHNNY ISAKSON,
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Well, thank you, Chairman Feingold, welcome Johnnie Carson, you do a great job on behalf of our country on the Continent of Africa, and we are very grateful to you.

I think it is very important that the chairman called this hearing today for multiple issues, not the least of which is Abdulmutallab's failed attack—fortunately failed attack—in Detroit, MI, which raises a lot of questions about Nigeria and about al-Qaeda in Nigeria.

I might also add, Mr. Chairman, as a representative of the State of Georgia where Delta Airlines is headquartered, and given their attempts to open all of Africa to the United States with many routes that they have pending there, aviation security is particularly important to me and to them and I appreciate all we can learn about that particular incident today.

We also have the differences between the North and the South, we have the political issues, we have a nation that is rich in oil and we have a nation that is the second highest AIDS infection on the Continent of Africa and is a PEPFAR participant.

So, there are multiple reasons today to hear from Secretary Carson and the other experts. I welcome them being here, and I thank you, Mr. Chairman, for calling the hearing.

Senator FEINGOLD. Thank you, Senator Isakson.

Ambassador Carson.

STATEMENT OF HON. JOHNNIE CARSON, ASSISTANT SECRETARY OF STATE FOR AFRICAN AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Mr. CARSON. Mr. Chairman, Ranking Member Isakson, and members of the committee, thank you for this opportunity to testify before you today on Nigeria. Nigeria is one of the two most important countries in sub-Saharan Africa and a country of great significance to the United States.

I have just returned from a visit to Nigeria and I am pleased to share with you my insights on the evolving political and economic situation there, as well as the status of United States-Nigerian relations.

First, let me express our shared hope that President Yar'Adua, who has been receiving medical treatment in Saudi Arabia for the past 3 months, will fully recover. His prolonged absence has generated political uncertainty and has challenged Nigeria's young democratic institutions.

The National Assembly's resolution that officially designated Vice President Goodluck Jonathan Acting President demonstrated Nigeria's resolve to find a peaceful solution to the country's leadership vacuum, and we commend Nigeria's top elected political leaders for pursuing a transparent process, one that has adhered closely to the principles of democracy and the rule of law. We will continue to support the Nigerian people as they work through their democratic institutions to resolve the challenges facing that great nation.

America's bilateral relationship with Nigeria remains very strong, and my recent visit to Nigeria underscored the continuing importance of Nigeria to the United States and the value of our bilateral relationship. It also provided me with an opportunity to discuss areas where the United States can engage with Nigeria on issues of importance to both countries.

In my meetings with a broad spectrum of political, religious, and civil society leaders across Nigeria, I discussed the important role that elections play in democracy. I stress that Nigeria's next Presidential and National Assembly elections scheduled for April 2011 must be credible. They must be free, fair, and transparent and they must be a significant improvement over the country's 2007 Presidential elections, which were deeply embarrassing and deeply flawed.

I urged Nigeria's leaders to make electoral reform one of Nigeria's highest priorities. Nigeria's Independent Electoral Commission (INEC) has performed poorly over the past decade, and has not served the interests of Nigeria well. INEC needs new and improved leadership if elections are to have any real meaning in that country.

A multinational team of election experts funded by USAID and the British Government completed an electoral assessment in Nigeria in January. The United States is prepared to provide technical assistance to Nigeria's Election Commission, provided they demonstrate a willingness to fulfill the primary role of strengthening electoral administration.

I also spoke to Nigeria's leaders about the economic developments and the many challenges facing Nigeria's oil-dependent economy. The United States is one of Nigeria's largest investors, and we seek to support economic development in Nigeria by advocating for an improved business climate, revitalization of the country's infrastructure and increased power generation.

Nigeria, with a population of 150 million, generates less power than the city of Brussels in Belgium. The country has only one functioning powerplant, and over 70 percent of its power is produced through diesel generators. We support President Yar'Adua's commitment to increase power generation to 66,000 megawatts by the end of the year, and we have encouraged acting President Jonathan to follow through on that pledge.

We also welcome Nigeria's efforts to reform its energy sector, but encourage it to do so in a manner that will maximize the use of the country's most precious resource, improve the lives of Nigerians and not drive away foreign investors in the process.

I also discussed regional security issues with Nigeria's political leaders. Nigeria's record on and commitment to regional peace and security is outstanding. Nigeria is one of the largest contributors to U.N. peacekeeping missions, and is the single-largest contributor in Africa. It has fielded troops to trouble spots in West and Central Africa and also to Darfur. Nigerian troops played a critical and central role to Liberia and Sierra Leone a decade ago.

We seek to enhance Nigeria's role as a U.S. partner on regional security, but we also seek to bolster its ability to combat violent extremism within its own borders. Nigeria is a partner in counterterrorism efforts, and it is in this context that Nigerians have expressed dissatisfaction with their inclusion on the Transportation Security Administration's "Countries of Interest" list. Some Nigerians perceived this as collective punishment for the actions of one person, when in fact they shared our outrage at the attack and have been providing assistance in the ongoing United States investigations.

Despite this, our friendship and relationship with Nigeria remains strong and continues to be based on a wide range of important bilateral issues.

I also discussed the situation in the Niger Delta with a variety of Nigerian leaders. The Niger Delta has experienced a period of relative calm, largely as a result of an October 2009 amnesty agreement that the government negotiated with militant leaders in the area. As a result security has improved considerably in most areas of the Delta. But a resumption of violence can not be ruled out if the government does not follow through on the implementation of its rehabilitation and reintegration program for the area.

We commend the government of Nigeria for initiating the amnesty process, and we urge acting President Goodluck Jonathan to move forward on the implementation of the post-amnesty programs.

During Secretary Clinton's August 2009 visit to Abuja, she agreed to establish a United States-Nigeria Binational Commission that would allow the United States and Nigeria to engage on key bilateral issues including regional security and counterterrorism threats, governance and transparency issues, the problem of the

Niger Delta, and economic development. The Secretary intends to move ahead with the signing of that Binational Commission agreement in the next 2 months. The Secretary has also agreed to reestablish an American diplomatic presence in Northern Nigeria in the next 12 to 18 months. We currently have no diplomatic representation in Northern Nigeria.

Mr. Chairman, we are enhancing our bilateral engagement with Nigeria, despite the enormous challenges we face. We remain encouraged by the Nigerian people's commitment to their country's democratic foundation and Acting President Jonathan's public and private commitments to reform. We will seize the opportunity to work with the Government of Nigeria in these efforts. Our goal is to help Nigeria fulfill its potential as a regional leader, but the Government of Nigeria also has obligations that it must meet to address the needs of its citizens.

Thank you again for this opportunity to discuss our bilateral relationship with Nigeria. I look forward to answering your questions. My full statement has been submitted for the record.

[The prepared statement of Mr. Carson follows:]

PREPARED STATEMENT OF ASSISTANT SECRETARY JOHNNIE CARSON, BUREAU OF
AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Mr. Chairman, Ranking Member Isakson, and members of the committee, thank you for the opportunity to testify before you today on Nigeria—one of the most important countries in sub-Saharan Africa and one of the United States most strategic partners. I particularly appreciate the abiding interest of the African Affairs Subcommittee in Nigeria. I have just returned from a visit there and am pleased to share my insights on the evolving situation as well as the United States-Nigeria bilateral relationship.

First, let me express our shared hope that President Yar'Adua, who remains absent from the country for medical treatment, will fully recover. His absence over the last few months challenged Nigeria to find a path forward consistent with its Constitution and in line with democratic principles. The National Assembly's resolution that officially designated Vice President Goodluck Jonathan as Acting President demonstrated Nigeria's resolve, and we commend the commitment of all elements of Nigerian society to constitutional process and the rule of law. We will continue to support the Nigerian people as they work through their democratic institutions to resolve the challenges facing their great nation.

My visit to Nigeria underscored the continuing importance of Nigeria to U.S. national interests and the value of our bilateral relationship. It also provided an opportunity to discuss areas where the United States can engage with Nigeria on issues of importance to both countries. My meetings with a broad spectrum of political, religious, and civil society leaders across Nigeria focused on our shared values and goals, including efforts on governance, elections, anticorruption, countering violent extremism and regional security. I stressed that the elections scheduled for April 2011 must be credible—Nigeria cannot afford a repeat of 2007. The February 6 elections in Anambra state, while deemed credible, suffered from poor logistics and administration, and as little as a 16-percent voter turnout. This is one area where the Independent National Electoral Commission (INEC), which is in need of improved leadership, must do better.

Our bilateral relationship with Nigeria remains strong and we continue to press forward our mutual strategic goals—achieving free and fair elections, building the capacity and commitment to fight corruption, promoting economic development, resolving internal conflict and enhancing Nigeria's role as a regional leader in conflict mitigation, and developing other influential actors in Nigeria such as the State Governments and faith communities.

Elections: While Nigeria has accomplished much in the past 10 years, it still faces many challenges to meet its full potential. Nigeria's 2007 elections were marred by poor organization, widespread fraud, and numerous incidents of voter intimidation and violence resulting in the deaths of more than 300 people. The 2011 elections must be better. As such, I have urged Nigeria's leaders to make electoral reform one of Nigeria's highest priorities. I have stressed the importance of achieving

peaceful transition of civilian rule through transparent, free, and fair elections. We have supported Nigerian organizations by printing Electoral Reform Commission (ERC) recommendations in English, Hausa, and Yoruba, as well as organizing symposiums, seminars, and other venues to educate stakeholders.

A U.S. Agency for International Development and United Kingdom's Department for International Development team just completed a joint electoral assessment in Nigeria. We continue to urge Nigeria to implement the reforms needed to move closer to credible election processes and a peaceful transition of civilian rule through transparent, free, and fair elections. We are prepared to provide technical assistance to Nigeria's election commission provided they demonstrate a willingness to fulfill their primary role of strengthening election administration.

Good Governance: The challenges Nigeria faces are principally ones of governance. As Secretary Clinton said clearly, "The most immediate source of the disconnect between Nigeria's resource wealth and its population's poverty is a failure of governance at the federal, state, and local level." Endemic corruption is a known culprit, but so is the failure to hold political leaders accountable to the people. Improving governance is the foundation of U.S. efforts in Nigeria at the federal, state, and local levels where we seek to improve transparency, accountability, and fiscal responsibility. There can be little progress in reducing child mortality, fighting poverty, creating jobs, and improving the business climate without improved governance.

Economic Development: We seek to support economic development in Nigeria by advocating for improved business climate, increased power generation, and transparency in the extractive industries. Endemic corruption is a major factor behind Nigeria's consistently low ranking (125 of 183) in the World Bank's "Doing Business" report. U.S. companies have to follow the Foreign Corrupt Practices Act, and the USG has been aggressive in pursuing companies that violate it. We will support those Nigerian institutions and organizations that fight corruption and inefficiencies that hinder economic growth.

We welcome Nigeria's efforts to reform its energy sector. We are actively engaged in seeing that Nigeria's reforms advance its own energy security and provide the income the nation needs to invest in development. We applaud Nigeria's participation in the Extractive Industries Transparency Initiative (EITI) and encourage Nigeria to finalize implementation of EITI's revenue transparency methodology and independent validation.

We embraced President Yar'Adua's commitment to increase power generation to 6,000 megawatts by the end of the year and we hope Acting President Jonathan takes on this pledge. Major infrastructure improvements are critical to developing manufacturing and other nonoil sector industries. This is a real challenge for Nigeria and absolutely essential for the progress and development of Nigeria and its people. The decline in the country's infrastructure—from poor roads to power shortages to reduced health and education spending—has led to a decline in social indices, reduced manufacturing and food insecurity.

Regional Security Cooperation: Nigeria's commitment to regional peace and security remains exemplary in a troubled continent. Nigeria has provided the largest number of peacekeeping troops in Africa. It has fielded troops to trouble spots in West Africa and to Darfur, and played an important role in returning stability to Sierra Leone and Liberia.

We seek to enhance Nigeria's role as a U.S. partner on regional security, but we also seek to bolster its ability to combat violent extremism within its borders. Nigeria is a partner in counterterrorism efforts, and it is in this context that Nigerians have expressed dissatisfaction with their inclusion on the Transportation Security Administration's "Countries of Interest" list. Nigerians perceive this as collective punishment for the actions of a wayward son, when in fact they shared our outrage at the attack and have been providing assistance to the ongoing investigation. Let me be clear, our friendship and relationship with Nigeria is strong and continues to be based on a wide range of important bilateral issues.

We condemn the chronic politically motivated, interreligious violence in Plateau State, especially around Jos. The conflict flared again in recent weeks, resulting in the killings of more than 100 civilians. We urge all parties to address the hostility between religious and ethnic groups and bring perpetrators of such acts to justice. The tensions in the north have religious overtones and are perceived by outsiders as fighting between Christians and Muslims; in fact, the real conflict is one of politics. Political leaders in Nigeria must recognize this and with the help and support of national religious leaders promote a dialogue between groups to resolve issues peacefully.

President Barack Obama's speech in Cairo last year called for mutual understanding and partnership across gender, religious, ethnic, and nationality lines. To meet this call, we seek to expand our diplomatic presence in key African countries,

most critically, in northern Nigeria. Having representation in northern Nigeria will allow us to engage key Christian and Muslim leaders in the north, support the vibrant civil society, and report on political, economic, and social issues.

Niger Delta: While we are currently experiencing relative calm in the Niger Delta, this region remains at the forefront of our bilateral agenda. By October 2009, the Nigerian Government persuaded all major militant leaders to renounce violence and surrender arms in exchange for amnesty, government stipends, training opportunities, and pledges of greater development for the Delta. Nigerian officials followed up the amnesty program with a series of consultations with Delta stakeholders, including ex-militants. To date, security has improved considerably in most areas of the Delta, but ex-militants have staged protests in Bayelsa, Rivers, and Delta States over lack of progress on rehabilitation and reintegration.

We commend the Government of Nigeria for initiating the amnesty process and urge the implementation of the post-amnesty programs. We support efforts to establish mechanisms for positive changes in governance, curb activities of criminal elements operating with impunity in the Delta, and provide economic opportunity and needed services for residents of the Niger Delta. We have coordinated closely with the international partners and the United Nations Development Program (UNDP) to identify opportunities to assist the Nigerian Government in this endeavor. The UNDP sent a letter to Minister of Defense and Amnesty Committee Chairperson Retired General Godwin Abbe in December 2009 offering to engage on the Niger Delta.

During her August 2009 visit to Abuja, Secretary Clinton agreed to establish a United States-Nigeria Binational Commission that would allow the United States and Nigeria to engage on key bilateral issues including regional security and counterterrorism, and advance discussions on governance and transparency issues, Niger Delta post-amnesty progress, and economic development.

Mr. Chairman, we are enhancing our bilateral engagement with Nigeria, despite the enormous challenges we face. We remain encouraged by the Nigerian people's commitment to their country's democratic foundation and Acting President Jonathan's public and private commitments to reform. We will seize the opportunity to work with the Government of Nigeria in these efforts. Our goal is to help Nigeria fulfill its potential as a regional leader, but the Government of Nigeria must first address the need of its citizens.

Thank you again for the opportunity to discuss our bilateral relationship with Nigeria. I look forward to answering your questions.

Senator FEINGOLD. Thank you, Ambassador Carson.

We welcome Senator Cardin who has joined us and we'll begin with 7-minute rounds.

I'd like to start off my questioning with one about this Nigerian political crisis that you talked about. Goodluck Jonathan's appointment as Acting President may avert a political crisis for the time being, but going forward I think it seems pretty clear that just calling on Nigeria to adhere to its constitution is insufficient to avert another political crisis. Can you say more about that? Whether you're sure of that and what steps the administration is taking to head off any political crisis that might reemerge down the road?

Mr. CARSON. Thank you, Mr. Chairman.

The United States has been watching the political situation in Nigeria for the last several months and our diplomacy has been active and engaged. Shortly after President Yar'Adua left for Saudi Arabia, the Embassy and I and Washington began to reach out to senior leaders across Nigeria—across the political spectrum—encouraging them that there would be a democratic and stable transition if one were required.

Secretary of State Clinton issued a statement along with the British and French Foreign Ministers and Baroness Ashton some 1 month ago, also encouraging the Nigerian political elite to act responsibly during this period of uncertainty. My trip out to Nigeria approximately 2 weeks ago was also intended to encourage all of the political leadership there to act responsibly in ensuring that

there would be stability and a commitment to constitutional and democratic change if it were required.

We were concerned, as we should be, given Nigeria's long history of military involvement that we did not want to see a return of the military to power in an unconstitutional way in Nigeria. I think the Nigerian leadership has acted thoughtfully, responsibly, and along democratic lines in resolving the current crisis.

But, Mr. Chairman, you're right. We're not out of the woods yet. We won't be out of the woods until Nigeria holds its next Presidential election, until it has a President that all of the people have had an opportunity to select and vote for.

Senator FEINGOLD. In that context, let me say a little bit comparing our policies toward Nigeria and Kenya. Both are clearly important, as you've said, United States strategic partners on the African Continent. And both struggle with deep-seeded and often crippling corruption.

In the case of Kenya, this administration you, yourself, Ambassador Carson, have taken a tough public line calling on the Unity government in Nairobi to enact meaningful reforms and to ensure investigations into corruption allegations. And the administration has backed up that public line with travel bans against corrupt high-level officials and the suspension of some development assistance.

With regard to Nigeria, the administration's statements have not been backed up by such targeted measures or tangible steps. Why is this? What, Ambassador, would trigger the administration taking a tougher public stance toward Nigeria including the implementation of targeted measures of the type that we took with regard to Kenya?

Mr. CARSON. Mr. Chairman, we have been outspoken and strong on Nigeria, encouraging as I say, a democratic succession process. We haven't, in the past, taken and imposed visa sanctions on individuals who have been engaged in corruption and in criminal activities and I will provide a list of individuals that we have so targeted in the past for criminal activities, mostly related to money laundering, drug issues and such crimes.

But let me just also say that we have been very assertive in pressing the Nigerians, particularly on issues related to democracy and governance. I, myself, in my statement noted that the Independent National Election Commission under the current chairman, Maurice Iwu, has not in effect served the interests of Nigeria well. In the last three elections out there, we have seen a constant deterioration in the ability of the Commission to perform at a high level within a democratic context.

We have spoken out and said that this needs to be changed. I, in fact, met with Maurice Iwu, the chairman of INEC and clearly laid on the line our concerns about the need for a much, much better electoral process in the future. These have been also—these representations have also been made to other senior government officials in Nigeria.

There is a need for good elections, there is a need for improvement, there is a need for change.

Senator FEINGOLD. Thank you.

Ambassador, I know that you share my belief that we need a stronger and more sustained diplomatic capacity throughout Africa, and in Nigeria in particular, although our Embassy—we have an Embassy in Abuja and a consulate in Lagos and our Foreign Service officers are doing great work there—but I remain concerned, as I have been ever since I visited different parts of Nigeria in 2001, I have been concerned that these offices do not have the resources or reach the need they have to engage on the Nigerian Government on multiple levels.

Specifically on the reach issue, our diplomats continue to be limited in their ability to travel to many parts of Nigeria, including the North and the Delta. This, in turn, limits their ability to report on and analyze the situation in those regions. So, what steps are we taking to address these limitations and expand our diplomatic presence outside of Abuja and Lagos?

Mr. CARSON. Thank you, Mr. Chairman. We totally agree with you and Secretary Clinton has responded. She has committed to re-opening a diplomatic presence in Northern Nigeria, quite likely Kano. Today, in 2010, we have fewer diplomatic establishments in Nigeria than we had 25 years ago, when we had an Embassy in Lagos, a consulate in Abaden, a consulate in Kaduna, an American presence in Kano, and a presence in Eastern Nigeria, as well, prior to the civil war.

We are committed to reestablishing our diplomatic presence in the North, it's extraordinarily important that we do so, I think, as you pointed out, Nigeria is the sixth-largest Muslim state in the world, the second-largest Muslim country in Africa, and we have no diplomatic presence in the—

Senator FEINGOLD. What kind of a size of contingent are you talking about in Kano or in Northern Nigeria?

Mr. CARSON. I would think that we would be looking at somewhere between three and five Americans up there. And we are, in fact, dispatching—next week—a team of officers from the State Department to go and look at site and security measures that would have to be implemented before we can—I'm extremely pleased to hear that, Ambassador.

Thank you, Ambassador.

We welcome Senator Kaufman, and I turn to Senator Isakson for his round.

Senator ISAKSON. Thank you, Mr. Chairman.

Continuing on the comment about the Muslim population for just a second, since the arrest of Abdulmutallab, other than putting "Countries of Interest" category of Nigeria, has anything else been done by the United States regarding that?

Mr. CARSON. Senator Isakson, the answer is absolutely, yes.

When I went to Nigeria last week, I spoke to a number of Nigerian officials, and I urged them to do four things that we think are absolutely essential. We asked the Nigerian Government to allow United States Sky Marshals to fly on any planes originating in Nigeria and coming into the United States.

Second, we asked the Nigerian Legislature to pass tougher counterterrorism laws. We said that the existing laws on the books are insufficient to reach those individuals engaged in terrorist activities.

Third, we asked the Nigerians to improve their airport security, and we offered to provide assistance in helping them to do so.

And fourth we asked—and I asked specifically, a number of senior officials including Acting President Goodluck Jonathan—to speak out more forcefully on issues related to the threat that terrorism poses to all of us, globally, in Nigeria, in the United States and across the world. But that they should recognize that they, too, can in fact have terrorist-related problems.

So, we've asked them to do those four things and we will continue to encourage them to do it. We think that it is in their interest, it reassures the traveling public, whether it's Nigerian or American, and it also helps to reassure companies like Delta that want to fly into—Delta, Continental, and others—who want to fly into the Nigerian market.

Senator ISAKSON. Twice during your testimony you referred to some of the religious conflict as the religions actually being surrogates for politics, or political movements. Which religion is whose surrogate?

Mr. CARSON. I think that depends, Senator, on the particular regions. And I think that a lot of the conflict that we see in Nigeria does, in fact, have a political origin, and that political leaders use religion as a vehicle to project, in advance, their political interests. But it can depend on where the conflict is taking place. I think that political leaders can use Islam or Christianity as a scapegoat for some of the current political problems that exist both in the North, the South, and in the middle belt.

Senator ISAKSON. In the studies I've done, al-Qaeda generally tries to befriend the most radical sects of Islam, I know there are various sects. Do you know what sect of Islam is predominant in Nigeria?

Mr. CARSON. Most Nigerians are Sufi and very moderate Muslims.

Senator ISAKSON. With regard to being on the Gulf of Guinea, in my visit to equatorial Guinea—and I have not been to Nigeria—we were attempting to get an increased presence of United States naval vessels because of some of the potential terrorist threat as well as narcotrafficking, things of that nature. Do you know if Lagos or the port city of Nigeria have allowed any United States naval visits, or are there any planned to go there?

Mr. CARSON. Yes, indeed, there have been United States Navy visits, and they have been occurring on a regular basis for the last several years of the United States Navy and AFRICOM have a program called the West African Partnership Station, in which they send a frigate down the West Coast, hitting most of the major West African cities, including Lagos. The African Partnership Station had to be cancelled, just about a month ago because it was requested to respond to the earthquake in Haiti.

Senator ISAKSON. Right.

Mr. CARSON. But approximately a week and a half ago, a different U.S. frigate called in at Lagos as a port call, they carried out a number of activities, the band played around Lagos, the crew received ship leave and moved on. So, there are regular port visits by the Navy, the Africa Partnership Station is the recurring activ-

ity. But there was, in fact, a port visit just a week ago from another non-Africa Partnership United States naval vessel.

Senator ISAKSON. Last, just acknowledging in your remarks that twice you referred to corruption as a major problem, first in free and transparent elections, and second in economic development. That is a similar problem in Kenya—it has been the same type of problem. What kind of reaction did you get when you opened up corruption discussions on your most recent visits to Nigeria? Is the Government looking the other way, or is there going to be a sincere interest to try and reduce it?

Mr. CARSON. Corruption is a pernicious cancer in many parts of Africa. It is particularly pernicious in Nigeria. I spoke to a number of government officials about the need to crack down on grand corruption, both at the national and at the local level. I also spoke to Acting President Goodluck Jonathan about this. I was very pleased at his responses, I was also very pleased that when he spoke on television that he said that he would, in fact, move against corruption in his country. He recognizes that this is a major problem.

But, we will have to see whether there is a strong commitment. You will be hearing, on the second panel, from one of Nigeria's most prominent corruption fighters—a man who has dedicated his life to trying to eradicate the scourge of corruption. He can probably tell you far more than I can how very, very difficult it is to get at corruption in Nigeria.

It requires political will, it requires good judges, it requires good prosecutors, and it requires—more than anything else—a commitment and a resolve to make this an activity that will not, any longer, be sanctioned at any level by those in the central government, or those at the state government. A great deal of Nigeria's corruption occurs, and is in the hands of, government officials at the state and at the national level.

Senator ISAKSON. Thank you, Mr. Chairman.

Senator FEINGOLD. Thank you, Senator Isakson.

Senator Cardin.

Senator CARDIN. Well, thank you, Mr. Chairman.

And Secretary Carson, it's always a pleasure to have you before our committee and we thank you for your service.

Well, let me follow up on corruption for one moment, because the major source of corruption, it seems to me, in Nigeria, deals with the fact of its mineral wealth. It's a country that's very much dependent upon oil and gas. If my numbers are correct, about 80 percent of its revenues—or more than 80 percent of its revenues comes from oil and gas. It's the—95 percent of its exports, it's the largest in Africa, and one of the 10 largest in oil globally.

It became an application country for the EITI—the Extractive Industries Transparency Initiative. It's my understanding they were in danger of being delisted because of their poor preparations for the EITI. Mineral wealth, for many countries, has become a curse because it becomes the source for corruption; that's where the money is. And EITI offers an opportunity for transparency, so that the companies that are participating in Nigeria are required to list their contracts publicly, so the public knows where the money is going.

The prospect here is to try to get the wealth to the people. Nigeria—because of corruption—is a country in which the general populace does not benefit from the wealth of its own country. And until we correct that, it seems to me it's going to be extremely difficult to see how the economic and political reforms have a chance of advancing that country.

So, I guess my question to you is, what is the position of the United States regarding Nigeria's efforts to become a member of EITI and to use the leverage we have in that country to make sure that the companies that are participating in Nigeria are prepared to release and make public their mineral contracts?

Mr. CARSON. Senator Cardin, I agree with you totally. We think that it is important that Nigeria be a member and a strong and willing participatory member in EITI. There is no question that oil and gas in Nigeria have been more of an economic curse than an economic benefit for that country.

It is a source of a great deal of Nigeria's current corruption and its current economic woes. As you point out, it has been for much of the last decade, the largest source of income. It also has been the largest producer of oil and gas in sub-Saharan Africa. But much of the country's wealth has been squandered and/or stolen. And it has been stolen by individuals mostly occupying government positions, both at the national level and at the state and local level.

Issues of bunkering—where oil is stolen from pipelines and pushed onto ships—is also quite common. There have been sweetheart preferential agreements made that have also led to oil being stolen, as well. This has been a major problem for Nigeria over the last two decades.

There is an absolute need for greater—much greater—transparency in the way Nigeria's oil revenues are handled. Some of that transparency started to creep into the system about 6 or 7 years ago during the first term of President Obasanjo, but then as he moved into his second term, some of the effort and desire to clean up the oil industry, make the books more transparent, make the revenue flows clear, disappeared.

But the country must do more, the political leadership has to do more, there has to be a greater degree of transparency. If it is not, then we will see a continued squandering of the nation's wealth.

Senator CARDIN. I guess my question is, How does the United States leverage its relationships in Nigeria to make sure that in fact progress is made? In 2007, Nigeria became an application country in EITI. Two years later, it was almost delisted because of its failure to really move forward on the requirements on EITI. We have active engagement, including your visit last week, how do we—plus assistance, United States gives a substantial amount of aid to Nigeria—how do we leverage that, so that 2 years from now we've not talking about this as to, "Gee, there was some progress made," and then they slip back. How do we make sure that there's continued progress toward transparency? In oil, how do we do that?

Mr. CARSON. Senator Cardin, we can't guarantee it. What we can do is continue to focus a spotlight on the problem, put a spotlight on those individuals who we think are engaged in corrupt activities, work with reformers who want to see the system cleaned up, encourage the government to prosecute—increase—encourage more

work by the Economic and Financial Crimes Commission to take an aggressive stance against individuals engaged in corruption, exposing those at the upper and the lower levels who were involved in activities, and also where we can—and where we have evidence—sanction through visa restrictions individuals who we believe are engaged in corrupt activities.

But in the end, it does require the political will and leadership of Nigeria's top officials to make the changes that are there.

I would also say one thing about aid, if I could—

Senator CARDIN. Before we leave that, I just want to—

Mr. CARSON. Absolutely.

Senator CARDIN [continuing]. Just underscore the point the chairman made. You certainly shouldn't give the impression by how we recognize Nigeria about credibility to corrupt practices, or the lack of progress that's being made, whether it's on watch lists, or other considerations that are being asked—or in our aid. We should make it clear that we do not accept their failure to move forward, as they should have, on the EITI, for example. Let's be—just urge us to be more open in our assessment of Nigeria and not try to pretend that progress has been made, when it hasn't.

Mr. CARSON. Senator, I couldn't agree with you more. I think I've probably been pretty blunt in saying that corruption in Nigeria is a cancer and a curse. It has undermined the ability of the country to move forward economically, and it remains one of the most serious and pressing problems that they have. It requires political leadership in Nigeria at the very, very top levels. We're in no way, sort of, trying to brush it aside or to push it off of the front pages; it is a major, major, major problem out there and it exists at the highest levels and it goes down to state governments, as well.

But in the end, our pressure—which we should continue to maintain—is only one part of the equation. We need to support people in Nigeria, reformers who are also committed to pushing ahead on corruption.

If I could say, on our aid, we do have a substantial aid program in Nigeria, some \$550 million, but most of that money—probably 80 percent of it—is in the health care area. It is in fighting HIV/AIDS and malaria, and is absolutely needed for the people of Nigeria. Probably another 5 or 6 percent of that goes into democracy and governance work where we are trying very hard to empower civil society. So, there isn't a whole lot that is outside of the area of health care and democracy and governance. What we actually give in straight development assistance is probably less than 7 or 8 percent of that total package.

Senator FEINGOLD. Thank you, Senator Cardin.

Senator Kaufman.

Senator KAUFMAN. Mr. Chairman, I want to thank you again for holding, excellent timing on this hearing. And I know no one is concerned more about corruption than Ambassador Carson.

But, you know, it brings to mind that wherever you go in Africa, in my opinion, if you point to one thing to change things is dealing with corruption. I mean, it just, wherever you go, you just see these places that would be great if we didn't have corruption.

And, Mr. Chairman, I just think we have a lot—and Senator Cardin's questions are right on point—but I think you could ask

those questions about every—not every—but many of the nations in Africa. Mr. Chairman, could we think about having a hearing and bringing together some of the great minds and try with a systemic approach?

Senator FEINGOLD. Certainly we'll look at that—you couldn't be more right that this is—

Senator KAUFMAN. I mean, because—

Senator FEINGOLD [continuing]. But I would say that this country has a particularly severe problem, and I don't want to lump all of the African countries—

Senator KAUFMAN. No, no, and I'm not. But I'm just saying, there's so many of them when you go and you look at what the problems are, it's a problem. And this thing, the Millennium Challenge Corporation's requirement for dealing with corruption is excellent, there are people that talk about that would, Senator Cardin said, that you know, it's a curse to have all of these natural resources, when you go to the countries that have the high natural resources, they have the most corruption and they're the ones that are having the most problems. It's really almost better to be—not have anything.

And I'm not painting with a broad brush, but it just seems to me an approach that—just talking to the leaders and demanding it, it's not like we've got aid, as you point out, it's not like aid is something that, if we threaten we're going to remove it, you know, is an incredible problem. It's just getting some thinkers together on some kind of a systemic approach to this thing—how about our allies? I always thought the World Bank and IMF—everybody—getting together and trying to figure it out, and as I say again, the Millennium Challenge program, I think, was an excellent one, where countries had to demonstrate the fact that they were dealing with corruption, had specific things to do, is a way to approach it.

So, again, I know no one cares more about this than our present witness. I'd like to ask you about something else that I think affect a great deal in corruption, I know something you care a great deal about, but the problem is, when you list all of the things you're talking about it doesn't come up. And yet, I think—and that is the press situation, the freedom of the press in Nigeria and throughout Africa.

When you look at the Freedom House surveys and far too often the countries listed as trending toward not free or not free are the same countries that have high levels of corruption. I really do believe that, you know, and one of the great things we have in the United States is a free press. Brandeis' comment about sunshine is a wonderful disinfectant, the people that drive sunshine are the media and having an aggressive media in a country makes corruption even more difficult. Where does the free press in Nigeria stand at this point?

Mr. CARSON. Senator Kaufman, one of the good things about Nigeria is its press and its press freedoms. There is no question that Nigeria probably has a large number of newspapers, they are vibrant and active and many of them are critical—harshly critical—of the government. They do, in fact, run exposes on corruption and corrupt individuals, and they do find a way of getting the story out

there, even when politicians and other government leaders don't want it to be told.

A good example of that is reflected in the reporting on the medical absence of President Yar'Adua. While many top government officials have, in effect, suggested that the President is out of the country only for a minor illness, much of Nigeria's aggressive press has suggested that the President would be away for much longer and is much seriously ill than any politician around President Yar'Adua has said.

The press has also been willing to criticize and expose individuals who were engaged in corruption. Yes, they do, in fact, exercise some restraint, some self-censorship as to avoid any kind of lawsuits that might be leveled at them for not having the evidence that would underpin a good story. But the press in Nigeria is, in fact, aggressive, it's vibrant, it's alive and it's independent for the most part, although there are some papers and news media are allied to political parties and there is a government media organization. But the press is alive and well and needs to be encouraged to continue to do what it's doing. If anything, it probably has a streak of yellow journalism about it in some areas.

Senator KAUFMAN. Wasn't there a strong press law that they tried to pass that didn't get passed by the legislature?

Mr. CARSON. I'm not sure about any recent press laws. I would have to check.

Senator KAUFMAN. Would you check? That would be good.

Mr. CARSON. I will.

[The written response supplied by Mr. Carson follows:]

In November 2009, the House of Representatives' Committee on Information set up a technical committee of stakeholders to review the contentious Nigerian Press and Practice of Journalism Council bill. The committee produced a compromise bill—Nigerian Press Council (Amendment) Bill 2009—which they presented to the National Assembly for consideration on December 23, 2009. At present, the bill has not yet been scheduled for further consideration by the National Assembly.

Senator KAUFMAN. And how about—the last time I checked they were trying to pass a law to limit the international broadcasters broadcasting into Nigeria? The Voice of America, do you know where that stands?

Mr. CARSON. The Voice of America can't be heard broadcast, but we do have rebroadcast—you can hear it on certain stations—but it's rebroadcast, there.

Senator KAUFMAN. Yes. Because that's really—you talk about spotlight, one place to—I've learned over the years that that—leaders don't want is—they don't want Voice of America broadcasting about corruption and things like this and exposing it to the rest of the continent.

Mr. CARSON. Yes, I think we—we're certainly are—we are rebroadcast there and some of our programs are very, very, very, very popular. The Voice of America does a program with Nigerian students who are studying at the college level in the United States. And they interview the students, mostly in Housa, and they talk about their experiences as college students, graduate students in the United States and it is an extremely popular program throughout Northern Nigeria.

Our programs—our rebroadcasts there, both in English and in some of the vernacular languages, and I know first and foremost they've been told that BBC World Service is probably the most popular international news program in Nigeria, it is a source of information for many, many, many of the country's educated and informed elite.

Senator KAUFMAN. I know Voice of America has a large listenership in Nigeria, in fact, it's one of the largest listenerships in the world.

Thank you, Mr. Chairman.

Senator FEINGOLD. Thank you, Senator Kaufman.

I'll start a second round.

Ambassador, turning to the Delta, specifically, prior to his extended absence, President Yar'Adua had announced some promising initiatives to address the underdevelopment of the region, following on the amnesty program for militants. And Acting President Jonathan is, himself, from the Delta and has, as I understand it, committed to continue to work with his predecessor to address the instability there. How, specifically, can the United States assist him to turn that commitment into a viable plan?

Mr. CARSON. The United States stands ready to help the Nigerian Government in the Delta through programs aimed at reconciliation and at helping to find ways to generate the local economy, helping to generate jobs and to providing microfinance and micro-credit schemes that can be useful in helping to help people improve their economic circumstance.

We would also be helpful and willing to be helpful in other areas, as well. Over the years, the Nigerians have not encouraged or sought out a great deal of outside assistance in trying to resolve the problems of the Delta. But I was, in fact, encouraged on my trip 2 weeks ago that Acting President Goodluck Jonathan was, in fact, prepared to accept outside support—in the economic and social areas, I stress—not in any security or police-related areas.

Senator FEINGOLD. While Christmas Day attacker Umar Farouk Abdulmutallab's actions were clearly more influenced by conditions and actors in Yemen, it is notable that he grew up in the region of Nigeria that has experienced repeated clashes between Muslim and Christian communities. So, I want to ask you about the potential for violent extremist groups that flourished in Nigeria last summer, in Northern Nigeria we saw the extremist group Boko Haram, which is sometimes referred to as the "Nigerian Taliban" fighting against security forces. And I know that we are here, sir, in an unclassified setting. But do you believe Boko Haram's emergence is an isolated phenomenon, and to what extent are you concerned about the potential for violent extremism to take root in Nigeria?

Mr. CARSON. Nigeria's had a history in the North of violent extremism. It has always been, for the most part, inwardly directed, groups like Boko Haram have focused their attention on attacking government installations, police establishment, administration buildings and have not, in fact, gone after international targets or citizens of other countries.

I think that the emergence of organizations like Boko Haram will continue in Nigeria as long as there are social and economic issues

of that community's face that are not being addressed by the central government or by local governments.

Senator FEINGOLD. So, I'm taking your answer, at this point, to suggest that as far as you can tell, Boko Haram is more an isolated incident. Is that fair?

Mr. CARSON. I would say, Senator—Mr. Chairman—that Boko Haram is, in fact, a domestic organization, not an international organization, and that its targets are Government of Nigeria institutions. It is a way that these organizations express their resentment and anger to—about, and to, the government for lack of attention to their demands and lack of attention to services required for their community.

Senator FEINGOLD. And in a related question, along similar lines, al-Qaeda and the Islamic Magrab maintains a twin presence in both North Africa and the Sahal. And some of those Sahal countries, as you well know, are nearby or actually neighboring Nigeria, so again, recognizing that we're in an unclassified setting, I wonder if you might share how concerned you are given the conditions and existing tensions in Northern Nigeria that AQIM may expand into Nigeria.

Mr. CARSON. Well, let me say, at this point, Mr. Chairman, we don't see any direct linkages between al-Qaeda and the Islamic lands of the Magrab and organizations such as Boko Haram. We do not see linkages.

But let me also say that groups like AQIM look for new areas to expand into. There are a number of groups in Northern Nigeria who continue to have grievances and serious grievances against the government, individuals in those groups could, in fact, become targets of recruitment for AQIM. At this point we do not see any established linkages there.

Senator FEINGOLD. And as I said in my opening remarks, I'm concerned that abuses and discriminatory policies by Nigeria's security forces, particularly against Muslim communities, could also feed into extremism. I'd like your thoughts on this issue and Nigeria's capacities to deal with terrorism while maintaining due process and civil liberties?

Mr. CARSON. The Nigerian security forces—while attempting to do a good job—do not have an exemplary record in human rights. There have been known excesses that have occurred in the fighting in the Delta. There have been known excesses, even most recently, in putting down the conflict in Jost, where both soldiers and police have used excessive force in trying to arrest and restrain individuals. No question of that more is needed in terms of supervision and training of security forces, especially in dealing with civilian populations. The excesses have been there, the Delta is a classic case, ongoing, while the conflict was there, and Jost, more recently, there have been some very credible reports of excessive use of force in stopping the violence there.

It is always a sad situation when military have to be brought out to undertake what should, in fact, be police operations. And when there is an absence of restraint by any security forces, it's an issue.

These things are noted in our human rights report that we issue annually, and they will be noted when the next edition comes out.

Senator FEINGOLD. Thank you, Ambassador.

Senator Isakson.

Senator ISAKSON. I have no further questions.

Senator FEINGOLD. Thank you very much, again, Ambassador. And we can now go to the second panel.

All right, now we'll begin with the second panel. When we're ready, we'll begin with Dr. Lewis. All right, Doctor, you may proceed.

**STATEMENT OF DR. PETER LEWIS, ASSOCIATE PROFESSOR
AND DIRECTOR THE AFRICAN STUDIES PROGRAM, JOHNS
HOPKINS UNIVERSITY, PAUL H. NITZE SCHOOL OF AD-
VANCED INTERNATIONAL STUDIES, WASHINGTON, DC**

Dr. LEWIS. Thank you, Senator Feingold, Mr. Chairman, Senator Isakson, Senator Kaufman, for your invitation to address this hearing and for your sustained involvement with contemporary issues regarding Africa. I welcome the opportunity to discuss the current situation in Nigeria.

Although Nigeria and the United States share many common interests and have generally maintained cordial relations, Nigeria's chronic problems of poor governance and domestic turbulence have often raised dilemmas for United States policy.

The current situation in Nigeria is fraught with challenges to the nation's political advancement and stability. At the same time, the temporary resolution of the succession crisis presents opportunities for change in Nigeria and improvement in our bilateral relations. The United States should engage Acting President Goodluck Jonathan, while consistently pressing for needed political reform and enhanced efforts toward peace and development in the Niger Delta.

I want to briefly address three questions: To what extent has Nigeria's leadership crisis been resolved? What are the critical issues for advancing governance and stability at this point? And, what role should the United States play at this juncture?

President Umaru Yar'Adua, as we've heard, has been absent from Nigeria for 3 months, apparently in grave condition in a Saudi hospital. There is no indication from any quarter that he will be able to return to fulfill his official duties.

The timing and circumstances of his illness are especially unfortunate since Nigeria faces serious security issues, including a shaky amnesty following a military offensive against militants in the Niger Delta, recurring clashes with Islamist sects in the northern states—Boko Haram as well as a separate sect in Bauchi—and continuing economic problems from the global downturn.

Since the President's departure from the country, we have witnessed the Christmas Day attack on a United States flight by a Nigerian national, an upheaval of interreligious violence in the central city of Jos in which several hundred people died, and other challenges. Amidst these serious problems, the country has effectively lacked executive leadership.

The sense of drift and paralysis in Abuja has been aggravated by the political elite's reluctance to allow a constitutional transfer of power. Fearing their loss of influence and spoils, Yar'Adua's inner circle and key notables have obstructed information and procedures that could have quickly dispelled the crisis.

Under mounting pressure from public opinion, a vocal political opposition, and growing concern about possible military intervention, the political establishment was finally moved to transfer authority to Vice President Jonathan through the February 9th resolution from the National Assembly. The confirmation of an Acting President resolves the leadership question for the time being, in accord with the spirit, if not the formal letter, of the Constitution. Civilian politicians have crafted a workable solution that is preferable to the alternatives of a leadership vacuum, a power grab by a rival faction, or a military intervention.

However, this incident serves to highlight deeper problems in a political system that is increasingly dominated by a single political party, lacking in broad accountability, and mired in corruption and patronage politics. The leadership crisis arises out of the deeply flawed 2007 elections, possibly the worst in the nation's history, which brought forward President Yar'Adua and Vice President Jonathan through a back-room nomination process and a highly questionable election.

Nigeria's fragile democratic system has steadily been eroded by the near-monopoly of the ruling party and an associated cartel of elites that has come to control much of the government. Without a competitive and accountable electoral process, it was possible for an infirm President and a few retainers to take the reins of government. Without a well established rule of law, it was impossible to quickly manage the leadership succession in the face of Presidential incapacity.

The transfer to an Acting President does not resolve these deep-seated challenges, but it does create opportunities for a modicum of governance and some progress on reform. Clearly more vigorous than his predecessor, Jonathan has articulated a set of goals for his brief tenure, including reform of the electoral system prior to next year's scheduled elections; an extension and consolidation of the peace process in the Niger Delta; improvement of the decrepit electric power grid; and a reinvigoration of anticorruption efforts.

To conclude, these are essential priorities for Nigeria and the United States should take every opportunity to encourage progress, while offering critical support and pressing for added reforms.

I'll finish there and I will welcome your questions. Thank you.
[The prepared statement of Dr. Lewis follows:]

PREPARED STATEMENT OF PETER M. LEWIS, DIRECTOR, AFRICAN STUDIES PROGRAM
AND ASSOCIATE PROFESSOR, JOHNS HOPKINS UNIVERSITY, PAUL H. NITZE SCHOOL
OF ADVANCED INTERNATIONAL STUDIES, WASHINGTON, DC

Thank you for the invitation to address this committee and for your sustained involvement with contemporary issues regarding Africa. I welcome the opportunity to discuss the current situation in Nigeria, Africa's most populous country and an important bilateral relationship for the United States. Although Nigeria and the United States share many common interests and have generally maintained cordial relations, Nigeria's chronic problems of poor governance and domestic turbulence have often raised dilemmas for U.S. policy.

The current situation in Nigeria is fraught with challenges to the nation's political advancement and stability. At the same time, the temporary resolution of the succession crisis presents opportunities for change in Nigeria and advancement in our bilateral relations. The United States should continue to engage with Acting President Goodluck Jonathan, while consistently pressing for needed political reform and enhanced efforts toward peace and development in the Niger Delta.

I want to briefly address three questions: To what extent has Nigeria's leadership crisis been resolved? What are the critical issues for advancing governance and stability in Africa's most populous country? What role should the United States play at this juncture?

President Umaru Yar'Adua has been absent from Nigeria for 3 months, apparently in grave condition in a Saudi Arabian hospital. He has not been seen by the public, nor has he spoken to anyone outside a tiny inner circle of family and retainers. There is no indication that he will be able to return to fulfill his official duties.

The timing and circumstances of his illness are especially unfortunate. Yar'Adua's hospitalization came in the wake of a May military offensive against militants in the embattled Niger Delta, followed by a fragile amnesty initiative in October. Government forces also clashed in July with an Islamist sect in the northern states, resulting in a number of civilian deaths. Throughout this period Nigeria has been grappling with the effects of the global economic downturn.

Since the President's departure from the country, we have witnessed in quick succession the Christmas day attack on a U.S. flight by a Nigerian national, confrontation with another group of Islamists in the northern Bauchi state, and an upheaval of interreligious violence in the central city of Jos with a death toll in the hundreds. The cease-fire in the Niger Delta also appears to be fraying, as some militants have resumed action or threatened to go back to war. Amidst these serious problems, the country has effectively lacked executive leadership.

The sense of drift and paralysis in Abuja has been aggravated by the political elite's reluctance to allow a constitutional transfer of power. Fearing their loss of influence and spoils, Yar'Adua's inner circle and key notables have obstructed information and procedures that could have quickly dispelled the crisis.

Under mounting pressure from public opinion, a vocal political opposition, and growing concern about possible military intervention, the political establishment was finally moved to transfer authority to Vice President Jonathan. A February 9 motion by the National Assembly declared the President to be on medical leave, and empowered the Vice President to act in his absence.

The confirmation of an Acting President resolves the leadership question for the time being, in accord with the spirit, if not the formal letter, of the Constitution. Civilian politicians have crafted a workable solution that is preferable to the alternatives of a leadership vacuum, a power grab by a rival faction, or military intervention.

However, this incident serves to highlight deeper problems in a political system increasingly dominated by a single political party, lacking in broad accountability, and mired in corruption and patronage politics. The leadership crisis arises out of the deeply flawed 2007 elections, possibly the worst in the nation's history, which brought forward President Yar'Adua and Vice President Jonathan through a back-room nomination process and a highly questionable election.

Nigeria's fragile democratic system has steadily been eroded by the near-monopoly of the ruling People's Democratic Party (PDP) and the associated cartel of elites that has come to control much of the government. Without a competitive, accountable electoral process, it was possible for an infirm President and a few retainers to take the reins of government. Without a well-established rule of law, it was impossible to quickly manage leadership succession in the face of Presidential incapacity.

The transfer to Acting President Jonathan does not resolve these deep-seated challenges, but it does create opportunities for a modicum of governance and some progress on reform. Clearly more vigorous than his predecessor, Jonathan has articulated a set of goals for his brief tenure, including reform of the electoral system prior to next year's scheduled elections; an extension and consolidation of the peace process in the Niger Delta; improvement of the decrepit electric power grid; and a reinvigoration of anticorruption efforts.

He also reportedly disavows any interest in contesting the Presidency in 2011, which would upset the delicate regional power rotation that underlies national politics.

These are essential priorities for Nigeria, and the United States should take every opportunity to encourage progress in these areas, while offering support where possible.

However, even this limited policy agenda will face considerable challenges:

- *Electoral Reform:* Elections in Nigeria have historically been compromised by weak administration, fraud and violence, carrying severe consequences for democratic development. Since the 1999 transition to civilian rule, there has arguably been a worsening trend in the quality of elections. The 2007 polls, marred by widespread violence and misconduct, produced an outsized majority for the ruling party, continuing a worrying trend that has limited pluralism and violated the rights of millions of voters. Not surprisingly, opinion surveys and

popular commentary reveal a sharp decline in the legitimacy of the electoral system and public estimations of democracy.

Electoral reform is a requisite for credible and peaceful elections in 2011. A commission inaugurated by President Yar'Adua in 2007 has furnished strong recommendations for revising the electoral system, including new leadership and increased financial independence for the Independent National Electoral Commission (INEC). Acting President Jonathan has an opening to implement these measures, though the window of opportunity is brief, with the election season just a year away. Resolve will be needed to surmount resistance from within the ruling party and the political class, who benefit from the flawed status quo.

- *The Niger Delta*: The situation in the Niger Delta has degenerated into a virtual insurgency, depressing oil production and undermining security throughout much of the region. The restiveness in the Delta is grounded in longstanding grievances over poverty, government neglect, environmental degradation and the abuse of human rights. In recent years, the economic agendas of militant groups engaged in abduction and oil smuggling have aggravated the situation. A comprehensive solution to the crisis in the Niger Delta will require a sustained peace process, political reform, and accelerated development efforts throughout the area.

In October 2009, following a military offensive against key militant camps, the government concluded an amnesty program for fighters in the Niger Delta. Several important commanders brought in thousands of supporters and surrendered a significant cache of weapons. The lull in hostilities permitted a recovery of oil production and encouraged hopes for a more sustained peace. Unfortunately, the amnesty was not accompanied by broader conflict resolution efforts, steps toward political change, or development initiatives. After a few months, the amnesty program lost momentum, and some militant commanders warned of a resumption of conflict.

Acting President Jonathan is from Bayelsa state in the “core” Niger Delta, and has played a role in negotiating with militants and community members in the region. He can also draw upon the comprehensive recommendations of last year’s Technical Committee that outlined a map for resolving the Delta crisis. Jonathan has already sounded a different note in allowing for the possibility of international cooperation in addressing the Delta’s problems. External assistance can be especially helpful in implementing a demobilization, disarmament and reintegration (DDR) process, and in advancing development programs for the region. Professionalization of security forces and improvements in the human rights situation are additional areas of potential cooperation.

- *Infrastructure*: It is widely recognized that Nigeria’s economic growth and diversification are seriously constrained by deficient infrastructure. Significant advances have recently been achieved in telecommunications, but transport, domestic fuel supply, and electric power fall well short of need. Several billion dollars have been allocated over several years to the revitalization of the power system, with little result. A substantial increase in electric power supply would jump-start the economy and boost approval for the civilian regime. Concerted attention from the Presidency can potentially yield results, as regulatory and technical changes are in prospect, and resources have been devoted to this program. Improvement of the regulatory and investment climate will also be imperative.
- *Anticorruption*: Nigeria’s leading anticorruption agency, the Economic and Financial Crimes Commission (EFCC), made dramatic progress under the leadership of Nuhu Ribadu from 2003–07. Hundreds of prominent public officials were investigated, indicted, or jailed, and billions of dollars in illicit funds were recovered. Since Ribadu was demoted and sidelined by the new administration, the agency’s efforts have lagged considerably. In explaining the shift, many observers note the prominence of figures in Yar'Adua’s inner circle such as James Ibori, a former Delta State governor charged with corruption.

Acting President Jonathan is not burdened by a reputation for misconduct, and he has pledged to revitalize the anticorruption campaign. Obviously, there are many powerful interests in Nigeria who will oppose such efforts, and political resolve will be essential here as well. Largely as a result of the EFCC’s work, Nigeria has improved considerably in Transparency International’s corruption perception rankings. Continued efforts to stem malfeasance could improve the business climate, attract investment, and rejuvenate political life.

There are of course a number of other areas that require attention, including the management of Nigeria’s volatile religious and ethnic tensions, and rising concerns about religious extremism and security. In addition, the administration has to grap-

ple with controversial reforms in the oil sector, a set of overdue constitutional changes, improved supervision of banks, continued prudent macroeconomic management in the face of global economic distress, security sector reform, and reform of the ruling party to encourage internal democracy and accountability. In view of the limited tenure of the Acting President, Jonathan has outlined a modest and potentially achievable agenda. If he is able to shepherd electoral reform and conflict resolution in the Niger Delta, improve electricity supply and tamp down corruption, this will be an impressive legacy.

It is fortuitous that the National Assembly acted during a visit to Nigeria by Assistant Secretary of State Carson. His immediate engagement with the Acting President, and the statement of Ambassador Sanders, has helped to improve communication with an administration that has frankly been chilly toward U.S. overtures. This is a promising basis for working with the new leadership on important common interests, as well as cooperation on strengthening Nigeria's democratic stability.

In engaging the Nigerian leadership, it is essential to send a clear and consistent message on the need to reform and strengthen democratic institutions, build a rule of law, and resolve problems through constitutional means. We can and should address immediate bilateral issues and the preferred agenda of the current leadership in Abuja, though we must not lose sight of our broader concerns for a Nigeria that is democratically governed, respects the rights of its citizens, manages conflict effectively, and promotes economic expansion and the reduction of poverty. There is much room for cooperation, but also an imperative to press for a more competitive, transparent, and accountable state in Nigeria.

One urgent concern is obviously the potential of terrorist activities emanating from Nigeria. Following the December 25 incident involving a Nigerian national, Umar Farouk Abdulmutallab, Nigeria was included by the Transportation Security Administration (TSA) among 14 "countries of interest" connected with terrorism. Nigerians are understandably affronted by this classification. Abdulmutallab was substantially radicalized and trained outside the country, and was brought to the attention of U.S. authorities by his father, a prominent banker and moderate Muslim. Fortunately, the U.S. Government has outlined a viable path for Nigeria to be dropped from the TSA list, including the denunciation of terrorism, passage of antiterrorist legislation, and improved airport security. This early step could open the door to further cooperation in other policy areas.

In the domain of electoral reform, the United States can play a constructive role in supporting Nigerian initiatives. If the Independent National Electoral Commission (INEC) receives new leadership, rules and funding, it could warrant technical and financial assistance from external donors, including the United States. The leading U.S. democracy-promotion organizations have been working in Nigeria since 1998, and could readily engage in the development of electoral institutions. These efforts will of course be contingent on initiative from Nigerian leaders.

In the Niger Delta, there is significant opportunity for external assistance in conflict resolution and development. Outside actors, many of whom are already intensively involved with the issues in the Delta, can be helpful in engaging or mediating among militants, companies, and the government. Bilateral and multilateral assistance can furnish technical support and pivotal resources for development programs. International organizations, notably the U.N., can provide essential oversight of DDR efforts. Here too, Nigerian officials and constituencies must lead, but there are several potential areas of effective external collaboration.

On the economic front, the Nigerian administration has sustained prudent macroeconomic policies throughout the economic downturn. The privatization and reorganization of critical infrastructure has largely been supervised by Nigerian officials and advisers, with support from the multilateral financial institutions. The crucial factor in guiding investment toward the power sector will be a credible regulatory regime, and a generally favorable setting for the private sector. There is room at the margins for external technical assistance, but this is an area in which Nigerian initiative will be the deciding factor in success.

If the new leadership demonstrates clear commitment to a renewed anticorruption drive, there is much that the United States can do to cooperate. One important measure would be to tighten restrictions on money-laundering and the movement illicit assets through this country and our banking system. The London Metropolitan police have made the U.K. much less hospitable for corrupt Nigerians who seek a haven there, and we should seek to match that level of effort through our own regulatory and police institutions. We can also render direct resources and assistance to the EFCC, as has been done in the past, to enhance local capacities for insuring accountability and enforcing the law.

In conclusion, Nigeria's leadership succession crisis highlights deeper problems of governance and social stability. The failure of the political establishment to respond promptly to the President's illness reflects division and self-interest among governing elites, and the general weakness of constitutional rule. The poor quality of elections, an increasingly dominant ruling party, and limited accountability throughout the political system have increasingly alienated the Nigerian public. In a setting of poor governance, the country's multiple social tensions have fostered violence and polarization. These dilemmas reverberate well beyond the country's borders.

While the political settlement elevating Vice President Jonathan leaves open some legal issues, this measure alleviates the leadership vacuum in Abuja and presents a reasonably strong agenda for the rest of the administration's term in office. Acting President Jonathan has targeted essential priorities including conflict resolution in the Niger Delta, electoral reform, and new action against corruption. If the government demonstrates resolve in pursuing this agenda, the United States can find many areas of cooperation in advancing these goals.

More generally, the change in leadership holds out the possibility that the United States will have better channels of dialogue with the administration in Abuja. We should take this opportunity to press for needed political reform and improvements in governance, while extending areas of common interest and collaboration. An active, but critical engagement holds out the best opportunity for working with Nigerians to advance democracy, better governance, and a more dynamic economy.

Senator FEINGOLD. Doctor, thank you for your testimony.
Ambassador Campbell.

STATEMENT OF HON. JOHN CAMPBELL, RALPH BUNCHE SENIOR FELLOW FOR AFRICAN POLICY STUDIES, COUNCIL ON FOREIGN RELATIONS, NEW YORK, NY

Ambassador CAMPBELL. Thank you for the opportunity to discuss the transition in Nigeria. Here I want to highlight some of the main points in my written submission.

Acting President Goodluck Jonathan faces three major challenges: The incomplete basis of his Presidential authority; smoldering ethnic and religious conflict in the Middle Belt with deep discontent in the North; and the government's inadequate followup to its amnesty in the Delta.

The National Assembly's designation of Vice President Goodluck Jonathan as Acting President was welcomed by many in Nigeria and abroad. It ended the void in executive authority that resulted from President Yar'Adua's illness, and it occurred through a political process rather than by military intervention. Others, however, are not so sanguine.

They observe that the National Assembly acted unconstitutionally. One distinguished Nigerian journalist has characterized what happened as a "democratic coup." A complication is the unwritten principle of regional power sharing between the Christian South and the Muslim North. The National Assembly's vote means that the Presidency shifts back to the South, at least until the 2011 elections, thereby shortening the North's turn.

Nigerians care about American opinion. A forthright stand on Jonathan's need to bring his Presidency into line with the constitution would encourage the country's political leaders to find a better legal basis for his administration.

Paralysis of the Yar'Adua government has precluded a Nigerian regional leadership role commensurate with the country's heft. It remains to be seen what Nigeria will do about the coup in adjacent Niger. If weak government continues, Nigeria risks becoming increasingly irrelevant, regionally and to the United States.

Meanwhile, the nonofficial bilateral relationship goes from strength to strength, without much reference to Abuja or Washington. American people-to-people links with Nigeria are more extensive than with any other African country. There is a vibrant, productive Nigerian-American community in the United States. Nigerian civil society looks especially to the United States as a model of democracy and the rule of law.

As for building the official relationship, Nigeria and the United States have started to establish a Binational Commission. Unfortunately, there has been little movement on the Nigerian side since the illness of President Yar'Adua. It is to be hoped that progress will resume under the new Nigerian administration.

For many Americans, Nigeria's halting progress toward democratic development has been disappointing. Nigeria has had three elections since 1999, each worse than its predecessor. There has been no progress on electoral reform to date, and there is little evidence that the elections of 2011 will be any more credible than those of its predecessors; things could change.

As for the insurrections in the Delta there had been hopes that President Yar'Adua's amnesty for the militants would kick-start a political process to address the region's grievances. That did not happen, hence the prospect of renewed attacks on the oil industry.

The Technical Committee Report issued in 2008 provided an overview of the best thinking about how to address the underdevelopment and the alienation of the Delta. It highlighted the Niger Delta Regional Development Master Plan, itself the result of 6 years of stakeholder consultation. Though it promised to do so, the Yar'Adua government has not issued a white paper based on the Technical Committee Report. Friends of Nigeria should again urge the Jonathan administration to do so.

The Yar'Adua administration also did not follow up its amnesty of Delta militants with meaningful training programs. Again, friends of Nigeria should urge the Jonathan administration to keep that promise. We should also continue to reiterate our message of military restraint. The Niger Delta cannot be solved by force of arms.

Let me close with a brief comment on sectarian violence in the Middle Belt and the North. Episodes such as the July insurrection of Boko Haram and this winter's ostensibly ethnic and religious conflict in Plateau State both reflect and promote an radicalization of some of the Islamic population; how many is hard to judge. However, domestic radicalization—though inward focused—could facilitate in the future the activities of international terrorist groups.

Nigerians like to say that they are masters of dancing on the edge of the precipice. The vision of Nigeria as a huge, multiethnic, multireligious state that is democratic and governed according to the rule of law is in the interest of the United States, Africa, and the international community. That vision animated the founders of the Federal Republic, and it has never died. Those working for a democratic Nigeria deserve our support.

Thank you, Mr. Chairman, and I look forward to your questions.
[The prepared statement of Ambassador Campbell follows:]

PREPARED STATEMENT OF HON. JOHN CAMPBELL, RALPH BUNCHE SENIOR FELLOW
FOR AFRICA POLICY STUDIES, COUNCIL ON FOREIGN RELATIONS, NEW YORK, NY

Mr. Chairman, thank you for the opportunity to discuss the evolving political situation in Nigeria, perhaps sub-Saharan Africa's most important country, and central to the interests of the United States. As members of this subcommittee are well aware, Nigeria has the unfulfilled potential to be a leader of the African Continent. It has approximately 150 million people—about the same as the Russian Federation—its democratic aspirations date back to independence, and it has the continent's second largest economy. In the recent past, it has also been an important diplomatic partner of the United States, especially with respect to West African security.

Nigeria continues to be a major source of oil for the international market. It is the fifth, sometimes the sixth, largest supplier of imported petroleum to the United States. Interruptions in the flow of Nigerian oil to the world market can influence how much Americans pay at the pump for a gallon of gas. International oil prices deeply affect the American economy, as we saw during the summer of 2008 when we were paying more than \$4 for a gallon of unleaded.

Let me now turn to the specific questions I was asked to address in the committee's letter of invitation.

What are the major issues or challenges facing Acting President Goodluck Jonathan?

The Acting President faces three crises at present: the unconstitutional basis of his Presidential authority, smoldering ethnic and religious conflict in the Middle Belt, and the government's inadequate followup to its amnesty program in the Delta with the prospect of renewed militant attacks on the oil industry.

While the National Assembly's unconstitutional designation of Vice President Goodluck Jonathan as the Acting President did end the void in executive authority that dated from President Yar'Adua's mid-November Saudi hospitalization, it did not address the political and institutional failures that led to the current constitutional crisis. Nevertheless, many in Nigeria and abroad have welcomed the Jonathan interim Presidency, particularly because the transition occurred through a political process rather than by military intervention. Others are not so sanguine.

Spokesmen for some Nigerian nongovernmental organizations say that the National Assembly acted unconstitutionally, thereby endangering Nigeria's fragile democratic development. One distinguished Nigerian journalist has characterized the Acting President as "the product of a democratic coup." Furthermore, Ridle Markus, Africa strategist at Absa Capital (London), noted in the *Financial Times* that, "the National Assembly's motion may not have any legal backing, which means every decision Goodluck makes could potentially be declared unlawful."

A further complication is the unwritten principle of regional power-sharing between the Christian South and the Muslim North in Nigerian governance. If the President is from the North, as is Umaru Yar'Adua, then the Vice President is from the South, as is Goodluck Jonathan. The National Assembly's vote means that the Presidency has shifted back to the South at least until the 2011 elections, thereby shortening the North's turn. Northern political leaders appear to have accepted the National Assembly's action in part because they were disunited over any alternative. But they are likely to resent Jonathan's administration.

Considering the North's multiple sources of discontent, it is too early to say what the impact will be of the military coup in Niger. However, there is always the risk that some will be tempted to imitate what their Nigerian cousins have done.

Legal and constitutional avenues do exist to remove or suspend a Nigerian President because of his or her inability to carry out mandated duties. Nevertheless, Nigerian politics and government institutions, thus far, have been unable or unwilling to respond to the void in Presidential authority created by Umaru Yar'Adua's illness in a way required by the constitution. Nigeria has a history of military chiefs of state replacing each other outside the law. Jonathan's Acting Presidency is, however, the first time a civilian chief of state has replaced another civilian extra-constitutionally. This illegality could be resolved if President Yar'Adua resigns or is constitutionally removed from office, which would end Jonathan's "acting" status and render his Presidency constitutional. There are hopeful signs that a consensus may be forming in the National Assembly and other political circles on the need to establish a constitutional basis for the Jonathan administration.

How strongly should the United States and the international community press for Nigeria to adhere to its Constitution and avoid a deeper political crisis?

This current crisis, particularly in conjunction with the series of rigged elections over the last 10 years, has certainly damaged Nigeria's democratic development and credentials. However, because of its size and regional leadership role as well as its

historical democratic aspirations, Nigeria should lead West Africa in democracy and the rule of law. For that reason alone, Nigeria's friends, especially the United States, should urge that Nigerians take the necessary steps to lift the cloud of unconstitutionality from the Jonathan administration. They should urge the Acting President, the Cabinet and the National Assembly to take the painful steps necessary to determine, in good faith, if President Umaru Yar'Adua will be able to resume his constitutional duties and, if not, remove him from office following constitutional procedures. Otherwise, Nigeria becomes an example of legal and constitutional set-aside in the name of short-term political expediency.

What leverage does the United States have that it can use to that end?

Nigerians care about the United States opinion of them, and they desire a positive international reputation. They are particularly conscious of their historic leadership role in African multilateral organizations. Therefore, it matters what the Obama administration and congressional leaders say to them about democracy and the rule of law. The views of the African Union and other international organizations such as the Commonwealth are also influential.

For example, the consistent, strong public U.S. position opposing a military coup appears to have had a positive impact on Nigerian public opinion. Already many Nigerians believe that military coups allegedly planned for December 31, 2009, and January 15, 2010, were averted because of senior officer fear of international disapproval. Similarly, the United States should make full use of its access to the Nigerian media to ensure that its support for Nigeria's Constitution and the rule of law is known and understood. A forthright stand on Jonathan's need to bring his Acting Presidency into line with the Constitution would encourage the country's political leaders to find a constitutional and legal resolution to the present crisis.

Finally, Nigerian elites relish the opportunity to travel to the United States and to own property there. The power of the U.S. Government to revoke visitors' visas is particularly potent personal leverage with members of the Nigerian elites.

What is your general assessment of the current United States-Nigerian relationship, especially in light of the Christmas Day attempted terrorist attack and Nigeria's inclusion in the new 14-country screening requirement?

After the restoration of civilian governance in 1999, the bilateral relationship between the Nigeria and the United States became close, particularly because of Nigeria's constructive regional activism. Like his military predecessors, President Obasanjo (1999-07) personally played a positive and creative role in addressing security crises in West Africa. The Obasanjo administration was also diplomatically active in the Africa Union and the Economic Community of West African States, and sought to strengthen both organizations. Nigeria became one of the largest suppliers of peacekeepers to the U.N. and the African Union, and still today plays a major peacekeeping role in Darfur. President Obasanjo was one the first leaders of a major African state to visit Washington after 9/11 to express his support. The United States supported international debt relief for Nigeria, at least in part to demonstrate support for Nigerian democracy.

However, Nigeria's current travails could weaken the official bilateral relationship. The paralysis of the Nigerian Government since the onset of President Yar'Adua's illness has reduced the role Nigeria plays on African regional issues. A Nigeria that is diplomatically active in a way commensurate with its heft is very much in the interests of the United States, particularly in its leadership and support for regional organizations such as the AU and ECOWAS. They have been important fora in which the international community has responded to a host of African issues.

The Nigerian Government's weakness since the onset of President Yar'Adua administration has already reduced the role the country plays on African regional issues. For example, Nigeria did not demonstrate its traditional diplomatic leadership in the resolution of the political and humanitarian crises in Guinea. It remains to be seen if Nigeria will play a central role in countering the coup in Niger. Goodluck Jonathan has just been made the chairman of the Economic Community of West African States, an organization that should play a central role addressing the crisis in Niger. How he responds to a coup in a country that shares a porous border with his own will be his first international test as chief of state. If paralysis or weak government continues, Nigeria risks becoming ever more irrelevant, regionally, and to the United States.

Because of its heft, some Nigerians have an exaggerated view of the importance of their country on the international stage. As admirers of the United States, Nigerian elites expect Washington to reciprocate and to show special understanding for their shortcomings. Hence, there was resentment that President Obama did not visit

Nigeria on his first trip to Africa. While Nigerians were deeply embarrassed by Farouk Abdulmutallab's failed terrorist attack against an American airliner on Christmas Day, they are resentful of the Obama administration's inclusion of Nigeria on the security watch list. They argue that Abdulmutallab's radicalization occurred in the United Kingdom or Yemen rather than in Nigeria. They see a disparity of treatment between Nigeria on the one hand and the United Kingdom and Saudi Arabia on the other. They argue that the Shoe Bomber was British, and most of the 9/11 terrorists had Saudi links. Yet neither the United Kingdom nor Saudi Arabia is on the security watch list. So, why is Nigeria? Nevertheless, injured Nigerian rhetoric does not mean that the security watch list has significantly damaged the relationship and some thoughtful Nigerians have even expressed the hope that more stringent security screening may have the consequence of reducing the transfer of Nigeria's wealth illegally out of the country.

In what areas is the bilateral relationship strongest?

Nigeria and the United States influence each other in ways more than diplomacy, security, and energy. People-to-people links between the United States and Nigeria are more extensive than with any other African country. There is a vibrant, productive Nigerian-American community in the United States that may number 2 million. It is a successful immigrant community characterized by entrepreneurship, strong family ties and an emphasis on education. Nigerians like to say that more than 1 million of them have also been to the United States for extended periods and have since returned home, positively influenced by their American sojourns. Popular culture from New York and Los Angeles is ubiquitous in Lagos, while Fela Ransome-Kuti's "afro-beat" and other musical styles of Nigerian origin have influenced American pop. Nigeria's legions of unemployed university graduates dream of a U.S. visa.

American educational, religious and civil society links to Nigeria are also probably more extensive than with any other African country. Over the years, many Nigerians have received their university educations in the United States. Nigeria now has a small community of private universities that are organized on the American model and teach an American curriculum. Churches of the same denomination on both sides of Atlantic have close links. Nigerian civil society especially looks to the United States as a model of democracy and the rule of law. Nigerian legislators and judges at every level relish contact with their American counterparts. U.S. and Nigeria Government agencies cooperate closely around HIV/AIDS and other health issues. Otherwise, the unofficial relationship is growing and strengthening without much reference to Abuja.

What opportunities exist for strengthening the relationship?

Resulting from Secretary Hilary Clinton's 2009 visit to Nigeria, the two countries have undertaken the establishment of a binational commission. This would provide a framework for extensive, official cooperation of issues of mutual concern. Unfortunately, there has been no movement on the Nigerian side since the illness of the President. It is to be hoped that progress will resume under a new Nigerian administration.

What are the main weaknesses and challenges?

For the United States, Nigeria's halting progress toward democratic development has been a disappointment. Nigeria had elections in 1999, 2003, and 2007—each one was worse than its predecessor. Following failed efforts to amend the constitutional mandated term limits so that Obasanjo could run for a third term, the President imposed on the ruling party his own candidates, Umaru Yar'Adua and Goodluck Jonathan, setting the stage for the current constitutional crisis. They were elected President and Vice President in 2007 elections that lacked credibility, nationally and internationally. Nevertheless, there was little public protest, which suggests that the Nigerian public have largely lost confidence in their leadership.

Jonathan faces enormous challenges, even if he establishes his constitutional legitimacy. He must manage the crisis in the Delta and the smoldering ethnic and religious conflict in the Middle Belt. He needs to restart the major Presidential initiatives that have come to halt with President Yar'Adua's illness. Economic and electoral reforms are at a standstill, and government programs in the Delta have stopped or were never started. At present, there is little evidence that the elections of 2011 will be any more credible than those of its predecessors.

Could the United States be doing more to help bring lasting peace to the Niger Delta, mitigate tensions in central Nigeria, and encourage greater constructive engagement throughout the continent?

The current round of violence in the Delta dates from late 2005. Its root causes are its inhabitants' alienation from the rest of the Federation because of its lack of

development, and grievances over the federal government's formula for allocating oil revenue to states and the local authorities. There is a significant criminal dimension to militant activity as well: kidnapping and oil bunkering is very profitable. Politicians dabble in Delta violence to advance their own agendas. Militants have demonstrated their ability to bring Nigeria's oil industry to its knees, should they choose to do so. They have shown that they can attack even offshore production facilities.

There had been high hopes that President Yar'Adua's amnesty for the militants who surrendered their weapons would kick-start a political process that would address that region's grievances. This did not happen. Goodluck Jonathan is an Ijaw from the Delta, and expectations are high in the region that he will at long last address their grievances.

But, it will be difficult for an Acting President to overcome the political obstacles and move forward. The civilian political cycle in the Delta is also unfavorable. Candidates are already vying for ruling party nominations for the elections of 2011. In the runup to elections in 2003 and 2007, they recruited militias to fight their opponents within the party. The bloodshed was greatest in the year before the polling. Hence, 2010 will likely be especially bloody even without the change in the Presidency.

Nevertheless, there is a way forward. The Technical Committee Report issued in 2008 provided an overview of the best thinking about how to address the underdevelopment and alienation of the Delta. It highlighted the Niger Delta Regional Development Master Plan, itself the result of 6 years of stakeholder consultation. The Master Plan envisions an extensive program of youth training that would lead to work programs that, in turn, would be harnessed to a coherent development plan. Though it promised to do so, the Yar'Adua administration did not issue a white paper on the Technical Committee Report, the next step. Friends of Nigeria should again urge the Jonathan administration to issue the white paper. Similarly, the Yar'Adua administration has not followed up its amnesty of Delta militants of 2009 with meaningful training programs that could address youth unemployment, as it had also promised to do. Again, friends of Nigeria should urge the Jonathan administration to do so. The United States has particular expertise in youth training and employment strategies that could help. We should offer our expertise. We should also reiterate our message of military restraint. The Niger Delta cannot be solved by force of arms.

Let me close with a brief comment on sectarian violence and lawlessness in the Middle Belt and the North. The violence last summer associated with the Boko Haram insurrection in the North was horrific and had to be suppressed by the army. Ostensibly religious, conflict around Jos this winter also resulted in many deaths and thousands of displaced persons. Again, order could be restored only by the army, and the violence still smolders.

Such episodes both reflect and promote an increased radicalization of some of the Islamic population—how many, and what percentage of the whole is hard to judge. But, the North's population is very poor—poorer even than the population of the Delta by some measures. Its leadership may fear marginalization if Jonathan's government is dominated by his fellow Southerners.

Up to now, radicalization in the North has been inward looking, concerned with opposing the secular government in Abuja rather than the western "Great Satan." Associations with al-Qaeda such as Abdulmutallab's have been rare. Nevertheless, domestic Islamic radicalization could facilitate in the future the activities of international terrorist groups hostile to the United States. It will bear watching.

CONCLUSION

Nigerians like to say that they are masters of dancing on the edge of the precipice without falling off. The success of Nigeria as a huge, multiethnic, multireligious state that is democratic and governed according to the rule of law is in the interest of the United States, Africa, and the international community. That vision animated the founders of the Federal Republic at the time of independence, and it has never been abandoned through military coups, civil war, the oil boom, mega-corruption and the current leadership crisis. That vision continues today too, but it is in danger. Those working for a democratic Nigeria deserve our support. And such support is in our own interest.

Thank you, Mr. Chairman.

Senator FEINGOLD. Thank you, Ambassador.
Mr. Ribadu.

**STATEMENT OF NUHU RIBADU, VISITING FELLOW CENTER
FOR GLOBAL DEVELOPMENT, WASHINGTON, DC**

Mr. RIBADU. Thank you, Mr. Chairman. And thank you for inviting me and for your sustained interest in Nigeria. But let me just seize this opportunity to reiterate more strongly my appreciation for your intervention. You have really, literally helped—I'm here simply because of people like you. At a time when the Nigerian Government turned against people like me, you stood up, you spoke, and it has made a difference.

We disagreed—we Nigerians somehow understood this to be more than ordered, though. We feel it—we feel we have been unfairly treated and mismanaged by our own people, and that is the situation, that is the cause of all of the dissidence that we are talking about; mismanagement, incompetence, poor, poor, more or less close to criminal handling of our own affairs that resulted to what we are talking about. Whether it is Abdulmutallab, whether it is Niger Delta, or literally all of the things that we are talking about it.

Some of us talk against it, we fought. And you followed exactly what happened. But if there is going to be a difference, it has to come from us. We Nigerians will have to stand up and we need the support of good people like you. You showed that it could be done.

Only 2 days ago a colleague of mine that I worked with was murdered in Abuja, simply for standing up to say, "We disagree with the way we have been managed." And, Mr. Chairman, I want to tell you that really, Nigerians are your friends. And at the end of the day, like what Dr. King—Reverend Martin Luther King—said, in the end, who will remember, we will not remember the wrong things or bad things that was done, but we will remember our friends who refused to say anything. The friends that are quiet or silent. Some people like you refuse to be silent when you see bad things happening.

Today, Nigeria has a wonderful opportunity to turn around. We have a new leadership and the possibilities are there. I am here, and I agree completely with almost all of those things that have been said so far, but I want to reiterate importantly the issue of fighting corruption. If you address the problem of corruption, they are likely going to address all of the other things that we've talked about.

I have already made my own submission, and they are all there. But, I think, Mr. Chairman, there is a need for us to really take this seriously. We have had good, beautiful things been said from Secretary Clinton to so many others, but action is needed. We need to go to the specifics. Elections—what are we going to do now? Time is getting late, already we have less than a year for those elections.

What are the things that we could do that may make a difference? And they are simple, basic things, for example, to engage the leadership at the highest level and tell them, "Time has come for you to change." Come up with things that would make the elections possible.

For example, get good and credible people who are going to manage these elections, who have a Commission that is there, out there, waiting for implementation. We need institutions here to

stop talking and directly lead with Nigeria and civil societies and so that a difference can be made.

When the issue of corruption, which is so fundamental, which is really, if there's going to be difference, it has to be in that direction.

Already, you have done so much, particularly the Department of Justice, there are a lot of—so many cases that we have done together that are still out there that need to be followed. Go after these corrupt people. They fear the reach of the U.S. name and shame, go after those who are using your own institutions and structures to continue to cheat and steal from their own people. You will see the difference it can make.

Already, some actions have been taken, but we need more of that. These are some of the specific things that can make a difference, but the most important, Mr. Chairman, is the issue of law and order. Most of the things that you see happening in Nigeria is a result of breakdown of law and order. Failure of institutions and structures. You do not have law enforcement officers that ought to be doing what they are supposed to do. You have bad people who are in charge of different organizations or different organs of government that insist on doing what is right for the common good of all of us, we choose to be selfish and so things in the wrong way.

These are some of the things that have to be addressed, and the United States could do it. We saw what we did together from 2003 to 2007. Things changed in Nigeria within a short period of time. We need action. We need to see those people to come along because it is not just a Nigerian problem.

The world is a global village today. Whatever happens in Nigeria, it also affects you. Your taxpayers are paying the cost of corruption in Nigeria. It is time for us to realize that it is—we are all in this, and that we need you to come along. It is our responsibility as Nigerians to do it, but we need good people to come and stand for humanity to change, and change those people who are desperately in need of change.

Thank you very much.

[The prepared statement of Mr. Ribadu follows:]

PREPARED STATEMENT OF NUHU RIBADU, VISITING FELLOW AT THE CENTER FOR GLOBAL DEVELOPMENT, SENIOR FELLOW AT ST. ANTHONY'S COLLEGE AT OXFORD UNIVERSITY

Good morning and thank you for this kind invitation, Chairman Feingold, Ranking Member Isakson, and distinguished members of the subcommittee. It is a cherished opportunity to speak to you today. Your subcommittee has shown sustained interest in Nigeria, an interest, that I must say, has not been misplaced or gone unnoticed.

From a personal perspective, I would like to thank you, Senator Feingold, for the bold comments you made regarding my safety and security, after my removal from the chairmanship of the Economic and Financial Crimes Commission (EFCC). I recall, with gratitude, that you sent letters to President Yar'Adua in January 2008 and then again with Senators Levin and Isakson in December 2008. I remain eternally grateful for these timely acts of support and advocacy.

NIGERIA IN RECENT HISTORY

Nigeria, like most nations, has had its share of internal issues. We can all agree that this is not unusual for a country in our state of development. However, few will deny that we made relative, if even major, progress in the past decade. Much of this progress was made possible through a strong relationship with the United States. Sadly, in the short period since May 2007 when President Yar'Adua came

to office, much of these gains were lost through ill-advised policy reversals and entrenchment of corrupt persons in strategic positions.

This abuse of office and arrogance of power are emblematic of President Yar'Adua's governing style during his tenure in office. Nigeria's precipitous retreat from the reform gains made during former administration is due to the lack of preparation, vision, and the unbridled self-interest of many of the people Yar'Adua surrounded himself with.

The story is now widely known that last November, President Yar'Adua left the country for medical treatment, and, typical of his administrations, left no one in charge of the affairs of the state. Naturally, the situation got worse. But fortunately for our country the Nigerian Senate acted prudently this month, recognizing Vice President Goodluck Jonathan as Acting President.

Upon taking office, Acting President Jonathan signaled his desire for meaningful reform by immediately removing the controversial Attorney General and Minister of Justice Michael Andoakaa, affirming his commitment to electoral reform, re-engaging the Niger Delta militants and taking steps to improve power generation and distribution.

While this development presented us with the opportunity for change, it came loaded with the challenge for the democratic, legal, and peaceful resolution of our situation.

True, the major challenge is ours. Yet the international community, and the United States in particular, must play a crucial role in ensuring that Nigeria seizes the opportunity of this moment to get back on track.

I would like to take this opportunity to ask for America's assistance in restoring law and order to Nigeria and want to focus my remarks on three crucial recommendations:

1. Insisting on constitutional and legal continuity;
2. Restarting the fight against corruption; and
3. Ensuring free and fair elections in 2011.

Constitutional and legal continuity

I applaud Secretary of State Hillary Rodham Clinton and others, including Chairman Feingold, Ranking Member Isakson, and other members of this subcommittee, for your strong comments on the need for constitutional continuity and rule of law in Nigeria. But the time for talk is over; action is needed and action can only start with your direct engagement and communication with our new leadership.

Nigeria proved its willingness to follow its laws and uphold its Constitution through the peaceful management of the crisis. We now have a sitting Vice President as Acting President, and with the support of the United States and others this trend could continue.

To further this goal, the United States should: support Nigeria's civil society, monitor internal developments closely, state unambiguously that any resort to unconstitutional action against the Nigerian people will be resisted, and back pro-democracy movements inside the country.

The breakdown of law and order is largely responsible for the incessant conflicts in all parts of the country, and this point must be strongly registered.

Fighting corruption

There is no need to reiterate the problem of corruption in Nigeria. It is a well-known fact that without addressing the corruption problem all other problems—from executive lawlessness, to stealing of votes, and the pillage of state resources for personal use—will remain untouched. The United States has already done so much to help fight this problem. The challenge of the moment is to demonstrate through action that enough is enough.

As the head of the Economic and Financial Crimes Commission, the anticorruption agency in Nigeria, my team and I fought against this cancer alongside U.S. officials. Unfortunately, in 2007, I was forced out by the reentry of blatant acts of corruption. To help Nigeria get back on track, here is how the United States can help:

First, the Department of Justice, the FBI and SEC need to continue the prosecution of cases we tirelessly worked on together. We have thousands of pages of detailed evidence and intelligence on corrupt officials which are sitting, waiting to be used. I am overjoyed to hear that in the United Kingdom, the Metropolitan Police is continuing with its case against former Gov. James Ibori. It will give most Nigerians cause to cheer that the United States also does the same and continue their cases.

Second, expand on the Foreign Corrupt Practices Act. The FCPA allowed for the prosecution of a number of corrupt businesses and sent a wave of panic among those

who were previously able to get away with their corruption. This line of action can be furthered if you include foreign nationals among those who can be prosecuted on U.S. soil. It is important to include those who accept the bribes and use your financial institutions to hide or launder these funds. Corrupt Nigerians fear the reach of U.S. law into their illicit activities. Start acting upon that fear.

Third, it is time to deploy the powers already available in your instruments. You can encourage the administration to use existing powers under Proclamation 7750 by issuing travel bans against those known to be corrupt. The United States can also cooperate in the creation of Interpol red notices; confiscate stolen assets found on U.S. soil; and insist on the extradition of corrupt foreign nationals. You must continue to name and shame those who do not fear justice at home.

Acting President Jonathan's emergence provides the United States with a second chance to purposefully reinvigorate the fight against corruption in places like Nigeria. These three broad acts are vital steps toward positively turning the situation in Nigeria around and can also be applied to the rest of Africa.

Electoral reform

Perhaps the most important and pressing issue effecting Nigeria today is electoral reform. In the recent election in the Anambra state, the people showed they are ready to make their voices heard. This was only possible because President Yar'Adua and his cronies were distracted and unable to meddle in the democratic process.

To ensure free and fair elections in 2011 however, the task needs to start now. The Justice Uwais Commission's recommendations are a modest but good start that needs to be followed through in its entirety. The National Democratic Institute and the International Republican Institute and others can start assisting now to support voter registration exercises.

This can be followed up by encouraging the government to clean up the electoral commission by appointing credible personnel with proven integrity and credibility, while the civil society needs to be engaged and supported. They will be the true force behind a change for these elections.

U.S. electoral funding support must change its approach to supporting Nigerian elections. U.S. prodemocracy NGOs must drill down to directly fund civil society initiatives at the state and local levels. Such changes are more cost effective and better integrated into the social framework of the average Nigeria.

And the United States needs to back a level playing field so that all parties, including big and small opposition groups, can participate fully. The United States assistance is vital. Without it, change is going to be difficult. We must act now, well ahead of time. If we wait for polling day, it will be too late.

FUTURE OF UNITED STATES-NIGERIA RELATIONS

Nigeria has the potential to be a strong, regional leader and an important partner to the United States. But there is still a void. Last week there was a coup in Niger. I suggest that if Nigeria were strong, this would not have happened. In the current situation, Nigeria's 1,500 kilometer-border with Niger Republic can serve as leverage for ensuring stability but today, it serves no other significance than for smuggling, especially in petroleum.

And more than governance support is needed. Nigeria desperately needs technical assistance and policy attention to boost our power output necessary for our country's economic and entrepreneurial potential. Attention should be given to other aspects of Nigeria's socioeconomic equation to create jobs, spur small- and medium-sized business development and overall economic diversity. Nigeria's agriculture sector, long abandoned, has the potential to be West Africa's bread basket and reduce the impact of food insecurity.

Nigeria must not be allowed to fail completely, as its ripple effect would be felt across Africa and even to the United States. Greater instability leading to the kind of military takeover in Niger will be the norm. You could see more young people like Umar Forouk Muttalab entering the country, boarding American-bound planes with murderous desires, while the supply of oil will be strained even more.

This is a new Nigeria. Our destiny is no longer determined by one person or a group of people in a back room. Democracy has started to take hold. We see a new leadership rising up, new people-oriented power centers being created, and the people demanding more from their leaders. Religious politics are less important and the military is less interested in engaging. These are new phenomenon in Nigeria and they must be respected and nurtured. America can no longer take the attitude of keeping the lid on this boiling pot, we must work to turn down the flame.

Chairman, members of the committee, I urge you to take this situation seriously, both for the opportunity, but also for the danger it presents. Nigeria and her people

need the restoration of law and order. This is the time to act. It is our responsibility as Nigerians to do so, but we ask you today to join with us.

Senator FEINGOLD. Thank you, sir.

Thank you all.

I will do a round of questions. Mr. Ribadu, thank you in particular, I really appreciate your specific recommendations for how the United States can help Nigeria get back on track in its fight against corruption. And I will work to see that these recommendations are seriously considered.

But I do want to ask you specifically about something you just were talking about—corruption in Nigeria’s security forces, particularly the police. As you know, there continue to be reports implicating the Nigerian police force in Syria’s human rights violations, including extrajudicial killing of persons held in police custody, torture, and extortion. And despite pledges to do so, the police—as I understand it—have taken no steps to investigate recent killings in Northern and Central Nigeria.

In your view, what is needed to end the culture of impunity within Nigeria’s police force, and how could the United States specifically help in this regard?

Mr. RIBADU. Thank you, Mr. Chairman.

A difference can be made. Simply look at what happened with the EFCC, the organization that I headed. We were engaged and we worked closely with the United States. We had over 40 trainings from the FBI. We were taught how to probably be the best law enforcement agency in Africa. It made a difference. We never abused no one’s rights.

But if you see what is happening with the other law enforcement agencies in Nigeria, we attempted to do something. You know, personally we went after the leadership of the police at one time. We arrested the chief law officer of Nigeria. We recovered \$150 million from the chief law officer, the Inspector General Police of Nigeria. It is literally impossible for you to have any law enforcement to perform his duties with a leadership like that.

We tried to do something. What is needed for now, I believe, is strong—strong influence to be more or less, literally, I mean, force people to start realizing that unless you start changing, there’s no possibility for you to get a law enforcement that will be able to perform. Bring in your best expertise, your technical knowledge, your skills and then possibly engage them in the way that they will be able to receive it. There’s not any other way, apart from getting good partners on the ground in Nigeria, work with them, make them to realize and understand that it is in your own interest, first and foremost, before any other person and then possibly, maybe if they are ready to receive it, then change will come.

Senator FEINGOLD. If I were communicating with Acting President Jonathan, what are some tangible, visible steps we could ask him to show now that he is truly committed to confronting corruption and ending impunity?

Mr. RIBADU. Thank you.

First and foremost, to engage with him is the most important thing, at the highest level. Your own level, level of your own leadership. We’ve seen it happen before. And we saw the difference. In 2003 and 2007, President Bush talked directly with President

Obasanju and we saw the difference it made. The leadership of the Congress spoke directly with our own leadership and we got the laws passed.

I was the one responsible for the establishment of all of those fundamental things that helped brought change in Nigeria, for example, terrorist financing. We did a wonderful job, as a result of that political connection and linkage. First and foremost, Mr. Chairman, there is a need to get back on that.

Two, tell them that you have the means to support them and you are ready to support them in the sense that you have the technical know-how and it is going to be available for them to make good use of.

Three, your Excellency, Mr. Chairman, the money that you have and you want to support and send and help in Nigeria, please try to divert it towards the establishment of law and order, rule of law, and spend more on the institutions and structures that will support the establishment of law and order. Justice, fairness for other things to work.

I'm not saying it is wrong to spend money in, for example, health—no. It is a good thing. But probably you may not see the value of it unless there is first and foremost law and order—security, stability—in the way that other things will work.

I think there is a need to understand that fundamentally the challenge in Nigeria today is for us to even start to run things properly and correctly. Our law enforcement agencies, the justice sector requires more support, more of—in terms of your technical skills and knowledge—than any other. It will be a foundation for whatever that is going to come after to work—policies and whatever assistance that will follow. But for now, it must be the most important thing. The President of Nigeria should understand that this is in his own interest.

Senator FEINGOLD. Thank you, sir.

All three of you have touched upon the importance of electoral reform, the need for such reform is evident.

Ambassador Campbell, as you noted, each of Nigeria's last three elections has been worse than its predecessor, and although President Yar'Adua committed to carrying out significant electoral reform, the process was slow going, at best, and it would seem that the Acting President now has an opportunity to get that process moving before next year's election, so I'd like to ask all of you to just say a bit about what concrete steps you believe the Acting President should take toward electoral reform and how the Obama administration can best encourage and support that.

Let's start with you, Ambassador Campbell.

Ambassador CAMPBELL. Thank you very much, Mr. Chairman.

First of all, and most basically, the reform of the Independent National Electoral Commission is far more than simply removing a corrupt individual or two at the top of it. It needs to be restructured in such a way that it is completely independent from the Executive, and it needs to have its own source of funding. It has neither, at present.

Second, there needs to be some kind of realistic timeline to address elections in April 2011. Nigeria's an enormous country and has 150 million people in it. The sheer physical challenges of car-

rying out elections in an environment like that requires an enormous amount of advanced planning. As far as I can tell, there's no planning being done at all.

Thank you.

Senator FEINGOLD. Dr. Lewis.

Dr. LEWIS. Well, I would certainly agree with those concerns. The Electoral Reform Commission that was chartered by President Yar'Adua in 2007 was an excellent group of individuals and they came forward with excellent recommendations for moving the election process and the electoral process forward. Unfortunately, once the paper was published, there was no action on the recommendations.

There does need to be, in my view, a root and branch reorganization of INEC from the top—much of the Commissioners, the leadership—there are many good people who are dedicated civil servants at the grassroots in the line departments of INEC, but also many people that do not need to be there.

It needs good leadership, it needs independent funding. Some of these things can be improvised, even in advance of the necessary legislative changes by a dedicated President if he is serious about making the change.

There are serious questions about the registry, about the logistics of the election, and the planning really needed to start quite a while ago. But even if it starts today and it's not enough time, we have about a year to election season, and serious dedicated work could produce a much better election than we have seen in 2007, 2003.

Finally, I would say that consultation with the political parties in an atmosphere of transparency and an invitation for civil society and independent electoral observers to be part of the process would also improve the transparency of the process and create a much better environment.

Senator FEINGOLD. Thank you, Doctor.

Mr. Ribadu.

Mr. RIBADU. Thank you.

First and foremost, I think, is to get appropriate law on the ground. The Commission Report is a very good report that if it's passed into law it will give opportunity for the change we are talking about, one.

Two, it's important to get people of integrity to supervise and run the elections. At this moment, we do not have that.

Three, civil societies are extremely important. They are vehicles of change in elections like Nigeria. They need to be empowered. Governments fail. They need to engage the civil societies. And I think already we have a very vibrant civil society that is waiting for that in Nigeria.

Four, elections is not just about the INEC, it also involves other institutions, what is up with the law enforcement, the police, the Secret Service. If they are not in a good, proper position to support and supervise and ensure security and order. Whatever other changes are taking place any other place will not be able to make a difference. The law enforcement has to change, as well, for us to see the difference.

Of course, we need a fair, level, playing ground for all. A situation where government parties continue to do what they like and all of us at a disadvantage will make it impossible for a free and fair election. Conscious efforts must be made to protect the opposition, those people who are not in control of government and authority. And I believe it can be done.

The moment that the world has said enough is enough, the time has come for the views and the opinions of Nigerians to become something that is meaningful that can reflect exactly what they are to be, I think it will change. Say we are not going to tolerate, again, any government that is going to come through any dubious affront—you are not going to tolerate and accept stealing of elections.

If—we have seen it happen in a couple of other African countries where you can see clearly fraudulent elections taking place. And at the end of the day, they will come in and negotiate and remain. Two or three African countries today is a reflection of that, and you have not seen the end of the problems.

I think time has come when the world will see it and then the United States will take the lead, that it is time for you to say that you are going to stand on the side of the people, not the few individuals who continue to do what they like just simply because they have the means and the control of the governments.

I think this is the message that can change, if it very clear—clearly stated—that it is now over, you are not going to get away with it, we are not going to agree to you stealing the elections and cheating your own people.

Thank you.

Senator FEINGOLD. Thank you, sir.

Ambassador Campbell, in your testimony you noted that many Nigerians believe that military coup's alleged plan for December 31, 2009, and January 15, 2010, were averted because senior officials feared international disapproval. Nigeria's military has long played a role in trying to—a role, an often troublesome role in the country's political process. What's their current role in the current situation? Under what conditions, if any, could you envision the military or some segment of the military attempting to stage a coup and what should the United States and other international stakeholders be doing now to obviously discourage such actions?

Ambassador CAMPBELL. Thank you, Mr. Chairman.

If I could take the last question first.

Senator FEINGOLD. Go ahead.

Ambassador CAMPBELL. What we need to do is reiterate over and over and over again and through every method we can the unacceptability of military intervention, and we should support the efforts of groups like the African Union, for example, that is making a very strong stand against military coups.

As to what the role is of the military at the present time in Nigeria, it is extremely murky, it is extremely unclear. For example, the Nigerian press is already reporting that the military played an important role in getting the National Assembly to finally move to vote Goodluck Jonathan as Acting President.

We do know that in early January, the military—not the civilian government—the military banned any military movements in the

country right down to an individual level, which meant clearly somebody was nervous about something.

Thank you.

Oh, one other thing if I may add, the kind of elephant in the living room, from my perspective, is the coup in Niger. The border between Nigeria and Niger is a line in the sand, it's the same people on both sides. The coup in Niger was carried out by relatively young officers, majors, lieutenant colonels, colonels—people who are an entire generation younger than those who run the Nigerian military forces. Nigerian officers with whom we have very little contact. So, I have got no idea what's running through their minds.

Thank you.

Senator FEINGOLD. Ambassador, again, in your testimony you said at the Binational Commission that we formed as a result of Secretary Clinton's trip to Nigeria, I'd like to hear just your thoughts on this Commission once it's fully operative—operational—could it enhance and strengthen the United States-Nigeria relationship?

Ambassador CAMPBELL. Absolutely. The Binational Commission is a means or a method. It provides a structure or a framework whereby the two governments can set up working groups to address issues of specific concern.

For example, a Binational Commission would be a way to strengthen provisions and procedures having to do with money laundering. But there's a whole host of things that a Binational Commission can address. That's why it's such a useful tool.

Thank you.

Senator FEINGOLD. Thank you.

That will be the conclusion of the hearing, but let me just say how pleased I am that you joined us today and helped us. I really wanted to hold this hearing, I have been working on the issue of our relationship with Nigeria since 1993, including the days of Sunni Abacha and sometimes we've had to put enormous pressure, sometimes we've been able to reach out. I want to be accurate in the kind of steps we take to press the right levers at the right time, we're getting some good, specific suggestions here, but there can be no doubt that I and the members of the committee want very much to have a very strong relationship with Nigeria, and in particular the people of Nigeria, who are suffering from many of the problems that we've talked about today.

Thanks so much, that concludes the hearing.

[Whereupon, at 11:50 a.m., the hearing was adjourned.]