

Nigeria: The Challenge of Military Reform

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Executive Summary

Nigeria's military is in distress. Once among Africa's strongest and a mainstay of regional peacekeeping, it has become a flawed force. The initially slow, heavy-handed response to the Islamist Boko Haram insurgency raised serious concerns, and its human rights record underscores a grave disconnect with civilians. President Muhammadu Buhari has taken some steps to reverse the decline and has recorded significant gains against Boko Haram, but ongoing prosecution of former chiefs for graft have further deepened the military's reputation as poorly governed and corrupt. The government and military chiefs, working with the National Assembly, civil society and international partners, need to do much more: implement comprehensive defence sector reform, including clear identification of security challenges; a new defence and security policy and structure to address them; and drastic improvement in leadership, oversight, administration and accountability across the sector.

The decline began during 33 years of military dictatorship that took a serious toll on professionalism, operational effectiveness and accountability. Return to democratic rule in 1999 raised hopes the institution could be restored, but successive civilian governments' pledges of much-needed reforms proved largely rhetorical. Presidents, defence ministry and parliament lacked the commitment and expertise to implement significant changes. They left the military badly governed, under-resourced and virtually adrift. Administration and accountability deteriorated throughout the sector. Poor – indeed, lacking – senior leadership has been compounded by equally poor legislative oversight and defence coordination.

Until recently, the military was under-resourced, with comparatively low budgets, disbursed irregularly and unpredictably. From 2000 to 2008, its budget was less than 3 per cent of overall government expenditure. From 2009 to 2014, it increased to an average of 7.2 per cent of government spending (\$5-\$6 billion); but, as in the past, this was still allocated disproportionately to recurrent expenditures, leaving very little for crucial capital investment.

Corruption is system-wide. Legislators often manipulate the appropriation process at the National Assembly to serve private business interests rather than benefit the armed forces. Dubious procurement practices, fraudulently bloated payrolls, poor financial management and weak auditing systems at the national security adviser's office, the defence ministry and armed services headquarters often mean funds are diverted to private or non-military purposes; arms, ammunition and other equipment are sometimes substandard and not always delivered. Inadequate funding, corrupt procurement and poor maintenance result in serious equipment and logistics deficits.

For a country of over 170 million people, facing several security challenges – from an Islamist insurgency in the north east to a resource-based conflict in the Niger Delta – a military numbering less than 120,000 personnel (all services) is clearly inadequate. Under-staffing reflects poor planning and a dubious recruitment system, but also is further aggravated by over-stretch induced by deployments in over two dozen internal security operations. Training institutions are short of facilities and instructors, lack training modules, and because they are largely focused on conventional

operations, somewhat outdated. Personnel are under-motivated due to low pay, poor welfare services and bleak post-service prospects.

The military's poor human rights record has had a debilitating impact on effectiveness. Serious abuse of civilian communities, from the Ogoni (in the mid-1990s) to Odi (1999) and Zaki Biam (2001), and more recent extrajudicial killings, mostly in the context of countering militant and separatist groups from Boko Haram and the Islamic Movement of Nigeria (IMN) to the Indigenous People of Biafra (IPOB), have alienated citizens, whose cooperation is crucial for successful internal security operations.

The cumulative effect is a military deeply challenged in its primary function of defending the country and its citizens. It has been able to reverse Boko Haram's advance since early 2015 only with help from the forces of Nigeria's poorer neighbours and support from foreign technicians and mercenaries.

Since assuming office in May 2015, President Buhari has appointed new and more competent service chiefs, relocated the military command centre dedicated to the fight against Boko Haram to the north east and probed past weapons procurement. These actions have had salutary effects, but the benefits will be short-lived unless they are followed by formulation and implementation of a comprehensive reform program that encompasses the entire defence management spectrum, including leadership, oversight and administration. Failure to implement such reforms would leave the military distressed and Nigerians vulnerable to the current and future security challenges.

Recommendations

To reform the military

To President Muhammadu Buhari and the Nigerian government:

1. Commit to formulate and implement comprehensive defence sector reform which would include:
 - a) initiating public and expert dialogues to analyse and agree on the security and defence challenges and lead to initiation of a comprehensive defence sector reform program that clearly identifies those challenges;
 - b) developing a new defence and security policy and structure to address them; and
 - c) improving leadership, oversight, administration and accountability across the entire defence sector.
2. Establish an armed forces capacity monitoring and evaluation unit under the president's direct supervision.
3. Improve funding of the military by:
 - a) ensuring that at least 80 per cent of all money from participation in peace-keeping operations is invested in the armed forces;
 - b) channelling to the defence budget all funds previously paid to former Niger Delta militant leaders for so-called pipeline security arrangements.
4. Improve local production of basic military items, particularly by creating an investor-friendly environment and encouraging private sector investment in defence-related industries, while winding down the Defence Industries Corporation of Nigeria (DICON), which has proven to be a white elephant.
5. Curb corruption and improve accountability by probing all former major defence contracts, sanctioning indicted officials and giving the Economic and Financial Crimes Commission (EFCC) a stronger mandate to investigate corruption in the defence sector.
6. Strengthen, through a stronger mandate and better resourcing, the capacity of the National Human Rights Commission (NHRC) to investigate and report violations by military units and personnel.

To the National Assembly:

7. Carry out appropriation and oversight responsibilities more effectively by:
 - a) improving the expertise of members and committee staff on security matters, through better training and exchanges with similar committees in the parliaments of more developed democracies;
 - b) scrutinising military leadership nominees more thoroughly to ensure that only competent officers are appointed to head the defence ministry and the services;

- c) organising public and expert hearings on formulation of a comprehensive military reform program, including a new, more relevant national defence policy; and
- d) conducting oversight visits to military establishments more diligently to add value to the defence establishment as a whole and administration of the armed forces in particular.

To the defence ministry:

- 8. Improve administrative capacity, including by organising more training for civilian staff in such areas as procurement management, project monitoring and evaluation and operation of payroll systems, as well as accounting and auditing.

To the defence headquarters and the services:

- 9. Improve training in military institutions by ensuring adequate instructors, more relevant modules and more modern equipment.
- 10. Improve equipment and logistics by conducting more frequent and intensive equipment audits, ensuring better maintenance of existing assets and encouraging private companies to respond to basic procurement needs.

To Nigeria's military and development partners:

- 11. Persuade the federal government on the need for deep, comprehensive and sustained military reform, including by providing relevant assistance, the flow of which is dependent on genuine steps and benchmarked progress.
- 12. Support the Economic and Financial Crimes Commission (EFCC) and the National Human Rights Commission (NHRC) by offering training, equipment and other aid that boosts their capacity to monitor, investigate and prosecute corruption and human rights abuse in the defence sector more effectively.

Abuja/Nairobi, 6 June 2016

Nigeria: The Challenge of Military Reform

I. Introduction

The Nigerian military comprises an army, navy and air force. Its primary mandate is to defend the state from external aggression and internal insurrection.¹ Soon after independence in 1960, it suppressed a secessionist bid by the former Eastern region, which declared itself the Republic of Biafra in 1967. Since the 1960s, it has contributed to several internal security operations, helping the police and other civil authorities to restore law and public order.² It has also contributed substantially to UN peace-keeping operations, regional peace operations authorised by the Economic Community of West African States (ECOWAS) and operations mandated by the African Union (AU).³ Its senior-level training institutions continue to attract officers from foreign militaries.

In the last decade, however, the military has been in steep decline. Its inability to subdue the insurgency by militant groups in the Niger Delta left the government with no option other than to offer the militants an amnesty in 2009.⁴ In 2012, it was unable to deploy for front-line operations under the Africa-led International Support Mission in Mali (AFISMA) against al-Qaeda-affiliated rebels.⁵ Losses of territory, personnel and equipment to Boko Haram insurgents, particularly in 2014 and early 2015, exposed deep flaws. In January 2015, Major General (ret.) Muhammadu Buhari, a former military head of state and then presidential candidate of the All Progressives Congress (APC), said it was “a big disgrace” that smaller and poorer neighbours – Cameroon, Chad and Niger – had been more successful in battling Boko Haram than Nigerian forces.⁶

¹ See *History of the Nigerian Army 1863-1992*, Nigerian Army Education Corps and School (Abuja, 1992). The Nigeria Police Force (NPF) and special units of some other agencies, including the Nigeria Customs Service (NCS) and the Nigerian Security and Civil Defence Corps (NSCDC), also bear arms but are not officially armed forces components. The National Defence Policy 2006 and National Security Strategy (NSS) 2014 contain deployment guidelines.

² See, Amos G. Adedeji and Istifanus S. Zabadi, *The Military and Management of Internal Conflicts in Nigeria* (Abuja, 2005).

³ It was once viewed as a leading African force and potentially the pivot of peace operations on the continent. Between 1960 and 2012, it participated in 26 peacekeeping and peace enforcement operations in Africa, the Middle East and Europe. As of 31 March 2016, it was the twelfth largest contributor of military and police personnel to UN peacekeeping operations.

⁴ See Crisis Group Africa Reports N°s 113, *Nigeria: Want in the Midst of Plenty*, 19 July 2006; 115, *The Swamps of Insurgency: Nigeria's Delta Unrest*, 3 August 2006; 118, *Fuelling the Niger Delta Crisis*, 28 September 2006; and 135, *Nigeria: Ending Unrest in the Niger Delta*, 5 December 2007; and Briefings N°s 54, *Nigeria: Ogoni Land after Shell*, 18 September 2008; and 60, *Nigeria: Seizing the Moment in the Niger Delta*, 30 April 2009.

⁵ “Nigerian army's Mali mission stalls amid doubts it can fight”, *The Guardian* (London), 5 November 2012.

⁶ “Nigeria's ‘disgrace’ that neighbours must take on Boko Haram – Buhari”, Reuters, 9 February 2015. Six months later he lamented: “It is paradoxical that after what the Nigerian military has achieved, from Burma to Zaire to Liberia to Sierra Leone to Sudan, Nigeria now has to be helped by Niger, Chad and Cameroon. How are the mighty fallen!”, “Bring back our girls: Buhari laments state of Nigeria's military”, *Vanguard* (Lagos), 9 July 2015.

This report identifies and analyses the military's ailments, which are spread across the entire system of defence management.⁷ It is based on interviews with serving officers in Abuja, retired officers at various locations in the country, personnel involved in operations in the north east and the Niger Delta, defence scholars in research institutions and diplomats in Abuja.

⁷ The president is commander-in-chief of the armed forces and chair of the National Defence Council (NDC), which includes the vice president, defence minister, chiefs of defence, army, naval and air staffs, and other members the president may appoint. The NDC is mandated to "advise the President on matters relating to the defence of the sovereignty and territorial integrity of Nigeria". Third Schedule, Part 1, Section 16, 1999 Constitution of Nigeria. The defence minister, directly subordinate to the president, superintends the defence policymaking process and provides policy direction to the armed forces. The defence ministry has a civilian component headed by a permanent secretary (responsible for policy initiation, managerial support and accounting) and a military component headed by the chief of defence staff, who manages the headquarters and coordinates the army, navy and air force heads. The National Assembly has responsibility to make laws for defence sector governance, appropriate funds for the military and other security agencies and oversee military service management and administration.

II. The Long Decline

A. *The Legacy of Military Rule*

The armed forces' decline dates to the military-rule era. From 1966 to 1999, there were six successful coups, two failed attempts and three alleged coup plots followed by military trials and sanctions.⁸ The years of military administration sowed the seeds of many current problems. Engagement in governance and politics compromised professionalism. Military rule eroded capabilities. Every coup or failed coup decimated the senior, experienced officer corps. At least 117 personnel were killed during coups, after failed attempts or for allegedly planning takeovers. Hundreds were forcibly retired, particularly 1985 to 1993.⁹

As each successful or failed coup increased suspicion, heads of state sometimes deliberately emasculated specific units or services, for example by slashing funds, prohibiting training exercises or allowing equipment to deteriorate.¹⁰ Sanctions some international partners imposed, particularly during the rule of the most venal general, Sani Abacha (1993-1998), left the military unable to service or repair equipment or procure much-needed components after the wear and tear from involvement in peace support operations in Liberia and Sierra Leone.

Prolonged military rule also gravely undermined civilian democratic control, accountability and civil-military relations. Coup leaders who exploited offices for private enrichment created an impression that officers were interested only in plunder.¹¹ Moreover, abuses and repression alienated the public. Many former senior officers concur that by the late 1990s, the military had greatly deteriorated.¹² By the 1999 return to civilian rule, deep reform was already needed.

⁸ The successful coups were in 1966 (January and July), 1975, 1983, 1985 and 1993; the failures were in 1976 (the head of state, General Murtala Mohammed, was assassinated) and 1990 (President Ibrahim Babangida was forced to evacuate his Lagos headquarters); the alleged coup plots were in 1987 (leading to execution of Major General Mamman Vatsa and others), 1995 (leading to the arrest of Generals Olusegun Obasanjo and Shehu Musa Yar'Adua) and 1997 (leading to the arrest and trial of General Oladipo Diya and others). N.J. Miners, *The Nigerian Army 1956-1966* (London, 1971); Robin A. Luckham, *The Nigerian Military: A Sociological Analysis of Authority and Revolt, 1960-1967* (Cambridge, 1971); Ben Gbulie, *Nigeria's Five Majors: Coup d'Etat of 15th January 1966, First Inside Account* (Lagos, 1981); Adewale Ademoyega, *Why We Struck* (Evans, 1981); Max Siollun, *Oil, Politics and Violence: Nigeria's Military Coup Culture (1966-1976)* (New York, 2009); and Max Siollun, *Soldiers of Fortune: Nigerian Politics from Buhari to Babangida (1983-1993)* (Abuja, 2013).

⁹ For full lists of officers killed in coups and after failed coups, 1966-1976, see *Oil, Politics and Violence*, op. cit., pp. 237-250. For officers executed, jailed or dismissed in connection with alleged and failed coups, 1986, 1990, see *Soldiers of Fortune*, op. cit., pp. 313-317. Four months after the 1990 attempt, President (General) Babangida retired over 100 senior officers.

¹⁰ Crisis Group interviews, retired army and air force officers, Abuja and Lagos, 2015. A knowledgeable account suggests that, after the alleged 1986 coup plot (rumoured to involve aerial bombardment) and particularly the failed 1990 attempt, President Babangida disarmed the services comprehensively to make them incapable of further coups. "How IBB killed air force, by Agboneni, retired vice marshal", *Daily Sun* (Lagos), 15 December 2003.

¹¹ Said Adejumobi, "Guarding the Guardian? The Obasanjo Regime and Military Reform in Nigeria", *Development Policy Management Network Bulletin*, vol. 8, no. 3, September 2001, pp. 17-19.

¹² In June 1990, President Babangida conceded that the abortive 1990 coup, "brought home to us the fact that the internal mechanism for institutional coherence and survival of the armed forces appears to have dramatically failed". Graduation ceremony address, Command and Staff College, Jaji, 29 June 1990. In his 1993 valedictory to senior officers, retiring army chief Lt. General Salihu

B. *The Military under Democracy: Failed Promises of Reform*

1. The Obasanjo years

Elected president in 1999, Olusegun Obasanjo identified military reform as a top priority.¹³ His administration immediately undertook several measures, particularly to restore effective civilian control and oversight and re-professionalise the services.¹⁴ He replaced all service chiefs with younger officers who had held no public office and retired about 100 other officers who had held appointments as federal ministers, state governors, directors of public corporations and task force chairmen during military regimes.¹⁵

Obasanjo further promised “comprehensive transformation of the armed forces”, to include: (1) continuation of rationalisation, downsizing and right-sizing to allow shedding of “dead wood” and obsolete equipment; (2) re-equipping the services and upgrading soldiers’ welfare; (3) reversing harm to military-civilian relations by subordinating the military to democratically-constituted authority; and (4) building, rehabilitating and strengthening the relationship between the military and the world after years of isolation and sanctions.¹⁶ In pursuit of its reforms, the government restored bilateral military aid programs frozen during the Abacha dictatorship. In particular, it entered into agreement with the U.S., which offered \$10 million for two programs: short-term capacity building for some army units (Operation Restore Hope) and longer-term reform of the armed forces, to be implemented by a private U.S. consultancy company, Military Professional Resources Incorporated (MPRI).¹⁷

Ibrahim lamented that military rule led to “visible decline in professionalism, morale and discipline We created such a situation whereby we were operating mini-armies within the larger Nigerian army ... the army had become an organisation where ‘anything goes’”. Ibiyinka Solarin, “How the Nigerian armed forces became ‘an army of anything goes’”, *Nigeria World*, 9 January 2001. In 1994, Brigadier General David Mark, ex-Niger state military governor (1984-1986), later federal communications minister and member, Armed Forces Ruling Council (AFRC), said military rule had turned the forces into something like a “group of disorganised cowboys”. “Hope betrayed”, *Newswatch* (Lagos), 11 April 1994.

¹³ “A great deal of reorientation has to be undertaken and a redefinition of roles, retraining and re-education will have to be done to ensure that the military submits to civil authority and regains its pride, professionalism and tradition”. “Inaugural speech”, President Obasanjo, following his swearing-in as president, 29 May 1999, federal information ministry, Abuja, 1999.

¹⁴ Ecoma Alaga and Richard Akum, “Civil-Military Relations and Democratic Consolidation in Nigeria: Issues and Challenges”, in Dennis Blair (ed.), *Military Engagement: Influencing Armed Forces Worldwide to Support Democratic Transition: A Handbook Project Volume Two: Regional and Country Studies* (Washington, DC, 2013).

¹⁵ The sacking of the officers, some of whom had obviously become deeply politicised, cut the risk of a coup but also further deprived the military of experience and capacity.

¹⁶ “Address by Vice President Atiku Abubakar, at Inauguration of Course 8”, National War College, Abuja, 10 September 1999.

¹⁷ On 1 April 2000, visiting Defence Secretary William S. Cohen, announced the U.S. would provide \$10.6 million to support the military. \$4 million was to refurbish aging C-130 airplanes and retrain pilots; it was also to send Special Forces to train five battalions in basic combat and peacekeeping skills. Under the arrangement, the U.S. and Nigeria each paid \$3.5 million to MPRI to design a professionalisation program for the services. It also covered institutional reform and improving the capacity of civil authorities, especially the defence ministry, to administer and control the military. MPRI, led by retired officers, had implemented reform programs in Afghanistan, Bosnia, Croatia and Colombia. Monday E. Dickson, “An Assessment of the Diplomatic Relations between Nigeria and the United States of America in the fourth Republic”, *African Journal of Social Sciences*, vol. 3, no. 4 (2013), p. 206. By late 2001, U.S. Special Forces had trained five battalions, but the beneficiaries

Seeking to address human rights violations and impunity under military rule, the government established a Human Rights Violations Investigation Commission (HR-VIC), chaired by the respected Justice Chukwudifu Oputa.¹⁸ Its objective was, among other things, to recommend measures for redressing past injustice and preventing their recurrence. It submitted its report to Obasanjo in May 2002.¹⁹

Obasanjo's initiatives faltered because they lacked a comprehensive guiding framework and were driven solely by the executive, without buy-in from parliament, other political elites and civil society. These deficits impaired implementation and follow-up. At best, Obasanjo achieved increased presidential, but not democratic, control of the armed forces.

While the president had promised to rationalise the services and downsize personnel, Defence Minister Lt. General Theophilus Danjuma dismissed in November 1999 any idea of significantly reducing size, saying only that proper implementation of the Nigerian Army Career Review Program would be ensured.²⁰ The government was concerned about the possible socio-economic and security consequences of discharging about 30,000 men, some of whom had considerable training and experience.

Similarly, promises to re-equip the services for effective training and combat were not supported by appropriations. There was no significant budget increase from 2000 to 2007.²¹ A former defence chief said starving the military of funds was part of a strategy to keep it "feeble and incapable of staging any coup".²² General Victor Malu, army chief from 1999 to 2001, complained publicly that the government gave the services little, and he sometimes had to lie to his men when explaining the situation.²³

Engagement of foreign countries and companies to re-professionalise the military was highly unpopular among senior officers and drew critical press commentaries.²⁴ Many denounced the MPRI contract as an infringement on national sovereignty, questioned the commitment to genuine reforms and cited the controversial roles of private military companies in some other African countries.²⁵ Conspiracy theorists

(3,500) were few compared to the overall army, and many officers dismissed the training, which focused largely on light infantry skills for peacekeeping, as hardly useful. Crisis Group interview, retired senior army officer, Abuja, 1 February 2016.

¹⁸ The HRVIC, also known as the Oputa Panel, was created in 1999 to identify persons and institutions responsible for gross human rights violations between 15 January 1966 (the day the military first seized power) and 28 May 1999 (the day before Obasanjo became president). It was further mandated to assess the effects of violations on victims and society and recommend measures to redress past injustices and prevent new ones. Over three years, it held public hearings across Nigeria, heard about 150 cases, received about 10,000 testimonies, and thousands of petitions regarding assassinations, torture and other abuses by security forces.

¹⁹ The 15,000-page report was supported by 60 boxes of relevant documents. "Oputa panel submits report, recommends compensation", *Thisday*, 22 May 2002. Matthew Hassan Kukah, *Witness to Justice: An Insider's Account of Nigeria's Truth Commission* (Ibadan, 2011).

²⁰ "Danjuma explains plan to trim armed forces", *The Guardian* (Lagos), 9 November 1999.

²¹ Apart from 2000 and 2001, when there were marginal increments in defence spending.

²² Crisis Group interview, Abuja, 3 February 2016.

²³ "How Obasanjo, Danjuma ruined the army – Malu", *Thisday*, 8 December 2007.

²⁴ At least two newspapers questioned the engagements: "The US military contract", *Vanguard*, 15 March 2001; and "Malu on military aid", *The Guardian* (Lagos), 29 March 2001.

²⁵ Many cited examples or allegations of private military company involvement in illegal arms trade, mercenary activities and illicit trade in natural resources in conflict zones, mostly in collaboration with rebels in Liberia and Sierra Leone.

in the military thought the training arrangements were U.S. schemes to spy. Malu declared the military had little or nothing to learn from a private company.²⁶ Most other senior officers shared his reservations and offered only limited or lukewarm cooperation.²⁷

Efforts to address and redress military-era abuse were thwarted by some ex-military leaders, notably Generals Ibrahim Babangida and Muhammadu Buhari, who refused to appear before the HRVIC and filed suits challenging its legality.²⁸ The Supreme Court declared the commission had no legal basis; its report was never published, no one was indicted or sanctioned on the basis of its hearings or submissions, and its recommendations on ending the military's impunity were never implemented.²⁹

Several incidents on Obasanjo's watch further entrenched a military culture of abuse and impunity. For example, on 27 January 2002, a massive explosion at an ammunition dump inside the cantonment in Ikeja, Lagos, resulted in over 1,000 civilian deaths, from ordnance that landed indiscriminately in a 5km radius and panic, as residents drowned trying to flee across a treacherous swamp. A UN assessment called the disaster an act of "negligence".³⁰ Nevertheless, the military offered no formal apology; neither Defence Minister Danjuma, the army chief, nor anyone else accepted responsibility; and military authorities never disclosed the results of any investigation.

The refusal to investigate abuses by military units during internal security operations, particularly retaliatory violence in Odi, Bayelsa state (November 1999) and Zaki Biam, Benue state (October 2001), also raised serious doubts about Obasanjo's reform commitment.³¹ The killing of seven police by armed youth at Odi and the beheading and eye gouging of sixteen soldiers by a community militia near Zaki Biam were

²⁶ Malu said, "we have the brains, what we lack is the equipment. It's not as though we are afraid of American training. But to have them come here and confuse my troops with a different doctrine is not good". "Malu on military aid", *op. cit.*

²⁷ Crisis Group interview, retired army general, Abuja, 22 September 2015. Many officers argued that the military had done more peacekeeping than the U.S. and did not need its training; others questioned the credentials of the U.S., which withdrew from Somalia after eighteen soldiers were killed; yet others resented an outside group questioning the army's basic doctrine and examining its financial books. Such resentment was not entirely based on nationalism: some officers feared an audit could expose inefficiency and corruption.

²⁸ "I won't appear before Oputa panel – Buhari", *Vanguard*, 12 August 2001; "Oputa: why Babangida may not appear, by counsel", *Thisday*, 15 August 2001.

²⁹ After the HRVIC submitted its report in May 2002, Obasanjo named a committee to oversee implementation of its recommendations, including that General Babangida and two ex-military intelligence chiefs be prosecuted for murder of Dele Giwa, a journalist killed by a parcel bomb in 1986, while Babangida was president. Babangida filed a suit, and in February 2003, the Supreme Court ruled all commission activities and recommendations were null and void. Public clamour for the government to at least release the report met a brick wall. In January 2005, the Washington-based NGO, Nigerian Democratic Movement, and Nigeria-based Civil Society Forum unofficially published the report, with no government response. Many officers shown to have been involved in serious human rights violations kept their jobs; some were later promoted.

³⁰ "UNDAC Mission to Lagos, Nigeria 31 January-7 February 2002: Munitions Depot Explosion, Environmental and Human Assessment", UN Disaster Assessment and Coordination Team, p. 12.

³¹ For details, see: "Genocide in Odi", *Constitutional Rights Journal*, October–December 1999, pp. 28-32; "What the army did in Bayelsa: story of a genocide", *Tempo* (Lagos), 9 December 1999; "The Destruction of Odi and Rape in Choba", Human Rights Watch, 21 August 2001; "Hope Betrayed? A Report on Impunity and State-sponsored Violence in Nigeria", World Organisation Against Torture, Geneva and CLEEN Foundation, Lagos, 2002.

indeed reprehensible, but Obasanjo's ordering of military vengeance against civilian communities further deepened abuse and impunity.³² In effect, from 1999 to 2007, little or no progress was made toward helping the military recover from the depredations of military rule. Obasanjo's reform promises remained largely unfulfilled.

2. The Yar'Adua and Jonathan years

President Umaru Yar'Adua, who succeeded Obasanjo in May 2007, enunciated a seven-point agenda (plus two special interest areas) to tackle the country's problems.³³ His primary security focus was on the Niger Delta, and military reform was not a priority. Furthermore, the terminally-ill president was in no position to provide the necessary leadership before his death in May 2010.

His successor, Goodluck Jonathan, initially raised hopes of reform. In May 2012, Defence Minister Bello Haliru Mohammed announced a new effort, to involve the military's strategic expansion; effective and seamless coordination of resources, intelligence and equipment sharing between the armed forces, security services and other relevant agencies in the aviation, maritime and border sectors; increased military deployment to complement police operations, particularly in flash-point areas; and development of in-country capacity to produce light arms, ammunition and military kits.³⁴

It was never clear whether the government was committed to this agenda. Jonathan sacked Mohammed in June 2012 without explanation. Failure to appoint a substantive minister for the next fifteen months (the junior Defence Minister Olusola Obada remained in office but largely as a caretaker) meant there was lack of political leadership to drive reforms. In July 2013, Obada said the government was "encouraging a transformation of the military in terms of training, doctrine, intelligence gathering and equipment provisioning".³⁵ At most it was "encouraging" the military to proceed on self-devised reforms. A retired army major general said, "the president, parliament and defence ministry, who ought to have been the manager, coach and captain of the reform team, remained largely spectators, at best a fan club".³⁶

Lack of political leadership for reform was partly because the president was out of his depth on defence matters and, by several accounts, less involved with leading and managing the military than his predecessors.³⁷ It may also have been because the reform agenda was rapidly overshadowed by the escalating Boko Haram insurgency.³⁸

³² The army said it acted as the president directed, a claim Obasanjo did not refute. "Odi Massacre: we acted according to instructions – Army", *Saturday Punch*, 4 December 1999. In 2007, after Obasanjo left office, the new army chief, Lt. General Luka Yusuf, apologised and asked for forgiveness. "A belated apology", *The Source* (Lagos), 19 November 2007.

³³ The priorities were power and energy, infrastructure, food security, wealth creation, transport sector, land reforms, education and security.

³⁴ "Briefing by Minister of Defence, Dr Bello Haliru Mohammed, at Ministerial Platform", Abuja, 17 May 2012.

³⁵ "Nigeria's Defence Priorities: Domestic Stability for Regional Security", address, Chatham House, London, 18 July 2013.

³⁶ Crisis Group interview, Abuja, 2 February 2016.

³⁷ Crisis Group interviews, retired major general, 30 August 2015; and former senior presidential aide, Abuja, 6 October 2015.

³⁸ The insurgency began in 2009, and attacks and casualties grew steadily between 2010 and 2012. The violence escalated dramatically in 2014, when the insurgents seized territory in north-eastern Nigeria and fighting spread to Cameroon, Chad and Niger, with about 11,000 deaths that year.

3. The military's self-driven attempts at reform

As early as 2004, the then army chief, Lt. General Martin Agwai, had introduced a change management program for the army.³⁹ Elevated to overall chief of defence staff in June 2006, he began to expand it to encompass the entire armed forces. He set up a committee, headed by Major General Suraj Alao Abdurrahman, to develop a comprehensive blueprint for transformation, but that was disrupted in May 2007, when outgoing President Obasanjo appointed a new chief of defence staff and posted Abdulrahman to Liberia as commander of that country's new army.⁴⁰

In January 2008, Agwai's successor, General Andrew Owoye Azazi, started a new all-services reform initiative, constituting a committee, headed by Air Vice Marshal Olufemi Faloyin, to formulate proposals for "repositioning" the armed forces.⁴¹ It submitted an "Armed Forces Transformation" document that the military leadership and defence ministry adopted in June 2008. Six months later, President Yar'Adua established the Office of Defence Transformation at both the defence ministry and defence headquarters, as the document recommended. This office was supposed to fast-track implementation of the "modernisation" blueprint.⁴² However, before the military chiefs began application, the Boko Haram insurgency escalated, and focus shifted entirely to countering it.

Admittedly, some progress was recorded under the transformation program, notably the development of a National Counter Terrorism Strategy (NCTS). In July 2012, the army commissioned its first locally-produced armoured personnel carrier, the *Igirigi*, a joint venture between the Defence Industries Corporation of Nigeria (DI-CON) and Israel's Marom Dolphin Nigeria Limited. In mid-2002, the navy took delivery of a home-built patrol boat, the 31-metre *NNS Andoni*, built by the naval dockyard in Lagos. The Airforce Institute of Technology built its first drone.⁴³ These developments may have been significant, but they did not amount to real reform. Instead, due to the lack of clear strategic leadership and strong parliamentary oversight during the Jonathan years, the military sank to unprecedented depths.

Crisis Group Africa Report N°216, *Curbing Violence in Nigeria (II): The Boko Haram Insurgency*, 3 April 2014; and Briefing N°120, *Boko Haram on the Back Foot?*, 4 May 2016.

³⁹ "Framework for the Transformation of the Nigerian Army in the Next Decade", Army Headquarters, defence ministry, Abuja, 2004.

⁴⁰ "You don't have to reach the pinnacle before you can contribute to your corps, service and country's development to be recognised – General Martin Luther Agwai (rtd)", *New Soja magazine*, 3rd and 4th quarter 2014, p. 34. "New chief of defence staff, army chief appointed", *Thisday*, 26 May 2007; "Liberia: army gets new commander", *The Inquirer* (Monrovia), 11 June 2007.

⁴¹ The committee's terms of reference were: (1) check the threats and challenges facing the armed forces and how these could be addressed jointly; (2) look into the military strategy and operational doctrine; (3) analyse and recommend on the new combat system and force structure by 2025; (4) recommend on the military's human resource development agenda by 2025 and other manpower planning imperatives; (5) recommend on higher management of national defence, joint logistic procurement, preparation and conduct of peace-support operations, civil-military relations, crises response and management, defence space command, information and communication technology, research and development, medicare and; (6) work out a detailed plan for Transformation of the Armed Forces. "Defence chief inaugurates panel to reposition armed forces", *The Guardian* (Lagos), 31 January 2008.

⁴² He gave the directive while opening a retreat for military officers and civilian defence ministry officials to deliberate more widely on the transformation document.

⁴³ "Before and After, Jonathan and the Transformation of Nigeria", Office of the Special Adviser to the President on Research, Documentation and Strategy, Abuja, 2014.

III. Dimensions of Distress

A. *The Problems of Leadership and Civilian Oversight*

A major factor in the military's ailment has been the lack of effective political leadership. While the constitution makes the president commander-in-chief, Yar'Adua and Jonathan never rose to that responsibility. This was partly due to their lack of familiarity with the military, but also because they did not regularly convene meetings of the National Security Council (NSC) or the National Defence Council (NDC), from which they would have drawn much-needed advice and support.⁴⁴

The National Assembly (federal parliament) has also not been an effective steward of national security. In the years immediately after return to democratic rule, most legislators were largely ignorant of their basic law-making, appropriation and oversight duties. Capacity developed gradually and is still very limited. Poor oversight allowed rot in the armed forces to deepen. For instance, parliament never knew it was constitutionally mandated to scrutinise security chief nominees before confirmation until a court awakened it to the responsibility in 2013.⁴⁵ Failure to track how appropriated funds were used by military chiefs also contributed to the environment of corruption and abuse.⁴⁶

Unsatisfactory political leadership was further compounded by defence ministry lethargy and instability. The first minister after return to civilian rule, General (ret.) Theophilus Danjuma, was sick even before his appointment; he could not take office until six months after the inauguration and from 1999 to 2003 was often distracted by ill health.⁴⁷ The ministry subsequently had eight ministers from 2007 to 2015.⁴⁸ The adverse effect was aggravated by lack of a substantive minister to provide administrative leadership from July 2012 to March 2014: in her caretaker role until September 2013, Obada was unable to take crucial decisions; Labaran Maku, temporarily in charge from September 2013 to March 2014, did so while remaining information minister.⁴⁹

Uninspiring defence and service chiefs were a further problem.⁵⁰ Appointments to these positions have been strongly influenced by geo-ethnic balancing and perceived political loyalties considerations, partly because the constitution stipulates

⁴⁴ Crisis Group interview, former NSC member, Abuja, April 2015.

⁴⁵ "Court declares exclusive appointment of service chiefs by president illegal", Sahara Reporters, 1 July 2013.

⁴⁶ "How poor National Assembly oversight aided U.S.\$2.1 billion arms scandal", *Daily Trust*, 6 February 2016.

⁴⁷ "Gen. Danjuma critically sick", *PM News* (Lagos), 18 June 1999.

⁴⁸ Yayale Ahmed (July 2007-September 2008); Shettima Mustapha (December 2008-July 2009); Major General (ret.) Godwin Abbe (July 2009-March 2010); Adetokunbo Kayode (April 2010-May 2011); Dr Bello Haliru Muhammed (July 2011-June 2012); Dr Erelu Olusola Obada (July 2012-September 2013); Labaran Maku (supervising minister, September 2013-March 2014); and Aliyu Mohammed Gusau (March 2014-May 2015).

⁴⁹ "Maku takes over as supervising minister of defence", *Vanguard*, 14 September 2013. The Human Rights Writers Association of Nigeria (HURIWA) observed that "the minister of information has so far failed to perform his mandate even in his own field of information whereby he has held sway in the last two years, so he is the least of the serving ministers to be so assigned additional functions in a very strategic beat". Press Release, HURIWA, Abuja, 14 September 2013.

⁵⁰ "Until recently, we have had some officers of questionable competence or integrity as service chiefs". Crisis Group interview, retired brigadier general, Abuja, December 2015.

that government appointments should reflect the country's "federal character".⁵¹ This has often meant compromise on merit and competence.

B. Funding Constraints

From 1999 to 2009, the military was constrained by inadequate funding. Several factors dictated the government's relatively limited support: politicians felt a low budget would reduce coup risk; local and international development organisations, arguing the military had been funded generously during military rule, advocated cutting defence spending and committing more resources to economic and human development; service chiefs did not press too hard, lest they appear too demanding or ambitious. Thus, for a decade, there was no significant increase in defence allocations.⁵²

The military budget finally increased in response to the Boko Haram challenge, averaging \$1.7 billion between 2011 and 2014. Moreover, the military also received funding from several off-budget sources. For instance, money was transferred from accounts of the state-owned Nigerian National Petroleum Corporation (NNPC) following presidential directives.⁵³ However, as such funds were always shrouded in secrecy and thus highly vulnerable to theft and other abuse, it is difficult to estimate how much was spent to benefit the armed service.

Though funding increased significantly from 2011, several longstanding problems persist.⁵⁴ The finance ministry never releases all of what the National Assembly appropriates: the services often receive less than 50 per cent of their capital expenditure budgets.⁵⁵ This is because appropriations are based on estimated revenue; if oil prices fall below the projected benchmark, the finance ministry releases only what was earned. Funds also are released irregularly, partly due to delays in the national budget, which means no service knows how much of the budget will be released or how much it will get the next year and when. Under such conditions, planning is difficult, maintenance schedules are unsustainable and long-term acquisition commitments impossible.

Furthermore, a disproportionate share of what is released goes to recurrent expenditures (payrolls and overhead), not to equipment and kits which, along with

⁵¹ Section 14 subsection (3) of the constitution stipulates: "The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that Government or any of its agencies".

⁵² Crisis Group interview, director in finance ministry, September 2015. Annual defence expenditures were 1.3 and 1.5 per cent of GDP respectively in 2001 and 2002. From 2003 to 2009 the government committed less than 1 per cent of GDP to defence, including in 2006 just a half per cent.

⁵³ In 2012, a presidential task force disclosed that about 20 billion naira (approximately \$125 million) was transferred from the accounts of the national oil company to a presidential committee on maritime safety and security ostensibly for procurement of maritime surveillance equipment, but this was not reflected in the national budget. "Report of the Petroleum Revenue Special Task Force", Petroleum Revenue Special Task Force (PRSTF), August 2012.

⁵⁴ Official budget allocations for the army, navy, air force and defence ministry do not reflect the entire national security expenditure, which includes allocations to the Office of the National Security Adviser (ONSA), the police and the interior ministry (customs service, immigration service, security and civil defence corps), as well as the "security votes" drawn by state governors and local government chairmen ostensibly for proactive response to security risks but widely abused.

⁵⁵ Crisis Group interview, former army director of finance, Abuja, 26 August 2015.

better training and good leadership, could enhance capacities. From 2009 to 2014, only 271.4 billion naira (about \$1.36 billion), 14.3 per cent of the 1.9 trillion naira (about \$9.5 billion) cumulative defence budget, went to capital expenditure, including investments in hardware.⁵⁶

C. Corruption and Lack of Accountability

Corruption, a serious problem across the public service, is a major contributor to the military's decline and loss of standing in society. It percolates through all levels of the defence establishment and manifests itself in diverse forms. At the National Assembly, legislators are accused of manipulating the appropriations process to serve private purposes. Former officials report that, at legislators' insistence, service and defence ministry estimates are sometimes padded before they can be passed. Legislative committees have also reportedly used oversight visits to military facilities and projects by committees to extort funds from service chiefs and other commanders in exchange for favourable reports. When appropriated funds are available for release to the services, some finance and defence ministry officials are said to hold them up until they get their share.⁵⁷

The procurement process is notorious. Defence acquisitions are shrouded in secrecy. Rather than explore government-to-government arrangements, there is an overwhelming preference for dealing with rent-seeking middlemen, so equipment can be bought at grossly inflated prices, with contractors and military/government officials reportedly sharing the huge margins. Allegations of inflation or over-invoicing of contracts, award of phantom contracts through which funds are diverted to private accounts and fraudulent acquisition of substandard, sometimes useless, equipment are common.⁵⁸ There have also been recurrent reports of phantom procurements – contracts awarded to non-existent companies and never seen items recorded as supplied or delivered.⁵⁹

The most comprehensive and damning allegations of corruption in procurement emerged in November 2015 from a presidential committee constituted early in Buhari's term to audit weapons and equipment procurement since 2007. Its interim report, which has not been made public, reportedly details several irregularities in procurement and overall management of military-related funds, attributed mostly to the former National Security Adviser (NSA), Colonel (ret.) Sambo Dasuki. The president's

⁵⁶ "Huge recurrent budgeting strangles military spending on hardware", *BusinessDay* (Lagos), 25 May 2014. The percentage is even less for some years: a 2014 breakdown of the budget for the defence ministry and the services showed that only 11.8 per cent went to capital expenditure. "2014 Budget: Summary of MDAs", Ministry of Finance, Abuja, 2014.

⁵⁷ Crisis Group interview, ex-legislative aide to former Senate Committee on Defence chairman, Abuja, 21 September 2015. "The appropriations and oversight processes provide opportunities for arm-twisting the service chiefs. In many respects, civilian control has degenerated to civilian corruption of the armed forces". Crisis Group interview, ex-senator (1999-2007), Abuja, 21 September 2015. "Wherever you go, the directors and other officials in the finance department demand their share. They insist you must part with something before they release the funds". Crisis Group interview, former military finance officer, Abuja, 14 February 2016.

⁵⁸ At other times, commands, formations and agencies were reported to have used flimsy excuses, such as non-receipt of inspection notices, to hinder the ministry teams from carrying out their assignments. Crisis Group interviews, retired senior army officers, Abuja, September 2015 and Lagos, December 2015.

⁵⁹ "Alleged N3bn Scam: Ex-PICOMSS Chair fights back", *The Nation*, 15 December 2012.

office noted that of 513 reviewed contracts – awarded mostly by the NSA – the committee found no evidence of delivery of 53, totalling \$2.1 billion, including the putative purchase of four Alpha Jets and twelve helicopters, as well as bombs and ammunition.⁶⁰ Dasuki has rejected the allegations as politically motivated, asserting he was never even invited to appear before the committee.⁶¹

A January 2016 follow-up report, also not made public, again implicated Dasuki, as well as the two immediate ex-air force chiefs. The president's office described its detailed allegations of arbitrary procurement processes, generally characterised by irregularities and fraud, with procured items often not meeting intended purposes. The investigative committee is said to have established that between September 2009 and May 2015, the air force spent about 15 billion naira (about \$75 million) maintaining its Alpha Jets, C-130H aircraft and Mi-24V/35P helicopters. And that of this amount, 4.4 billion naira (about \$22 million) was paid for contracts not executed. Meanwhile, the status of the air force's fleet was operationally appalling, with only three Alpha Jets, two C-130H transport aircraft, one Mi-24V and one Mi-35P helicopter serviceable as of 28 May 2015. All of the cited officers have strongly denied any wrongdoing.⁶²

The defence sector is riddled with other forms of corruption. There have been reports of serious payroll fraud and of commanding officers diverting to their private accounts funds intended for barracks renovation and soldiers' allowances. Junior personnel widely believe their chiefs and commanders are "more concerned with defending their pockets than defending the nation".⁶³

There are frequent reports of military personnel involvement in organised crime and other criminal activities. In the Niger Delta, some officers have been involved in illegal bunkering. In January 2005, two senior naval officers, Rear Admirals Samuel Kolawole and Francis Agbiti, were demoted and dismissed for their role in the disappearance of a tanker vessel held on suspicion of oil theft, thus apparently confirming long-held suspicions that some of the navy's top brass were involved in the illegal oil trade.⁶⁴ An October 2013 report on illegal oil dealings said there was substantial evidence that "some corrupt members of the JTF [military Joint Task Force deployed to fight oil theft and maritime crime in the Delta] actively participate and profit from oil theft and illegal oil refining".⁶⁵

⁶⁰ The committee, set up in August 2015, is headed by a well-regarded ex-officer, Air Vice Marshal John Ode. "Buhari raises 13-member panel to probe weapon procurement since 2007", *Premium Times*, 24 August 2015. The contracts totalled, in different currencies, 2.2 billion naira, \$1.7 billion and €9.9 million. "President Buhari receives Interim Report of Investigative Committee on Arms Procurement, orders arrest of indicted persons", Press Release, State House, Abuja, 17 November 2015.

⁶¹ "\$2.9 billion arms deal: My story, by Dasuki", *Vanguard*, 19 November 2015.

⁶² State House Press Release, issued by Garba Shehu, senior special assistant to the president (media), Abuja, 16 January 2016. "Arms deal: FG orders probe of ex-military chiefs, firms", *Leadership*, 16 January 2016. "\$2.9bn arms deal: my story, by Dasuki", *Vanguard*, 19 November 2015; "Detained ex-Defence Chief Alex Badeh cries out, says he's being persecuted", *Premium Times*, 3 March 2016.

⁶³ Crisis Group interviews, junior officers in Abuja, Lagos, Kaduna, Port Harcourt, 2014-2015.

⁶⁴ "Conviction of admirals confirms navy role in oil theft", Integrated Regional Information Networks (IRIN), 6 January 2005. How much oil is being stolen is not clear. In June 2014, a report by the energy committee at the National Conference estimated \$35 million in oil theft daily. "Nigeria losing \$35 million a day from oil theft – report", Reuters, 17 June 2014.

⁶⁵ The report said JTF involvement occurs in the following ways: (a) protection by securing surrounding waters while artisanal groups or gangs install illegal taps; (b) collection of cargo-by-cargo

Some soldiers have reportedly been involved in stealing and selling arms to criminal gangs and even insurgent groups. In November 2007, military and media sources reported that a syndicate had, over a long period, allegedly sold arms, including AK-47 assault rifles and general purpose machine guns, as well as ammunition, from the army's Central Ordnance Depot in Kaduna. Investigations traced some of the arms to Niger Delta insurgents fighting the military.⁶⁶ A significant number of soldiers have been involved in other criminal activities, from armed robbery to ransom kidnapping.⁶⁷

Corruption is a major reason why the military found it so difficult to subdue Boko Haram. Collusion between personnel and illegal groups also explains why the JTF has not been able to stop oil-related organised crime in the Niger Delta.

D. Equipment and Logistics Deficits

Serious equipment and logistic deficits are only slowly being addressed. For many years, the military made no major acquisitions, at best taking delivery of refurbished platforms.⁶⁸ The limited equipment available is often poorly maintained.⁶⁹ For instance, the army's 35mm anti-aircraft guns, imported from Switzerland in 1979, became unserviceable in 2002 and were left in that condition until 2013.⁷⁰ In 2014, the services had nearly 95 aircraft and 75 maritime vessels, but less than one third had flown or sailed in several years.⁷¹ Two months after he took office, President Buhari

"transportation tax" from boats carrying stolen crude or illegally refined products; and (c) collection of "regional security payments" for military and other security force members involved in protection rackets. "Communities Not Criminals: Illegal Oil Refining in the Niger Delta", Stakeholder Democracy Network, October 2013. Military spokesmen strenuously rejected the allegations, but in January 2013, the outgoing JTF commander, Major General Johnson Ochoga, admitted: "There's no organisation that will say it is 100 per cent clean I'll not say we don't have bad eggs". "Niger Delta JTF not free from corruption, says out-going commander", *Premium Times*, 11 January 2013.
⁶⁶ "Plundering the armoury", *The Source* (Lagos), 19 November 2007; "The utmost betrayal" *Financial Standard* (Lagos), 4 February 2008; "More startling revelations on missing military arms", *Sunday Punch* (Lagos), 20 January 2008; "How Nigerian army officers sold weapons to militants", *Nigerian Tribune*, 15 January 2008.

⁶⁷ "How soldiers abducted Mikel Obi's dad – police", *Daily Champion*, 24 August 2011; "Two soldiers to face court martial over kidnap of Mikel Obi's father", *Vanguard*, 24 August 2011; "Army dismisses soldier for alleged kidnapping, robbery", *Vanguard*, 22 February 2013; "Police arrests soldier, others for armed robbery", *Point Blank News*, 23 March 2013; "Army dismisses soldier over armed robbery", *The Sun* (Lagos), 2 July 2015; "Rivers state: army private, kidnappers arrested", *The News*, 28 July 2015; "Robbery: Police arrest soldier, fake naval personnel in Lagos", *Vanguard*, 15 December 2015; "Police arrest soldier for supplying arms to robbers", *Vanguard*, 29 December 2015.

⁶⁸ The ship acquired in 2012 from the U.S. Coast Guard, the USCG Galatin, was 45 years old. "Why military needs to replace 25-year-old ammunition, equipment – Obanikoro", *Leadership*, 21 July 2014. The article quoted the state minister for defence, Musliu Obanikoro, as saying the navy had made no major acquisitions for 25 years.

⁶⁹ On the poor maintenance culture, ex-Defence Minister Danjuma once lamented that many operational vehicles delivered to the 3rd Armoured Division in Jos had become "unserviceable without participating in any operation Some countries have been known to sustain the same range of armoured fighting vehicles for upward of twenty years but, in our own case, one would be lucky to get an operational vehicle fully combat-ready after five years in the inventory". "Danjuma explains plans to trim armed forces", *The Guardian* (Lagos), 9 November 1999.

⁷⁰ "Nigerian army refurbishes 35 mm anti-aircraft guns", *Thisday*, 31 October 2013.

⁷¹ Crisis Group interview, former army logistics officer, Lagos, August 2015.

lamented: "The air force is virtually non-existent. The fixed wing aircraft are not very serviceable. The helicopters are not serviceable, and they are too few".⁷²

Poor maintenance has sometimes crippled operations. For instance, three Aero-star unmanned aerial vehicles (UAVs) procured from the Israel-based Aeronautics Defense Systems (ADS) in 2006 to track militants then attacking crude pipelines and kidnapping expatriates in the Niger Delta, were grounded by 2009.⁷³ Military analysts say the UAVs, equipped with thermal imaging cameras suitable for night operations, may have been the best tools to deploy in the search for over 200 schoolgirls kidnapped by Boko Haram in April 2014. Without them and other intelligence, surveillance and reconnaissance (ISR) assets, the military was unable to rescue the girls.

The services have also had to contend with obsolete, substandard equipment. Military sources say the exclusion of logistics branches from arms procurement processes under past administrations sometimes resulted in acquisition of substandard or unserviceable equipment.⁷⁴ In February 2008, an anonymous army officer petitioned the president, warning that the army had become "functionally paralysed" and, in the event of war, "cannot defend itself".⁷⁵ In 2012, sources involved in the Africa-led International Support Mission in Mali (AFISMA) reported that the 900-man Nigerian contingent, which ECOWAS had heavily relied upon, arrived "in a shocking state". An observer said:

They were poorly trained and even more poorly kitted, had to buy pick-up trucks as their armour kept breaking down, and eventually spent a lot of time on base or manning checkpoints as they did not have the capability to carry out even the most basic manoeuvres necessary for forward operations.⁷⁶

Many soldiers deployed to fight Boko Haram in 2013-2014 reported their equipment broke down frequently, and they had severe shortages or lack of body armour, radio equipment and night vision goggles. This was a major factor for the many desertions in those years.⁷⁷ An ex-soldier said, "sometimes, we had as little as 30 bullets each, facing Boko Haram fighters whose ammunition seemed inexhaustible". At the peak of their frustrations in May 2014, troops mutinied, firing on the car of the 7th Division

⁷² "Boko Haram: Airforce virtually non-existent – Buhari", *Vanguard*, 27 July 2015.

⁷³ "Nigeria purchases AeroStar UAVs and SeaStar USVs for coastal surveillance", Deagel.com, 12 April 2006. The \$260 million deal included unmanned navy patrol boats. "Nigeria develops unmanned coastal capability", *Jane's Defence Weekly*, 12 April 2006. The then chief of defence staff, Air Chief Marshall Alex Badeh claimed the grounding was due to "numerous vendor-related problems", but the Israeli supplier cited lack of maintenance. "Jonathan unveils Nigerian-made drone", *Vanguard*, 18 December 2013; "Nigeria's multibillion naira drones obsolete – Israeli Experts", *Vanguard*, 21 May 2014.

⁷⁴ Crisis Group interviews, retired senior army officer, Abuja, 20 September 2015.

⁷⁵ The petitioner wrote in a letter to President Yar'Adua and circulated to the press: "Most units do not have a single transport vehicle to convey troops. Mr President should know that if [his] villa is attacked by a trained competent force, the so-called army he has around him will be worth less than traffic wardens". "The rot in the army", *The News*, 25 February 2008.

⁷⁶ Crisis Group interview, foreign diplomat, Abuja, 22 February 2016. A retired army officer confirmed this, noting that they were not even as well kitted as the gendarmerie in some other West African countries. Crisis Group interview, Abuja, 22 February 2016.

⁷⁷ Crisis Group interviews, soldiers who served in Borno state in 2013-2014, Abuja and Kaduna, October 2015-February 2016; "The day I confronted Boko Haram: A former captain in the Nigerian army remembers when he faced Boko Haram – and found that his weapons were defective", *Saturday Sun*, 26 September 2015.

commander, Major General Ahmadu Mohammed, whom they blamed for the deaths of fellow soldiers.⁷⁸

E. *Personnel and Training Gaps*

The military is under-staffed, under-trained and over-stretched. Nigeria's 1: 1,000 ratio of military and paramilitary personnel to overall population is lower than those of all its neighbours (Chad 3.4: 1000; Cameroon 1.2: 1000; Benin 1.1: 1000), except Niger (0.7: 1000).⁷⁹ For a country its size and with multiple security challenges – an insurgency over a wide area of the north east, communal violence across the north central zone (Middle Belt), oil theft and related maritime crime in the Niger Delta – and committed to several peacekeeping missions abroad, personnel strength is widely considered inadequate. The army's reported 100,500 strength is less than half the 18,966 officers and 190,139 soldiers which the defence headquarters, in 2010, projected as necessary to meet its challenges in the near future.⁸⁰

The personnel problems are the collective product of shortcomings in manpower planning, recruitment, training and deployment. Manpower planning requires regular stocktaking and inventory analysis (including phased discharges, voluntary and compulsory, as well as desertions and deaths), analysis of potential threats and determination of numbers and quality of personnel that will be required in the future. Over the years, this process was largely neglected, resulting in significant manpower gaps in many units.

The recruitment process, guided by the Nigerian Army Administrative Policy and Procedure No. 1 of 2005, stipulates that the minimum educational requirement for a recruit is the West African School Certificate (WASC). It further states that recruitment is subject to the federal character provisions of the 1999 constitution and prescribes standard physical and medical requirements, as well as vetting procedures. In practice, these provisions are poorly observed, resulting in a deeply flawed process.

In trying to meet the federal character requirement, the recruitment process often takes in many applicants from states with poor schools, who do not meet the minimum educational requirement; according to an officer who served on the recruitment board, some are barely literate, so difficult to train.⁸¹ Recruitment is also deeply influenced by the priority given to applicants on the President's List, First Lady's List, Honourable Minister's List, the Emir's List and so on, with little regard for martial potential or merit.⁸² As many applicants seek to enlist not out of patriotic duty but for a salaried job with privileged status over civilians, finding genuine, service-oriented recruits is increasingly difficult. In July 2014, then Chief of Army Staff Lt. General Kenneth Minimah, lamented: "Our soldiers are recruited from the Nigerian

⁷⁸ Crisis Group interview, ex-soldier deployed to Borno state in 2013-2014, Abuja, 3 February 2016. "Mutiny in Maiduguri: GOC shot by angry soldiers, removed", *Leadership*, 15 May 2014.

⁷⁹ "The Military Balance 2014", International Institute for Strategic Studies, London. It is also lower than other prominent African countries, including South Africa and Ethiopia (1.6: 1,000), Angola (9.1: 1,000) and Egypt (14.9: 1,000).

⁸⁰ Crisis Group interviews, retired senior officer, Abuja, July 2015; Western diplomat, Abuja, February 2016. Nigerian army document, dated 13 January 2016, seen by Crisis Group.

⁸¹ Crisis Group interview, Abuja, November 2015.

⁸² These are lists submitted by political, military and traditional leaders as their candidates for recruitment.

society, and, today, most people are not called to be soldiers; they joined because they are desperately in need of jobs".⁸³

The process is sometimes further compromised by fraud. The 2010 report for screening of the 65th Regular Recruit Intake (RRI) from the southern zone noted that many candidates presented forged certificates, altered their WASC exam grades or presented documents procured or stolen from others.⁸⁴ Even so, some recruits found to have enlisted with forged certificates or false identities were protected by their "godfathers" and allowed to continue training.⁸⁵

The military has elaborate training institutions, and the service headquarters issue training directives to units and formations annually; but training declined over the years. The Depot Nigerian Army Training Branch and Recruits Centre, which gives recruits initial foundational training, lacks qualified instructors. In 2010, it was estimated that it should have 272 officers and 350 soldiers, but there were only about 164 officers and 175 soldiers in March 2015 – too low an instructor-to-recruits ratio to achieve satisfactory results. Several retired and serving officers lament that tactical training has declined, and its overall quality increasingly leaves much to be desired.⁸⁶

Unit-level training is also deficient. A retired officer told Crisis Group: "Battle inoculation exercises, which are conducted with live shooting, are not held regularly, so the training provided does not prepare soldiers sufficiently for real battle situations. Some troops complete their training with no near-combat field experience".⁸⁷ Until recently, doctrines and modules were geared to conventional warfare and peace-keeping operations, with little attention to counter-insurgency.

Units are over-stretched by multiple deployments to supplement an inadequate federal police that is unable to maintain law and order in many areas. In June 2014, former army chief General (ret.) Abdulrahman Bello Danbazzau observed: "the armed forces are the ones doing the duties of the police".⁸⁸ As of June 2015 (the latest figures available), military units were deployed in joint operations with the police and other paramilitary organisations in 32 of 36 states. Internal security deployments prevent the military from surging to areas like the north east and distract troops from preparing for real combat.⁸⁹

Faced with the crises in the north east and elsewhere, the military has had to conduct emergency recruitment and inadequate training. Some soldiers who served with counter-insurgency units in Borno state told Crisis Group that in many encounters with Boko Haram through 2013-2014, their units had not been trained for the terrain

⁸³ "Minimah lambasts soldiers for abandoning army because of Boko Haram's threat", *Daily Post*, 23 July 2013.

⁸⁴ "Report on Conduct of 65 Regular Recruits Intake: Final Screening Exercise for Southern Zone 2010, NYSC Camp, Ede, 1-15 June 2010".

⁸⁵ Crisis Group interview, retired army officer, Minna, April 2015.

⁸⁶ Crisis Group interviews, serving and retired officers, Abuja, Minna and Kaduna, 2015. A former trainer recalled that in some cases, new recruits with connections in high places could negotiate to be exempted from the more rigorous physical training.

⁸⁷ Crisis Group interview, former instructor, Depot NA, Kaduna, May 2015.

⁸⁸ "Former Army Chief Dambazzau laments use of military for police duties", *Leadership*, 1 July 2014.

⁸⁹ "Insecurity stretches military operations in 28 states – NSA", *The Sun*, 5 July 2013. In many states, the military is involved in joint patrols with the police to combat armed robbery, kidnapping for ransom and other crimes. "Nigerians demand end to military impunity", IRIN, 3 June 2015. Continuous deployment for internal security has resulted in inconsistent unit training and performance decline in range practice. Crisis Group interview, army officer, Keffi, Nasarawa state, April 2015.

and operation, and they were often vastly outnumbered. The result was disaster and defeat.⁹⁰

F. *Poor Civil-military Relations*

A further problem arises from the military's poor relations with civilians. Human rights violations in Ogoniland and other Niger Delta communities during military rule, the sacking of Odi, Bayelsa state (1999) and Zaki Biam, Benue state (2001), the more recent extrajudicial killings of suspected Boko Haram insurgents, members of the Islamic Movement of Nigeria (IMN) and separatist agitators in the south east, as well as frequent reports of soldiers assaulting and humiliating civilians have hardened public attitudes toward the military.⁹¹

Abuse is deep-seated and longstanding, dating to the army's pre-independence origins, when soldiers (and police) saw themselves as the enforcement agents of the colonial government, thus superior to other citizens. This feeling was reinforced by military rule. Since the return to civilian rule, some reorientation has been achieved within the more educated officer corps, but soldiers in the lower ranks often still carry military-era attitudes. As internal security deployments have increased interaction with civilians, so have reported incidents of friction and abuse increased.⁹²

In conflict situations, some violations arise from lack of intelligence to distinguish insurgents from civilians and poor human rights training (or poor assimilation of human rights principles) that leads to scant regard for the army's own rules of engagement.⁹³ Others can in part be attributed to "a build-up of trauma in the military with men serving on the front lines not properly equipped or relieved".⁹⁴ Whatever the causes or circumstances, they alienate the military from citizens and deny it the cooperation and community intelligence it needs to conduct internal security operations efficiently.

⁹⁰ Crisis Group interview, junior army officer, Abuja, June 2015.

⁹¹ For alleged abuses in fighting the Boko Haram insurgency, see "Stars on Their Shoulders. Blood on Their Hands: War Crimes Committed by the Nigerian Military", Amnesty International, 3 June 2015; "Nigeria: no justice for the 640 men and boys slain by military following Giwa Barracks attack two years ago", press release, *ibid*, 13 March 2016; "Nigeria: At Least 1,000 Civilians Dead Since January", Human Rights Watch, 25 March 2015. The military has consistently denied extrajudicial killings and other violations. However, in a well-reported 20 September 2013 incident, soldiers and Directorate of State Security (DSS) operatives stormed an uncompleted building in Apo district, Abuja, and killed eight squatters. The soldiers said they acted on information that over 100 Boko Haram fighters were hiding there, had arms buried at a nearby cemetery and were planning a major attack on the capital. A Nigerian Human Rights Commission (NHRC) investigation reported that the security agencies had "no credible evidence" that Boko Haram fighters were among the squatters and blamed the army, DSS and the federal attorney general for the killings. "Apo 8: Nigerian rights commission indicts army, SSS, for unlawful killing", *Premium Times*, 7 April 2014.

⁹² For some recent cases and concerns, see "Soldiers' descent into lawlessness in Lagos", *The Punch*, 10 July 2014; "Nigerian army soldiers viciously attack civilians, military berates media for publishing story", *Sahara Reporters*, 10 August 2015; "Rep urges FG, NASS to investigate brutality by security officials", *News Express*, 16 August 2015; "Soyinka decries arbitrary use of terror by security forces", *PM News*, 10 December 2015; "Endless cases of military brutality", *The Sun*, 6 February 2016; "Military brutality should end now", *The Punch*, 26 February 2016.

⁹³ Crisis Group interviews, two army officers who commanded counter-insurgency operations in Borno state, Abuja, 4 and 5 February 2016.

⁹⁴ Chidi Odinkalu, former chairman of the NHRC governing board, quoted in "Nigerians demand end to military impunity", *IRIN*, 3 June 2015.

G. *Poor Welfare Conditions*

Poor service conditions and welfare services have also weakened the institution. Barracks, educational and health facilities and other welfare services are often appalling.⁹⁵ In 2011, then army chief Lt. General Azubuike Ihejirika observed: "The Nigerian army has about 113 barracks, with some located in remote places, without public water supply and electricity. A sizeable number have not been renovated since they were built four decades ago".⁹⁶ Soldiers on missions sometimes do not receive operational allowances as and when due. Troops deployed in counter-insurgency in 2013-2014 recount that feeding arrangements were poor (sometimes non-existent), sleeping conditions were rough, and many were deployed for so long that they succumbed to battlefield fatigue – partly because no units were ready to replace them.

Discontent over welfare conditions aggravates relations between senior officers and junior ranks. There was unease in January 2008, when a group calling itself "Patriotic Majors" threatened to "act" by 15 February if certain welfare needs and other demands were not met. While seeking outstanding emoluments and allowances, the group also demanded "immediate removal and subsequent trial" of the chiefs of defence and army staffs, the finance director, principal staff officers at army headquarters and the generals commanding all divisions.⁹⁷ Though it never carried out the threat, the incident underscored how welfare-related grievances had undermined professionalism. They remain a source of discontent, frustration and low morale.⁹⁸ Poor pay and care probably also contribute to the involvement of military personnel in criminal activities.

For many serving personnel, the thought of post-service life is a nightmare. There have been constant allegations that corrupt Pensions Board officials embezzle funds meant for pensions and gratuities or delay payments to fraudulently earn interest on money in commercial banks. Many ex-servicemen became destitute while awaiting pensions and gratuities. The fear of sliding into poverty on retirement may be a factor pushing some officers to "help themselves" while in service.⁹⁹

⁹⁵ Crisis Group interviews, middle- and junior-level army officers, Abuja, Lagos, Port Harcourt, Kaduna, 2014-2016.

⁹⁶ A. O. Ihejirika, "Roles, Challenges and Future Perspectives of the Nigerian Army", *National Defence College News Magazine*, Abuja, June 2011, p. 34.

⁹⁷ "Rage of soldiers", *The News*, 11 February 2008. The ultimatum was sent to the president, Senate president, House speaker, national security adviser, defence minister, chief of defence staff, service chiefs, inspector general of police and DSS director general.

⁹⁸ "Boko Haram: soldiers complain of poor welfare, low morale", *The Punch*, 7 March 2014.

⁹⁹ Crisis Group interview, retired non-commissioned army officer, Abuja, 6 February 2016.

IV. Priorities for Reform

Military reform is overdue. The current chief of defence staff, General Gabriel Olonisakin, has taken steps in this direction. In October 2015, he set up a military committee with a mandate to formulate a plan for reforming the military.¹⁰⁰ The initiative was well intended, but insufficient: it focused only on the military services not the wider defence sector, was largely concerned with improving operational effectiveness as against holistic reform of the services and, being a self-driven process, lacked the buy-in of the non-military stakeholders crucial to sustaining reforms. What is needed is a more fundamental, comprehensive and inclusive approach.

Introducing a comprehensive reform program, which is likely to involve significant costs, may be challenging in the country's present economic situation. But it cannot be avoided. If effectively implemented it will improve Nigeria's capacity to address current security challenges, and possibly spare it from new problems in the future. Moreover, with procurement and payrolls protected against the massive corruption of the past, the net cost of running reformed armed services would not necessarily be greater – indeed could be less – than at present. In the long term it is a sound investment in economic as well as political and security terms.

The starting point must be a serious reassessment of security challenges, articulation of defence and security policies to address them and a roadmap that repositions the military and security services to implement the policies effectively. Earlier defence policies focused largely on responding to external threats, but more recent developments – from militancy in the Niger Delta to insurgency in the north east and pastoralist-farmer clashes spreading southward from the north central states – have highlighted more pressing internal threats. These have deep political, social and economic roots, meaning that strategies and policies require more input from non-military stakeholders. There is need for both the president's office and the National Assembly to initiate public and expert discussions on defence and security priorities and the kind of military and other security forces (size, structure, orientation, capabilities, etc.) necessary. However, regardless of what this dialogue produces, and even before it starts, several immediate steps are needed.

A. *Strengthen Leadership and Oversight*

A first priority must be to strengthen leadership and oversight by the president, defence ministry and parliament. The president, as commander-in-chief, needs to provide leadership for far-reaching reform. Buhari's early actions have been encouraging, and his military background should be an advantage. In seeking to provide

¹⁰⁰ A 6 October 2015 statement, issued by the Defence Headquarters spokesman, said the committee was meant to "identify real and urgent measures and recommend short-, medium- and long-term reforms needed to reinvigorate military professionalism". Its terms of reference included: to reappraise previous military transformation activities and suggest options for realistic reforms; determine ways of improving on operational efficiency in the services; examine ways of fostering mission-oriented training in the armed forces; evaluate the foreign courses attended by military personnel and suggest ways of ensuring that such courses tally with desired milestones; consider measures for improving on troop's adherence to Law of Armed Conflicts in Internal Security and Peace Support Operations; determine impediments to effective logistics support and recommend the way forward. The committee was given until 16 November (six weeks) to submit its report.

consistent political leadership for the reform program, he should reactivate the institutions constitutionally provided to advise him.

The defence minister also needs to share and convey a sense of urgency regarding holistic reform. The ministry should strengthen its capacity to administer the military services more effectively by organising more training for civilian staff in such areas as procurement management, project monitoring and evaluation and operation of payroll systems, as well as accounting and auditing.

National, not personal interest, should guide legislators in the armed forces' management and governance. Committees should scrutinise military leadership appointments more thoroughly to ensure that only the most competent officers are appointed service and defence chiefs, and professionalism is rewarded.¹⁰¹

Federal lawmakers also need to assert the parliament more firmly on defence and security matters, in order to redress the executive's longstanding dominance. Members should devote attention particularly to four areas: ensuring greater discretion in military deployments for internal security operations; improving the military's human rights record and relations with civilians; curbing corruption; and addressing welfare system and post-service problems. Many legislators need to greatly improve their military and security expertise, so they can better review budgets and debate policy options. They should thus engage more with relevant research institutes and civil society organisations specialising in these issues. They could also explore training programs with the legislatures of more advanced democracies.

B. Improve and Sustain Funding

The federal government needs to improve predictable resourcing of the military and sustain it through a reform period. This is crucial, especially in a context of diminished oil revenue and other economic challenges.¹⁰² For a start, while the federal government must remain primarily responsible for funding the military, its allocations should be supplemented from other sources, such as funds accruing from peace-keeping operations. More importantly, the defence minister, chief of defence staff and service chiefs, should improve liaison with the National Assembly, to ensure better understanding of appropriation imperatives. More resources should also be made available by channelling money to the military that would have gone to ex-Niger Delta militant leaders for so-called pipeline security arrangements.

Some analysts have argued that the military could generate supplementary revenue by expanding its existing enterprises, notably the Army Welfare Holdings Limited (AWHL), Nigeria Navy Holdings Limited (NNHL) and Nigerian Air Force Holdings Company (NAFHC), and commercialising its services in such areas as health care, printing, hotels and catering.¹⁰³ The impulse for such engagement is understandable, but the capacity of a military that is seriously challenged with its own core programs to manage non-military businesses profitably is highly questionable. Over the years, some of these parastatal enterprises have suffered from poor management and

¹⁰¹ Service chiefs appointed through a more rigorous but transparent confirmation process would have more credibility and confidence to resist executive or ruling-party manipulation.

¹⁰² Earnings from Nigeria's main revenue source, petroleum, have declined steeply in recent years, due to the fall in global oil price. The national economy contracted by 0.4 per cent in the first quarter of 2016, the first time since 2004, and is not expected to perform any better in the near term. "Nigeria's economy contracts in Q1, raising pressure on central bank", Reuters, 20 May 2016.

¹⁰³ Crisis Group interviews, retired military officers, Abuja, November 2015 and February 2016.

corruption, resulting in little profit.¹⁰⁴ The military might do better to shed its businesses and use the proceeds to fund much-needed reforms or recapitalise pension schemes.

C. *Improve Staffing and Training Arrangements*

The military needs to strengthen staffing and training arrangements. Given that a major problem is deployment of too many troops in non-military duties, a first step should be to empower police to execute their crime-fighting mandate more effectively, allowing troops to concentrate on core military duties.

Army chief General Tukur Yusuf Buratai has indicated that the government intends to recruit more troops to meet growing security challenges.¹⁰⁵ Some analysts, including retired officers and international partners, agree on the need, but not on doubling the army by 2023, as he projected. Given the country's serious economic challenges, the military budget cannot sustain such an increase. Furthermore, such an ambitious expansion would almost inevitably involve some compromise of recruitment qualifications, so further undermine development of a more modern and effective army.

The military chiefs already recognise a great need for improved training. As General Buratai has indicated, all the services need to "reinvigorate capabilities that have declined ... and develop new capabilities for all-round increased combat efficiency".¹⁰⁶ Facilities need to be greatly improved, including for specialised training that anticipates new defence and security challenges. Doctrines and modules need to be overhauled, with emphasis on pre-empting insurgencies. Training also needs to emphasise a bottom-to-top response, firmly rooted in grassroots intelligence and community defence arrangements.¹⁰⁷

The government currently has military cooperation agreements with several nations.¹⁰⁸ It ought to explore the opportunities these offer more vigorously, and the military should be more receptive to training assistance from other countries.

D. *Rectify Equipment Deficits*

By all accounts, the services are better equipped than a few years ago. In the Jonathan administration's last year, an effort was made to rebuild and upgrade inventories (albeit reportedly through very corrupt deals). From late 2014 to early 2015, new weapons were procured, which, with new instructors and better training, helped to reverse Boko Haram's gains.¹⁰⁹ But critical deficits remain.

¹⁰⁴ Crisis Group interview, Nigeria expert, Washington, 4 May 2016.

¹⁰⁵ Address at National Defence College, Abuja, 13 January 2016.

¹⁰⁶ "Address at opening of a five-day command and leadership seminar for 150 warrant officers and non-commissioned officers", 26 October 2015. See also, "We'll continue to emphasize capacity building for soldiers – COAS", *Leadership* (Abuja), 27 October 2015.

¹⁰⁷ Crisis Group interview, former commandant, Nigerian Army Training and Doctrine Command (TRADOC), Abuja, September 2015.

¹⁰⁸ As of 2012, there were military memorandums of understanding (MoUs) with seventeen countries: Ghana, China, Russia, the U.S., UK, South Korea, Sao Tome and Principe, Liberia, India, Germany, France, Pakistan, Belarus, Brazil, Romania, Turkey and Serbia.

¹⁰⁹ A former army chief, General Minimah, said, "the equipment that arrived changed the battle dynamics ... reversed everything. The terrorists started running and we changed the battle". "Boko Haram: how Nigerian military succeeded in 6 weeks", *Leadership*, 11 May 2015.

In making military appropriations, the parliament should increase allocations to capital projects, from barracks renovation to hardware acquisition. Legislators also need to oversee approved budgets more transparently, monitoring procurement and deployment of hardware continuously to have an accurate picture of inventories and some indication of armed forces capacity.

The defence headquarters and service heads need to plan more rigorously for long-term needs. They should more regularly undertake intensive audits to identify areas where equipment is in short supply, unserviceable or obsolete. They must also pay closer attention to standardisation to ensure that procurement from diverse sources does not aggravate maintenance and logistics problems.

President Buhari has signalled his intention to meet some basic defence needs domestically. In August 2015, he ordered the defence ministry to reactivate the Defence Industries Corporation of Nigeria (DICON) and formulate a plan for establishing a military-industrial complex to boost local production.¹¹⁰ The aspirations are legitimate, if not entirely new.¹¹¹ Since establishment in 1964, DICON has largely been a black hole, and there is no guarantee that committing further funds to it would yield better results. The government could rather encourage private companies to invest in producing military and other security sector wares. Such encouragement should go beyond direct incentives and focus more firmly on developing Nigeria's technical manpower, improving electricity supply, curbing corruption and creating an overall more business-friendly environment.¹¹² Until these enabling conditions are in place, the aspiration to meet basic defence needs locally will remain an expensive and wasteful dream.

E. Curb Corruption, Improve Accountability and Promote Transparency

Curbing corruption and improving accountability must have high priority. Some steps have been taken. On 16 September 2015, army chief General Buratai said the services would comply with the federal government's Treasury Single Account (TSA) policy.¹¹³ In October 2015, the government directed the military (and all other institutions formerly excluded) to join the Integrated Personnel and Payroll Information System (IPPIS), so as to ascertain the exact number of servicemen, determine precisely what is needed for their salaries and, most importantly, eliminate "ghost soldiers".¹¹⁴ On 20 January 2016, Buratai further directed all army officers who had not done so to declare their assets immediately with the Code of Conduct Bureau (CCB),

¹¹⁰ Address, graduation ceremony, Course 23, National Defence College, Abuja, 7 August 2015.

¹¹¹ The Jonathan government had similarly said developing a "Military Industrial Complex of Nigeria" was one of the "major objectives" of its industrialisation policy. In 2002, the government set up a committee headed by then Vice President Namadi Sambo, to "reposition" DICON for more efficiency. It submitted a report and its recommendations were supposed to help increase local production of some basic requirements, but nothing was done.

¹¹² Nigeria ranks 169th of 189 countries in the Ease of Doing Business Report 2016. "Doing Business 2016 – Measuring Regulatory Quality and Efficiency", World Bank, 2016.

¹¹³ Opening address, tenth biennial conference, Army Finance Corps, Kaduna state. The Treasury Single Account (TSA) is a policy the Buhari administration is enforcing as a means of curbing public service corruption. It requires all deposits to accounts of ministries, departments and agencies to be consolidated and traceable into a single account at the Central Bank.

¹¹⁴ "FG orders military, others' integration into electronic payroll system", *Leadership*, 15 October 2015.

as the constitution requires of every public officer.¹¹⁵ These anti-corruption measures, including the presidential committee set up early in Buhari's term to probe weapons procurement, are unprecedented, but more is needed.

Probes should not be limited to weapons procurement, but include all security-related contracts, notably the failed \$470 million contract for the National Public Security Communication System (NPSCS), known as the CCTV project (for installing cameras in Abuja and other urban centres).¹¹⁶

If conducted thoroughly, these probes should help recover substantial funds that could be invested in the armed forces. They should also enable prosecution, conviction and punishment of all persons – military, legislators, contractors and middlemen – involved in corrupt deals, with fewer plea bargains. And they should help identify conduits through which funds were stolen, enable full review of procurement practice and facilitate transparent arrangements for competitive bidding, tender evaluation, contract approval and delivery of contracted goods.

Anti-corruption measures must also be extended across the defence management system, including the National Assembly, defence ministry, military joint task forces and military pension funds. The Economic and Financial Crimes Commission (EFCC) needs to be better enabled – through stronger legislation, more investigators and prosecutors – to fight corruption across the defence sector, considered a “sacred cow” until recently. Significantly, the first two bills President Buhari sent to the Senate in January 2016 seek to strengthen provisions against money laundering and facilitate international cooperation to fight corruption.¹¹⁷ The National Assembly should expedite them.

The government should also improve defence sector transparency, for example by prohibiting off-budget procurement funding. The defence ministry and defence headquarters must institute better arrangements for monitoring the expenditure of all released funds. As unfettered access to information is essential for accountability, the Freedom of Information Act (FOI) 2011 needs to be effectively operationalised. As a start, the government should direct all defence-related establishments to comply with its obligation to proactively disclose information.¹¹⁸ It should also encourage and protect whistleblowers.

¹¹⁵ An army statement said Buratai had declared his assets after appointment to command the Multinational Joint Task Force (MNJTF) in the Lake Chad basin in May 2015 and again on appointment as chief of army staff in July 2015. “Another boost for Nigeria's anti-corruption war as army chief orders all officers to declare assets”, *Premium Times*, 21 January 2016.

¹¹⁶ “High level corruption rocks \$470 million CCTV project that could secure Abuja”, *Premium Times*, 27 June 2014; and “Reps probe failed CCTV project”, *The Punch*, 10 July 2014, p. 2.

¹¹⁷ “The Money Laundering (Prevention and Prohibition) Bill” seeks to replace the Money Laundering (Prohibition) Act with more comprehensive provisions to “prohibit the laundering of criminal activities, expand the scope of money laundering and provide protection for employees ... who may discover money laundering”. “The Mutual Legal Assistance in Criminal Matters Bill” seeks to facilitate international aid on criminal matters, including provision and obtaining of evidence, arrangements for giving evidence or assisting criminal investigations and “recovery, forfeiture or confiscation of property in respect of offences”.

¹¹⁸ FOI Section 2 (1) and (2) creates obligations on a public establishment to “ensure that it records and keeps information about all its activities, operations and businesses” and to “ensure the proper organisation and maintenance of all information in its custody in a manner that facilitates public access” Section 2 (3) outlines information categories that must be proactively disclosed, including all records and information relating to an institution's activities, services, finances, decisions, policies and procedures, contracts etc. It further prescribes modes for effective proactive disclosure and requires that information disseminated should be easily accessible and comprehensible to po-

F. *Improve Military-civil Relations*

The military services must also work at improving their relations with civilians. Since 2015, there have been significant steps. In May 2015, defence headquarters commissioned an armed forces radio station to enhance dissemination of information and improve communication with civilians with the goal of boosting civil-military relations.¹¹⁹ In November, the army, partnering with the Nigerian Bar Association (NBA), established a team to monitor and report human rights violations by soldiers.¹²⁰ In February 2016, the army set up a first-ever human rights desk, supervised by the chief of civil-military affairs (CCMA).¹²¹ This initiative – which other services should emulate – could be strengthened by including representatives of credible human rights bodies. Furthermore, as victims of military abuse may not always have resources to complain to Abuja, desks should be established at all division headquarters.

Yet, even with the best intentions and arrangements, the military cannot be the sole investigator/adjudicator of cases in which its personnel are implicated. That would not inspire public confidence. The National Human Rights Commission (NHRC), a statutory, independent body, has investigated some violations in recent years but needs to more rigorously pursue cases involving the military, especially in the Boko Haram conflict, but also in clashes with members of the Islamic Movement of Nigeria (IMN) in Kaduna state and pro-Biafra separatists in the south east. It should at least identify officers or units implicated in systematic abuse and recommend appropriate sanctions to discourage future violations. Military chiefs should also accept and apply the commission's recommended sanctions.

Military authorities must demand from soldiers more respectful attitudes in their daily interactions with civilians. To achieve this, they need to improve training and education in civil-military relations and respect for civilians' rights. Over the years, the International Committee of the Red Cross (ICRC) has been involved in delivering training at the Armed Forces Command and Staff College, Jaji, and the National Defence College, Abuja. These courses have focused on officers, due to limited resources and expectation that the initial beneficiaries would carry the message down the ranks. But it has not worked that way. Military authorities need to include human rights training in the compulsory curriculum at all military institutions and ensure that all military personnel are exposed to them.

The army also needs to keep its officers out of politics. The October 2015 constitution of a board of inquiry into alleged involvement of military personnel in malpractices during the 2014 governorship elections in Ekiti and Osun states and the 2015

tential users. Though the act has been in effect since 2011, a 2014 survey of 39 federal establishments (none in the defence sector) reported "a very low level of compliance with the obligation to proactively disclose information", the average level of compliance being 9.35 per cent. "Proactive Disclosure Assessment Report: A Report on the Status of Public Institutions' Compliance with ... [the] FOI Act, 2011". Right to Know Nigeria, 2011.

¹¹⁹ Defence Radio 107.7 FM in Abuja can transmit in a 500km radius and do live streaming.

¹²⁰ "Army, NBA partner against human rights violations", *Leadership*, 1 December 2015.

¹²¹ The desk's functions include receiving petitions and investigating complaints from individuals, organisations and institutions on rights violation involving army personnel; submitting findings to the chief of army staff; and liaising and facilitating interaction with human rights organisations; formulating strategies for strengthening the army's capacity for respecting and promoting human rights; and developing a network of contacts with human rights offices in Nigeria. Address, Lt. General Buratai, represented by Major General Rogers Nicholas, at commissioning of the Army Human Rights Desk, Abuja, 18 February 2016.

general elections was positive.¹²² Its January report recommended stiff penalties for officers that were found culpable. These might discourage future such involvements. Also, the electoral act should be amended to prohibit soldiers' involvement in election duties, except in very challenging circumstances.

The military as an institution and individual members need to be more open in interactions with civil society, NGOs, gender-based organisations and mass media. Civil society and independent media should more actively ensure good governance in the security sector, particularly the military aspect. For now, only a few civil society organisations focus on military matters and reform, including the Nigerian Network on Security and Democratic Governance (NINSED), Civil Society Legislative Advocacy Centre (CISLAC), CLEEN Foundation, Human Rights Writers Association (HURIWA) and Partners West Africa (PWA) Nigeria.¹²³ Independent media similarly need to investigate and report military issues more professionally, in order to contribute more actively and positively to discussions on security sector reform.

G. Support from International Partners

Nigeria's friends and security partners should persuade the Buhari administration of the need to go beyond its current efforts and commit to deeper and more comprehensive reform. They could signal that future military cooperation may depend on how seriously the government commits to a credible reform program.

International partners should offer more help to improve armed forces' professionalism and capacity, emphasising legislative oversight and defence ministry administration, especially in procurement management, project monitoring and evaluation, payroll management, accounting and auditing. The services could also benefit from counter-insurgency, intelligence, logistics and equipment maintenance training. The European Union (EU) delegation should urge implementation of human rights and civil-military relations programs it developed at the Jonathan administration's request.¹²⁴

While some countries may have reservations about selling the military weapons owing to its questionable human rights record, they could assist it in other ways. One would be to encourage the government to reform such rule-of-law components as the police, courts and prisons. Part of the overstretch that weakened the military resulted from the shortcomings of these other entities, especially the police. International assistance for a more effective police could free the military from most of its cur-

¹²² The panel, headed by the General Officer Commanding (GOC), 1 Division, Major General Adeniyi Oyeade, had a colonel as secretary and three brigadier generals as members. General Oyeade said though it was a strictly military panel, it would welcome petitions, memorandums and representations from the public. "Nigerian army names panel to investigate involvement of officers in politics", *Premium Times*, 9 November 2015.

¹²³ NINSED, created 2007, is a network of civil society organisations, institutions and individuals involved in security sector reform and democratic governance. CISLAC focuses on advocacy, information sharing, research and capacity building to strengthen civil society-legislature links. CLEEN was established in 1998 to promote public safety, security and justice by research, legislative advocacy, programs and publications in partnership with government, civil society and the private sector; it organised a January 2016 stakeholders' dialogue as part of an extensive project on civil-military relations. HURIWA organises human rights and rule-of-law seminars, training and studies and engages on military abuses and accountability. PWA Nigeria is a rule-of-law and empowerment initiative.

¹²⁴ Crisis Group interview, EU delegation, Abuja, 18 February 2016.

rent internal security engagements, thereby enabling it to concentrate resources and attention on its core mandate.

International partners could also lend greater support for fighting corruption in the defence sector and human rights violations by the military. In particular, they should assist the EFCC and NHRC by offering training, equipment and other aid that could boost their capacity to monitor, investigate and prosecute corruption and human rights abuses more effectively.

International assistance is also needed in empowering non-military stakeholders to advocate reform, and to contribute to program design and implementation. Funding and training support could enable some organisations (such as NINSED, CIS-LAC, CLEEN Foundation, HURIWA and PWA Nigeria) and the independent media to mobilise wider public engagement in formulating and driving reform.

V. Conclusion

At his inauguration, Buhari pledged to reform the military, and his first steps offer some hope. But much more is needed for a holistic overhaul of the defence management system, not only to improve operational effectiveness but also to restore professionalism and promote respect for human rights and better civil-military relations. Until this happens, the armed forces will remain in distress, and citizens will be at the mercy of insurgents and other armed groups.

Abuja/Nairobi, 6 June 2016

Appendix A: Map of Nigeria

