

BOKO HARAM TERRORISM: REACHING ACROSS INTERNATIONAL BOUNDARIES TO AID NIGERIA IN THE HUMANITARIAN CRISIS

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I. INTRODUCTION

Every day parents around the world send their children to school with the expectation their children's lives will be improved by the education they receive. Under normal conditions, a parent would never suspect that sending their child to school would actually be detrimental to the child's future. Unfortunately, the situation for parents in Nigeria is far from "normal." Imagine the horror for both parents and children alike to discover the fruits of their labor thwarted by terrorist activities of an organization like Boko Haram. Many Nigerian families have experienced that nightmare firsthand.¹ The recent abduction of students from a boarding school in northern Nigeria is a case in point.² On April 14, 2014, Boko Haram abducted almost three hundred female students from Chibok Government Girls Secondary School tearing them from their beds in the dead of night.³ The goals of acquiring education and creating brighter futures suddenly ceased as the girls were seized to become slaves of Boko Haram fighters.⁴

While the trauma may be most keenly felt by the girls and their families, the effects of Boko Haram's actions are not confined to the immediate victims. Studies indicate that violence, especially violence against women and children, affects social and economic growth and sustainable development.⁵ Nigeria has long struggled with minimal success to achieve sustainable development.⁶ The occurrence of violence such as that perpetrated by Boko Haram on the female students presents yet another

1. Lauren Ploch Blanchard, CONG. RESEARCH SERV., R43558, NIGERIA'S BOKO HARAM: FREQUENTLY ASKED QUESTIONS 6 (2014), available at <http://fas.org/sgp/crs/row/R43558.pdf> (last visited Sept. 24, 2014).

2. *Id.* at 5.

3. *Nigerian Authorities Failed to Act on Warning About Boko Haram Raid on School*, AMNESTY INT'L (May 9, 2014), <http://www.amnesty.org/en/news/nigerian-authorities-failed-act-warnings-about-boko-haram-raid-school-2014-05-09> (last visited Sept. 24, 2014) [hereinafter *Failed to Act*].

4. Aminu Abubakar & Josh Levs, 'I Will Sell Them,' *Boko Haram Leader Says of Kidnapped Nigerian Girls*, CNN.COM (May 6, 2014), <http://edition.cnn.com/2014/05/05/world/africa/nigeria-abducted-girls/> (last visited Sept. 24, 2014).

5. Marta Santos Pais, *Why it is Crucial to Place the Protection of Children from Violence at the Centre of the Global Sustainable Development Agenda*, VIOLENCE AGAINST CHILDREN, (Apr. 24, 2014) http://srsg.violenceagainstchildren.org/viewpoint/2014-04-24_987 (last visited Sept. 24, 2014).

6. Ayodji Bayo Ogunrotifa, *Class Theory of Terrorism: A Study of Boko Haram Insurgency in Nigeria*, 3 RES. ON HUMAN. & SOC. SCI. 27, 36 (2013), available at https://www.academia.edu/2498763/Class_theory_of_Terrorism_A_study_of_Boko_Haram_Insurgency_in_Nigeria (last visited, Sept. 24, 2014).

hurdle hindering Nigeria's progress.⁷ The international community is likewise affected socially and financially when a nation experiences slowed economic development and stringent demands upon its human and social capital.⁸

From a global perspective, Nigeria has not addressed the problem posed by Boko Haram efficiently or effectively.⁹ Instances of human rights violations committed by Nigerian security forces in dealings with Boko Haram have generated international concern.¹⁰ Consequently, foreign nations usually willing to lend a helping hand in humanitarian crises—such as the Chibok student abductions—have limited aid to Nigeria.¹¹ Prolonged suppression of the students and their families is the unfortunate result.¹² Additionally, social and economic development in Nigeria and sustainable development within the international community is hindered by the ongoing instability caused by Boko Haram terrorism.¹³

The focus of this paper is the terrorist group Boko Haram and its social and economic effect on Nigeria and the international community. Part II of the paper provides background information about Boko Haram, its activities, and its effect on Nigeria and the international community. Next, Part III analyzes the Nigerian response to Boko Haram terrorism and the effect Nigeria's counter-terrorism policies and practices have on international aid to the country. Then, Part IV advocates for a balanced approach to the humanitarian crisis in Nigeria and proposes active involvement on the part of every stakeholder to address Boko Haram terrorism. Finally, Part V concludes by emphasizing the importance of establishing a common ground and international corroboration in curtailing violence such as that posed by the Boko Haram movement.

7. Blanchard, *supra* note 1.

8. Pais, *supra* note 5.

9. Blanchard, *supra* note 1, at 9.

10. *Id.* at 15.

11. *Id.*

12. *See generally* Blanchard, *supra* note 1.

13. Sumudu Atapattu, *Sustainable Development and Terrorism: International Linkages and a Case Study of Sri Lanka*, 30 WM. & MARY ENVTL. L. & POL'Y REV. 273, 286–87 (2006), available at <http://scholarship.law.wm.edu/wmelpr/vol30/iss2/2> (last visited Sept. 24, 2014).

II. BOKO HARAM—BACKGROUND INFORMATION

A. *The Evolution of Boko Haram in Nigeria*

Boko Haram, usually translated to mean “Western Education is Forbidden,” was formed by a small Sunni Islamic sect in the early 2000s to promote strict adherence to Islamic Shari’a law in Nigeria.¹⁴ Shari’a law is intended to provide guidance in all aspects of Muslim life including family, religion, and finance.¹⁵ Frustration with the political system and lack of social and economic development, especially in Northern Nigeria, served as the basis for Boko Haram’s agenda.¹⁶ Boko Haram attributed political and economic inequities to Western influences and sought a return to traditional Islamic rule of law.¹⁷ Over time, Boko Haram increased in numbers while at the same time becoming more and more determined in its crusade.¹⁸ Although Boko Haram’s leaders did not initially advocate violent means, the organization’s tactics became progressively violent.¹⁹ Boko Haram began by attacking state and federal institutions, but its focus quickly expanded to include attacks on civilians in schools, places of worship, markets, commercial and agricultural centers, and villages.²⁰ Since the organization originated, over six million Nigerians have been affected by

14. *Background Report: Boko Haram*, THE NAT’L CONSORTIUM FOR THE STUDY OF TERRORISM & RESPONSES TO TERRORISM 1–2 (May 2014), available at http://www.start.umd.edu/pubs/STARTBackgroundReport_BokoHaramRecentAttacks_May2014_0.pdf (last visited Sept. 24, 2014) [hereinafter START] (explaining how the founders of Boko Haram called themselves *Jama’a Ahl as-Sunna Li-da’wa wa-al Jihād* which roughly translates from Arabic as “People Committed to the Propagation of the Prophet’s Teachings and Jihad.” Local Hausa-speaking communities nicknamed the group Boko Haram, translated as “Western education is forbidden,” because of its strong position that Western education and culture are corrupt and forbidden by Islam).

15. TONI JOHNSON & MOHAMMED ALY SERGIE, COUNSEL ON FOREIGN RELATIONS, ISLAM: GOVERNING UNDER SHARIA (July 25, 2014), <http://www.cfr.org/religion/islam-governing-under-sharia/p8034> (last visited Sept. 24, 2014) (Muslim extremist groups often find justification for honor killings, vigilante justice and other forms of violent punishment under Shari’a law).

16. Testimony of Assistant Secretary of State for African Affairs Linda Thomas-Greenfield, House Subcommittee on Afr., Global Health, and Human Rights, *Countering the Threat Posed by Boko Haram*, 4 (Nov. 13, 2013), available at <http://www.state.gov/documents/organization/217775.pdf> (last visited Sept. 24, 2014) [hereinafter Testimony of Thomas-Greenfield].

17. Blanchard, *supra* note 1, at 3.

18. *Id.* at 4 (Boko Haram’s leaders have publicly called for uprising against secular authority and Christianity).

19. *Id.* at 2.

20. HUMAN RIGHTS WATCH, SPIRALING VIOLENCE: BOKO HARAM ATTACKS AND SECURITY FORCE ABUSES IN NIGERIA 52–54 (2012), available at http://www.hrw.org/sites/default/files/reports/nigeria1012webwcoverLowerRes_0.pdf (last visited Sept. 24, 2014) [hereinafter HRW].

Boko Haram related violence.²¹ An estimated four thousand people have been killed and an estimated three hundred thousand people have been displaced.²²

B. Boko Haram Designation as a Foreign Terrorist Organization

International policy makers have concerns about Boko Haram's transnational agenda and ties to other extremist groups.²³ Of particular concern is the organization's affiliation with Al Qaeda in the Islamic Maghreb (AQIM), a regional terrorist network operating in North Africa.²⁴ The two organizations likely share funds, training, explosive materials, and a common aspiration to expand their focus outside Africa to encompass Europe and the United States.²⁵ In August 2011, a Boko Haram suicide bomber targeted a United Nations building in Abuja, killing more than twenty people.²⁶ The number of Western and foreign citizen kidnappings by Boko Haram has also increased significantly since 2013.²⁷ Many foreign hostages have been killed in captivity and many others have died as a result of unsuccessful rescue attempts.²⁸

In November 2013, the State Department designated Boko Haram as a Foreign Terrorist Organization (FTO).²⁹ Although Boko Haram primarily poses a threat to local Nigerian stability, the organization's current leader, Abubakar Shekau, has directly threatened the United States.³⁰ Despite

21. Blanchard, *supra* note 1, at 3.

22. *Id.*; see also U.N. OFF. OF HUMAN. AFF., HUMANITARIAN BULLETIN: NIGERIA I (Mar. 2014), available at <http://reliefweb.int/sites/reliefweb.int/files/resources/HB%20Nigeria%20March%20final.pdf> (last visited Sept. 24, 2014); see also COUNS. ON FOREIGN REL., NIGERIA SECY. TRACKER (2014), <http://www.cfr.org/nigeria/nigeria-security-tracker/p29483> (last visited Sept. 24, 2014) [hereinafter HUMANITARIAN BULLETIN].

23. Testimony of Director of Nat'l Intelligence James R. Clapper, Senate Select Committee on Intelligence, *Worldwide Threat Assessment of the U.S. Intelligence Community*, 20 (Jan. 29, 2014), available at <http://www.intelligence.senate.gov/140129/clapper.pdf> (last visited Sept. 24, 2014).

24. Samuel Aronson, *AQIM's Threat to Western Interests in the Sahel*, CTC SENTINEL, 6 (Apr. 2014), available at <https://www.ctc.usma.edu/wp-content/uploads/2014/04/CTCSentinel-Vol7Iss4.pdf> (last visited Sept. 24, 2014).

25. *Id.* at 7.

26. Blanchard, *supra* note 1, at 4.

27. *Id.* at 8.

28. *Id.*

29. Press Release, Office of the Spokesperson for the U.S. Dept. of State, Terrorist Designations of Boko Haram and Ansaru (Nov. 13, 2013), <http://www.state.gov/t/pa/prs/ps/2013/11/217509.htm> (last visited Sept. 24, 2014).

30. Carie Lemack, *An Assessment of the Nigerian Terrorist Group Boko Haram: Al-Qaeda Had Taken an Interest in Expanding Its Operations to West Africa as Far Back as 2003 and Was in*

Boko Haram's targeted kidnappings and killings of foreign nationals, there are no American victims at this time.³¹ While Boko Haram activities are currently confined to Nigeria, the organization is an international force to reckon with and displays no signs of slowing down.

C. *The Abduction of Nigerian Female Students*

Education has been particularly susceptible to Boko Haram terrorism.³² The organization staunchly opposes Western influences such as Christianity and secular education, thus rendering Nigerian schools prime targets.³³ Boko Haram has claimed responsibility for school burnings and other destruction of school properties in northern Nigeria since 2012.³⁴ Property destruction was the primary focus of these attacks which usually occurred at night when the schools were vacant.³⁵ However, by 2013, the focus of Boko Haram's school attacks shifted from property, to students and teachers, prompting the Nigerian government to order school closures in March 2014.³⁶ The recent kidnapping of female students from a secondary school in Chibok, Nigeria further demonstrates the pattern of escalating violence perpetrated by Boko Haram.

During the night between April 14 and 15, 2014, Boko Haram attacked Chibok Government Girls Secondary School abducting almost three hundred female students.³⁷ A majority of the girls were high school seniors between the ages of sixteen and eighteen, and were assembled at the boarding school to take final exams.³⁸ Leading up to April 14, 2014,

Direct Contact With Leaders of Boko Haram, BIPARTISAN POL'Y CTR. (May 15, 2014), <http://bipartisanpolicy.org/blog/homelandsecurity/2014/05/15/nigerian-terrorist-group-boko-haram> (last visited Sept. 24, 2014).

31. Blanchard, *supra* note 1, at 7 (as of July 2014, there are no known American victims of Boko Haram terrorism).

32. GLOBAL COALITION TO PROTECT EDUC. FROM ATTACK, EDUCATION UNDER ATTACK 2014 165 (2013), available at http://protectingeducation.org/sites/default/files/documents/eea_2014_full_0.pdf (last visited Jan. 6, 2015) [hereinafter GCPEA REPORT].

33. *Id.*

34. *Id.* at 166.

35. *Id.*

36. *Id.* at 166–67; see also Haruna Umar & Michelle Faul, *Nigeria: Borno Schools Closed Fearing Extremists*, AP.ORG (Mar. 18, 2014), <http://bigstory.ap.org/article/nigeria-borno-schools-closed-fearing-extremists> (last visited Sept. 24, 2014) (approximately eighty-five secondary schools closed indefinitely affecting nearly 120,000 students).

37. *Failed to Act*, *supra* note 3.

38. Blanchard, *supra* note 1, at 5.

Chibok schools were closed due to Boko Haram threats.³⁹ Consequently, the Chibok Government Girls Secondary School opened for two days to facilitate the taking of final exams for its students, as well as for the students of other Chibok schools that remained closed.⁴⁰ Over two hundred Boko Haram fighters, disguised as Nigerian soldiers, attacked the school, quickly overpowered the outnumbered security forces, and kidnapped the female students inside.⁴¹ About fifty girls managed to escape during the incident or shortly thereafter.⁴² A few others escaped in the months following the attack.⁴³ Unfortunately, approximately two hundred girls remain Boko Haram captives.⁴⁴

In videos released by Boko Haram, the organization's leader, Abubakar Shekau, pronounced the Christian girls had been converted to Islam and would be sold as slaves or brides to Boko Haram fighters.⁴⁵ The pronouncement is consistent with the treatment other female captives received at the hand of Boko Haram.⁴⁶ Since 2013, female victims of other Boko Haram abductions have experienced forced conversion to Islam and exploitation as sex slaves by fighters.⁴⁷ Although Abubakar Shekau has proposed a prisoner exchange with the Nigerian government, no exchanges have taken place other than those among Boko Haram fighters obtaining brides and slaves from among the kidnapped victims.⁴⁸

39. *Id.*

40. *Id.*

41. *Failed to Act*, *supra* note 3.

42. Abubakar, *supra* note 4.

43. *60 Nigerian Girls and Women Escape from Boko Haram Kidnappers*, A WORLD AT SCHOOL.ORG (July 7, 2014), <http://www.aworldatschool.org/news/entry/60-nigerian-girls-and-women-escape-from-boko-haram-kidnappers> (last visited Sept. 24, 2014).

44. *Id.*

45. *Nigeria: Boko Haram Admits Abducting Schoolgirls*, BBC.COM (May 5, 2014), <http://www.bbc.com/news/world-africa-27284264> (last visited Sept. 24, 2014) [hereinafter *Video 1*]; see also *Kidnapped Nigerian Schoolgirls: Boko Haram Releases New Video*, BBC.COM (May 12, 2014), <http://www.bbc.com/news/world-africa-27373668> (last visited Sept. 24, 2014) [hereinafter *Video 2*] (May 12, 2014, video showed the girls identified as the Chibok school abductees dressed in conservative Muslim attire holding Korans and praying).

46. Joe Brock, *Insight: Boko Haram, Taking to Hills, Seize Slaves "Brides,"* REUTERS.COM (Nov. 17, 2013), <http://www.reuters.com/article/2013/11/17/us-nigeria-security-islamists-insight-idUSBRE9AG04120131117> (last visited Sept. 24, 2014).

47. *Id.*

48. Issac Abrak, *Nigeria Rejects Swap of Boko Haram Prisoners for Schoolgirls: U.K. Official*, REUTERS.COM (May 14, 2014), <http://www.reuters.com/article/2014/05/14/us-nigeria-girls-prisoners-idUSBREA4D0NV20140514> (last visited Sept. 24, 2014).

D. *Boko Haram Violates Established Universal Human Rights*

While economic, social, and political inequalities were legitimate concerns underlying the formation of Boko Haram, the organization evolved into an extremist group committed to a path of destruction. Boko Haram routinely engages in conduct that violates universally established human rights.⁴⁹ Among the most significant rights violated by Boko Haram are the following: the right to life, liberty, and security of person; the right to be free from slavery and servitude; and the right to be free from torture and cruel, inhumane, or degrading treatment.⁵⁰ Additionally, and with specific regard to those targeted for religious or academic reasons, Boko Haram has violated the right to freedom of thought, conscience, and religion; the right to freedom of peaceful assembly and association; and the right to education.⁵¹ Boko Haram also stands in violation of protections against gender based bias and discrimination widely accepted throughout the international community, including Nigeria.⁵² The abduction, servitude, and forced conversion of females demonstrates Boko Haram's blatant disregard for human rights and equality.⁵³

Although Boko Haram, without question, engages in internationally recognized human rights violations, the group seeks justification for its conduct under religious ideology.⁵⁴ Boko Haram advocates strict adherence to traditional Islamic Shari'a law.⁵⁵ Ironically, the organization's practices are often at odds with Shari'a law.⁵⁶ For example, in the aftermath of the Chibok student abductions, the leader of Boko Haram threatened to sell the victims into sex slavery.⁵⁷ Although Islamic Shari'a law accepts slavery, it restricts legal enslavement to two instances.⁵⁸ According to Shari'a law, slavery is permitted of those directly descending from slave parents and of

49. See generally Universal Declaration of Human Rights, G.A. Res. (III) A, U.N. Doc. A/RES/217(III) (Dec. 10, 1948) [hereinafter UDHR].

50. *Id.* at arts. 3–5.

51. *Id.* at arts. 18, 20, & 26 (art. 20 also includes protections against forced membership in an association, which Boko Haram violates by coercing abductees to convert to Islam).

52. Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 85, at 1 [hereinafter CEDW].

53. *Id.*; UDHR, *supra* note 49.

54. Testimony of Thomas-Greenfield, *supra* note 16, at 4.

55. START, *supra* note 14, at 2.

56. *Slavery in Islam*, BBC.CO.UK (Sept. 7, 2009), http://www.bbc.co.uk/religion/religions/islam/history/slavery_1.shtml (last visited Sept. 24, 2014).

57. *Video 1*, *supra* note 45; *Video 2*, *supra* note 45.

58. *Slavery in Islam*, *supra* note 56.

those defeated in a legal war.⁵⁹ While Boko Haram may argue the female students were defeated in a “lawful war,” the unarmed students taking final exams were by no means militants battling against Islam.⁶⁰ Additionally, Shari’a law recognizes slave rights including the right to be treated well, properly maintained, and not to be sold into prostitution.⁶¹ Therefore, even religious rhetoric cannot justify Boko Haram’s conduct, especially with regard to the abducted Chibok students.

E. Boko Haram’s Effect on Nigerian Sustainable Development

Boko Haram’s terrorist approach to the socioeconomic problems in Nigeria intensifies the difficulties rather than resolves them. Due to serious safety concerns, regions most severely impacted by Boko Haram’s terrorist activities lack much needed resources.⁶² In Nigeria’s northeast, for example, few relief agencies are present to provide healthcare, food, and clean water to those displaced by Boko Haram due to the significant risk of being attacked or kidnapped by organization fighters.⁶³ The result is further impoverishment and hardship in a region already suffering from poverty and underdevelopment.⁶⁴

1. Impact on Economic Development

While poverty and underdevelopment plagues much of Nigeria, especially in the northeast region, the Nigerian government has implemented programs to improve economic conditions.⁶⁵ Unfortunately, Boko Haram’s terrorist activities hinder economic progress.⁶⁶ For example, Boko Haram terrorism has disrupted farming, reduced the flow of goods to

59. *Id.*

60. Blanchard, *supra* note 1, at 5–6 (Boko Haram has described public schooling in Nigeria as a “plot against Islam”); *see also* Boko Haram Leader “Supports” Nigeria School Massacre, FOXNEWS.COM (July 13, 2013), <http://www.foxnews.com/world/2013/07/13/boko-haram-leader-supports-nigeria-school-massacre/> (last visited Sept. 24, 2014).

61. *Slavery in Islam*, *supra* note 56.

62. Blanchard, *supra* note 1, at 4.

63. *Id.*

64. *Id.* at 3.

65. *Id.* at 9.

66. *Id.* at 4; *see also* ADAM KLEIN, KONRAD-ADENAUER-STIFTUNG, THE COST OF TERROR: THE ECONOMIC CONSEQUENCES OF GLOBAL TERRORISM 3 (2007), *available at* http://www.kas.de/wf/doc/kas_10991-544-2-30.pdf?131022171603 (last visited Sept. 24, 2014) (Terror can be an economic weapon because it forces governments to spend money on security which in turn reduces the capital available for productive economic uses. Transportation and trade are particularly vulnerable to inefficiency when investment is reduced due to terrorism).

local markets, and discouraged investment activity.⁶⁷ The number of civilians displaced as a result of Boko Haram terrorism is staggering.⁶⁸ The Nigerian government cannot adequately provide for the millions left jobless, homeless, and without basic necessities.⁶⁹

The continued terrorist attacks detrimentally impact the Nigerian economy by reducing the country's capital stock, both human and physical, and by diverting resources from productive sectors of society to fund security and counter-terrorism efforts.⁷⁰ As recently as June 25, 2014, Boko Haram bombed a shopping center in Abuja killing twenty-two people.⁷¹ Later the same day, Boko Haram set off two explosions at a fuel depot in Nigeria's commercial hub, Lagos.⁷² Attacks on important commercial locations not only cause immediate physical loss and destruction, but also result in future losses of decreased investment, both domestic and foreign.⁷³ On the domestic front, resources are diverted from commercial investment into defense and social spending in an effort to protect and assist the affected civilian population.⁷⁴ Additionally, terrorism creates uncertainty, hindering foreign investment.⁷⁵ Studies indicate a strong correlation between the risk of terrorism and significant decreases in the net foreign direct investment position.⁷⁶ With foreign investment uncertain and substantial national resources being allocated to security and

67. Blanchard, *supra* note 1, at 4.

68. HUMANITARIAN BULLETIN, *supra* note 22, at 1.

69. Blanchard, *supra* note 1, at 4.

70. JAMES R. BARTH, ET AL., MILKEN INSTITUTE, ECONOMIC IMPACTS OF GLOBAL TERRORISM: FROM MUNICH TO BALI, 10 (2006), available at http://assets1c.milkeninstitute.org/assets/Publication/ResearchReport/PDF/econ_impact_terrorism.pdf (last visited Sept. 24, 2014).

71. Colin Freeman, *Missing Nigerian Schoolgirls: Boko Haram Issues New Video Mocking BringBackOurGirls Campaign*, THE TELEGRAPH.CO.UK (July 14, 2014), <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/nigeria/10964606/Missing-Nigerian-schoolgirls-Boko-Haram-issues-new-video-mocking-BringBackOurGirls-campaign.html> (last visited Sept. 24, 2014).

72. *Id.*

73. KLEIN, *supra* note 66, at 3.

74. BARTH, *supra* note 70, at 10.

75. Alberto Abadie & Javier Gardeazabal, *Terrorism and the World Economy*, 52 EUR. ECON. REV. 1, 2 (2007), available at <http://www.hks.harvard.edu/fs/aabadie/twep.pdf> (last visited Sept. 24, 2014).

76. *Id.* at 1–2 (Terrorism reduces foreign direct investment by about five percent of GDP. One study on the impact of terrorism in the Basque Country found a ten percent reduction in per capita GDP over a twenty year period during which the country experienced terrorism); see also BARTH, *supra* note 70, at 9 (A study by the World Bank of the impact of terrorism on the Israeli economy estimated a four percent decline in GDP. Another study conducted by the World Bank of the Palestinian economy estimated a fifty percent decline in GDP from 1992 to 2004 due to war conflicts.).

counter-terrorism efforts, Boko Haram is causing significant setbacks to Nigerian economic development.

2. Impact on Social Development

Boko Haram also negatively impacts Nigerian social development. Between 2009 and 2013, attacks on religious figures and institutions comprised an estimated ten percent of Boko Haram's targets, thereby magnifying existing religious tensions in Nigeria.⁷⁷ The alarming increase in attacks on schools severely impacts Nigerian social development as well. School attacks are especially detrimental to social development because thousands of children are deterred from receiving an education.⁷⁸ Nigeria currently suffers from low school attendance and high levels of illiteracy, most prevalent among the female population.⁷⁹ The United Nations Children's Emergency Fund (UNICEF) reports approximately 4,700,000 children in Nigeria do not attend school, especially in the northeast region where Boko Haram is most active.⁸⁰ Historically, a strong correlation exists between lack of education and poverty.⁸¹ According to UNICEF, one benefit of education, especially with regard to adolescent females, is a reduced number of child marriages.⁸² Additionally, females receiving an education benefit later in life from increased earning potential, healthier lifestyles, and improved conditions for their children and households.⁸³ Aware of the benefits of education, Nigeria has committed to making primary education accessible to children.⁸⁴ However, the difficulty of

77. START, *supra* note 14, at 3.

78. Blanchard, *supra* note 1 (Boko Haram has repeatedly threatened to burn secular schools and murder teachers); see e.g., *Boko Haram Leader "Supports" Nigeria School Massacre*, *supra* note 60.

79. Blanchard, *supra* note 1.

80. S. Res. 433, 113th Cong. (2014) (in rural areas of Nigeria's northeast, where Boko Haram is most active, thirty-seven percent of girls and thirty percent of boys in the primary school age range are not attending school).

81. RICHARD J. COLEY & BRUCE BAKER, ETS CTR. FOR RESEARCH ON HUMAN CAPITAL & EDUC., *POVERTY AND EDUCATION: FINDING THE WAY FORWARD 3* (2013), available at http://www.ets.org/s/research/pdf/poverty_and_education_report.pdf (last visited Sept. 24, 2014).

82. S. Res. 433.

83. *Id.* (studies indicate that education, particularly secondary education, correlates to lower risk for diseases such as HIV and AIDS).

84. *Education Sector Support Programme in Nigeria (ESSPIN)*, MOTT MACDONALD GLOBAL ENGINEERING MANAGEMENT AND DEVELOPMENT CONSULTANTS (2014), <https://www.mottmac.com/article/2250/education-sector-support-programme-in-nigeria> (last visited Sept. 24, 2014) [hereinafter, MOTT MACDONALD].

providing educational opportunities is magnified by the threat of Boko Haram and terrorism aimed specifically at destroying secular education.⁸⁵

Education is an essential tool utilized by the Nigerian government in attempts to equalize the drastic disparities in economic and social standing among its citizens.⁸⁶ While much remains to be done in the way of providing for socioeconomic balance, progress is significantly hindered by Boko Haram terrorism.⁸⁷ Terrorism not only interferes with development opportunities such as education, it also creates an additional burden on society, thereby draining resources from development in order to cover the cost of survival.⁸⁸ For example, victims of kidnapping, such as the Chibok student abductees, often experience negative cognitive, emotional, and social reactions to the trauma.⁸⁹ In many cases, the effects are far reaching and long-term.⁹⁰ Formerly productive members of society often experience difficulty integrating back into society, with some unable to readapt at all.⁹¹ Victims are also more susceptible to physical and emotional health problems.⁹² Social advancement is hindered by attitudes and actions that detract attention and resources away from future growth in order to address ever present tragedy.⁹³

F. The Effect of Boko Haram Terrorism on Sustainable Development Within the International Community

The detrimental effects of Boko Haram on economic and social sustainable development are not limited to Nigeria. Even localized terrorism has a global impact which makes the international community a significant stakeholder in the terrorist crisis facing Nigeria.⁹⁴ From an

85. Blanchard, *supra* note 1.

86. MOTT MACDONALD, *supra* note 84.

87. *Id.*; Blanchard, *supra* note 1.

88. BARTH, *supra* note 70, at 10.

89. David A. Alexander & Susan Klein, *Kidnapping and Hostage-Taking: A Review of Effects, Coping and Resilience*, 102 J.R. SOC. MED. 16, 18 (2009), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2627800/pdf/16.pdf> (last visited Sept. 24, 2014).

90. *Id.*

91. *Id.* at 18–19 (longer periods of captivity are associated with greater difficulty integrating back into society).

92. *Id.* at 18.

93. See generally Meltem Müftüler-BAC, *Information Societies, New Terrorism: Its Impact on International Politics*, 3 REV. INT'L L. & POL. 130 (2007), available at <http://www.usak.org.tr/dosyalar/dergi/SxqEY5IlxBKJ9IGbbGUmEvaXU2MAHN.pdf> (last visited Sept. 24, 2014).

94. *Id.*; Atapattu, *supra* note 13.

economic perspective, terrorism impacts the global community by reallocating productive capital across countries to less risky regions.⁹⁵ For example, before the 9/11 terrorist attacks on the United States, foreign direct investment (FDI) constituted about 15.8 percent of the U.S. Gross Fixed Capital Formation (GFCF).⁹⁶ Following the attacks, the GFCF dropped to about 1.5 percent in 2003.⁹⁷

From a social perspective, sustainable development is affected by terrorism because social groups lobby for resources with competing agendas.⁹⁸ National concerns take priority over international concerns, thereby diminishing prospects for cohesive foreign policy.⁹⁹ The World Commission on Environment and Development (WCED) explains sustainable development as the ability to satisfy the needs of the present without stripping future generations of the ability to meet their needs.¹⁰⁰ The financial and social demands on present generations to combat terrorism tap into resources reserved for future generations.¹⁰¹ Goals of global peace, environmental protection, social and economic infrastructure projects, education, and health are placed on the backburner when countries like Nigeria must focus instead on combating terrorism threatening its economic and social structure and security.¹⁰²

III. EVALUATION OF NIGERIAN COUNTER-TERRORISM POLICIES

A. Nigerian Counter-Terrorism Efforts

Nigeria's response to Boko Haram has been largely unsuccessful for many reasons.¹⁰³ In 2013, Nigeria passed anti-terrorism legislation in order to facilitate counter-terrorism coordination in response to the threat posed

95. Abadie, *supra* note 75, at 3.

96. *Id.*

97. *Id.*

98. Müftüler-BAC, *supra* note 93, at 130.

99. *Id.*

100. Atapattu, *supra* note 13, at 279 (citing to WORLD COMM'N ON ENV'T & DEV., OUR COMMON FUTURE (1987)).

101. *Id.* at 292–93.

102. *Id.* at 294–95 (Accompanying chart demonstrates the large discrepancy between spending for social purposes such as education and clean water and military spending. Education and clean water receive between six and eight billion dollars in funding while militaries receive around 780 billion dollars.).

103. Bureau of Counterterrorism Chapter 2. Country Reports: African Overview, U.S. DEPT. OF STATE (2013), <http://www.state.gov/j/ct/rls/crt/2013/224820.htm> (last visited Sept. 24, 2014).

by Boko Haram.¹⁰⁴ However, corruption and mismanagement among its own security forces has limited the government's ability to respond effectively.¹⁰⁵ In addition, Nigerian troops lack adequate resources to defend against the powerful Boko Haram insurgency.¹⁰⁶ Nigerian military funding is skimmed off the top, leaving the soldiers ill equipped, especially in the northeast.¹⁰⁷ Consequently, the soldiers suffer from low morale, feelings of fear, and reluctance to engage the enemy.¹⁰⁸

The heavy losses experienced by Nigerian forces in Boko Haram attacks help explain the military's slow response to the Chibok school abductions.¹⁰⁹ According to Amnesty International, the army division tasked with countering Boko Haram received information in the hours preceding the attack on Chibok Government Girls Secondary School.¹¹⁰ Despite the warning, troops were not deployed nor were measures taken to protect the girls, due to lack of resources and fear of engaging with better equipped Boko Haram fighters.¹¹¹ Rescuing the remaining captives is virtually impossible at this point as the girls are likely being held in relatively inaccessible areas of the Sambisa forest or in remote mountain areas on the Cameroon boarder.¹¹²

B. International Community's Response to Nigerian Counter Terrorism Efforts

Outrage aptly describes the international response to the Boko Haram crisis in Nigeria. In the aftermath of the Chibok student abductions, the U.N. High Commissioner for Human Rights referred to Boko Haram's actions as "increasingly monstrous" and warned that selling the abducted girls as slaves constitutes a violation of international law, and possibly constitutes a crime against humanity.¹¹³ That being said, international

104. *Id.*

105. *Id.*

106. Blanchard, *supra* note 1, at 9; *see also* Tim Cocks, *Boko Haram Exploits Nigeria's Slow Military Decline*, REUTERS (May 9, 2014), <http://www.reuters.com/article/2014/05/09/us-nigeria-military-insight-idUSBREA4809220140509> (last visited Sept. 24, 2014).

107. *Id.*

108. *Id.*

109. *Failed to Act, supra* note 3.

110. *Id.*

111. *Id.*

112. Blanchard, *supra* note 1, at 5 (the captives have possibly been separated into groups and placed in different locations as a means of further frustrating rescue efforts).

113. *Id.* at 20 (the U.N. High Commissioner for Human Rights issued the specific warning to Boko Haram in a regular press briefing on May 6, 2014).

intervention is limited, due to the increase in Boko Haram's strength and the number of devastating attacks.¹¹⁴ Pursuant to international law, Nigeria is obligated to investigate and prosecute Boko Haram fighters engaged in crimes against humanity.¹¹⁵ Although the International Criminal Court (ICC) has jurisdiction over crimes against humanity committed in Nigeria, it will not hear a case that is under investigation or prosecution by Nigeria.¹¹⁶ The international community largely agrees that Nigerian attempts to hold Boko Haram accountable for its crimes are ineffective, and often criminal as well.¹¹⁷ Consequently, many foreign nations restrict assistance to Nigerian security forces as a result of Nigeria's harsh counter-terrorism policies and the military's severe treatment of Boko Haram prisoners.¹¹⁸

1. Nigerian Military Personnel and Government Officials as Perpetrators of Human Rights Violations

Nigerian security forces are accused of serious human rights abuses in their tactics, techniques, and procedures toward Boko Haram.¹¹⁹ Abuses include summary executions, assaults, and torture, all of which are techniques being utilized in security operations in the northeast.¹²⁰ According to Amnesty International, thousands of people with suspected connections to Boko Haram have been extra-judicially executed or died in military or police custody.¹²¹

114. See generally HRW, *supra* note 20.

115. *Id.* at 78 (Nigeria is a member of the Rome Statute of the International Criminal Court (ICC) since 2001 and as such has the primary responsibility for ensuring Boko Haram is held accountable for its crimes).

116. *Id.* (the purpose of the ICC is not to intervene but rather to make sure Nigeria is fulfilling its obligations with regard to the Rome Statute).

117. Blanchard, *supra* note 1, at 14–15.

118. *Id.*; see also INT'L COMM. OF THE RED CROSS, WHAT IS INTERNATIONAL HUMANITARIAN LAW? (2014), available at http://www.icrc.org/eng/assets/files/other/what_is_ihl.pdf (last visited Sept. 24, 2014) [hereinafter ICRC] (pursuant to the terms of the Geneva Convention of 1949, many member states adopted rules to further the prevention of human rights violations).

119. HRW, *supra* note 20, at 20.

120. *Id.* at 60–71; Blanchard, *supra* note 1, at 14 (the brutal tactics employed by Nigerian security forces in the fight against Boko Haram are believed to be “informal rules of engagement” accepted by the government).

121. See generally Nigeria: *More than 1,500 Killed in Armed Conflict in North-Eastern Nigeria in Early 2014*, AMNESTY INT'L, 20 (Mar. 2014), available at https://www.amnesty.nl/sites/default/files/public/nigeria_more_than_1500_killed_in_armed_conflict.pdf (last visited Sept. 24, 2014) [hereinafter AMNESTY INT'L].

The formation of Joint Task Forces (JTF) is a common Nigerian military strategy for countering Islamic militants.¹²² JTFs are responsible for numerous abuses.¹²³ For example, in April 2013, the JTF known as “Operation Restore Order” attacked suspected Boko Haram militants in the village of Baga, killing 180 people, some of which were children and innocent bystanders.¹²⁴ Another incident in March 2014, known as the Giwa Barracks attack, also drew international attention when Boko Haram militants attempted to free prisoners in Maiduguri.¹²⁵ During the skirmish, Nigerian security forces killed more than 620 people, including unarmed detainees.¹²⁶ This treatment of prisoners is regarded as a war crime, and staunchly prohibited by International Humanitarian Law.¹²⁷ While Nigerian officials have acknowledged some security force abuses perpetrated against Boko Haram, security personnel prosecutions are minimal.¹²⁸ The unfortunate effect is a distancing of the international community during a humanitarian crisis needing attention and involvement from the international community for an effective resolution.¹²⁹

2. Human Rights Violations Impact International Aid

Because Nigerian policies and military practices are often at odds with international humanitarian and human rights law, security assistance from other countries is restricted.¹³⁰ Many member nations to the Geneva Convention of 1949 have adopted laws aimed at furthering the prevention of human rights violations.¹³¹ For example, the United States has legal provisions known as Leahy Laws prohibiting assistance to foreign

122. *Id.* at 12.

123. *Id.*

124. *Scores Killed in Nigerian Violence*, ALJAZEERA.COM (Apr. 23, 2013), <http://www.aljazeera.com/news/africa/2013/04/201342243923845311.html> (last visited Sept. 24, 2014).

125. AMNESTY INT’L, *supra* note 121, at 15–16 (Maiduguri is the Capital of Borno. Boko Haram prisoners were being held at Giwa military barracks. Over 1,500 people died in total).

126. *Id.* at 16.

127. HRW, *supra* note 20, at 76 (in the Nigerian war on Boko Haram terrorism, Nigerian security forces committing human rights violations against captives are considered by the international community to be unacceptable tactics, even during times of war).

128. *Id.* at 85; see e.g., *Nigeria Condemns Police “Killings,”* BBC.CO.UK (Mar. 5, 2010), <http://news.bbc.co.uk/2/hi/africa/8551111.stm> (last visited Sept. 24, 2014).

129. Blanchard, *supra* note 1, at 14–15.

130. *Id.*

131. ICRC, *supra* note 118.

militaries engaging in gross human rights violations.¹³² The United States has advocated for a more holistic approach to countering Boko Haram terrorism.¹³³ For example, the United States supports justice and accountability in instances of military and government human rights violations as a means of diminishing Boko Haram's appeal.¹³⁴ In addition, the United States has strongly urged the Nigerian government to focus on resolving widespread poverty, socioeconomic disparities, and underdevelopment in the north, which are believed to contribute to Boko Haram recruitment.¹³⁵ Aid to Nigeria from the United States to counter Boko Haram takes the form of military training on professionalism, peacekeeping support, border security, and justice sector programming to improve Nigerian prosecution of terrorist financing cases.¹³⁶ Following the Chibok student abductions, the United States deployed a military team to Nigeria with the purpose of assisting the Nigerian military in hostage negotiations, investigations, intelligence analysis, communication, and providing victim assistance.¹³⁷ However, United States forces have not participated, and are not expected to participate, directly in rescue operations.¹³⁸

132. Nina M. Serafino, et al., CONG. RESEARCH SERV., R43361, "LEAHY LAW" HUMAN RIGHTS PROVISIONS AND SECURITY ASSISTANCE: ISSUE OVERVIEW 1 (2014). (Leahy Laws were sponsored by Senator Patrick Leahy in the late 1990s and include:

Section 620M of the Foreign Assistance Act of 1961, as amended (FAA, P.L. 87-195, made permanent law by its codification at 22 U.S.C. 2378d) and . . . FAA Section 620M [which] prohibits the furnishing of assistance authorized by the FAA and the Arms Export Control Act, as amended (AECA, P.L. 90-629), to any foreign security force unit that is credibly believed to have committed a gross violation of human rights. The other provision, inserted annually in DOD appropriations legislation, for years prohibited the use of DOD funds to support any training program (as defined by DOD) involving members of a unit of foreign security or police force if the unit had committed a gross violation of human rights. For FY2014, the prohibition has been expanded to also include "equipment, or other assistance.").

133. Testimony of Thomas-Greenfield, *supra* note 16, at 9.

134. *Id.*

135. *Id.*

136. Blanchard, *supra* note 1, at 12 (U.S. aid to Nigeria is less compared to the aid provided to other countries in the Sahel and East Africa).

137. *Id.* at 13 (in a State Department daily press briefing on May 21, 2014, officials indicated that the U.S. is "providing commercial satellite data and intelligence, surveillance, and reconnaissance (ISR) support to Nigeria's military").

138. *Id.* at 16 (U.S. officials want assurances from Nigeria it will not use shared U.S. intelligence for purposes inconsistent with international humanitarian and human rights laws).

Other foreign governments offering aid to Nigeria in rescue efforts have similarly refrained from direct military participation.¹³⁹ For example, experts and advisors have been offered by both the United Kingdom and France.¹⁴⁰ Additionally, on May 17, 2014, France hosted an international conference addressing the Boko Haram threat, and sought to intensify international cooperation with regard to rescuing the abducted students and protecting other Boko Haram victims.¹⁴¹ However, direct assistance has been limited due to human rights concerns.¹⁴² Even the United Kingdom, which once provided significant aid to the Nigerian military by way of training and equipment, has restricted aid to Nigeria in recent years.¹⁴³ The United Nations also declined to provide direct intervention into the Nigerian conflict with Boko Haram.¹⁴⁴ While Secretary-General Ban Ki-moon, the Security Council, and numerous other senior UN officials have condemned the Chibok student abductions, the only aid promised is consolation and support for the girls and their families when they return.¹⁴⁵ Despite international outrage over the Chibok student abductions and foreign offers of indirect assistance, the immediate problem of recovering the abducted victims remains.

139. *Id.* at 15.

140. *Id.* at 20–21.

141. *African Leaders Declare "War" on Nigeria Boko Haram*, BBC.COM (May 17, 2014), <http://www.bbc.com/news/world-africa-27451966> (last visited Sept. 24, 2014).

142. Blanchard, *supra* note 1, at 15.

143. Andrew Walker, *Why Nigeria Has Not Defeated Boko Haram*, BBC.COM, (May 14, 2014), <http://www.bbc.com/news/world-africa-27396702> (last visited Sept. 24, 2014) (sale of lethal weapons to Nigeria is now prohibited under United Kingdom law because of Nigerian military tactics).

144. *On "Solidarity Mission" UN Women Chief Visits Girls School in Nigeria*, UN NEWS CENTRE (May 20, 2014), http://www.un.org/apps/news/story.asp?NewsID=47835#.U8fMaHHD_mi (last visited Sept. 24, 2014).

145. *Id.*; see also Blanchard, *supra* note 1, at 20 (Discussing the U.N. Security Council's demand for the Nigeria students' release. The U.N. has indicated it will take "appropriate measures" such as U.N. sanctions and other efforts to hold Boko Haram accountable but no direct action has been initiated to recover the captured students or prevent further Boko Haram abductions.).

IV. DEVELOPING A PLAN TO EFFECTIVELY ADDRESS THE HUMAN RIGHTS VIOLATIONS POSED BY BOKO HARAM IN NIGERIA

A. Striking a Proper Balance Between Human Rights Violations Perpetrated By Boko Haram and the Nigerian Treatment of Boko Haram Members

Ending the terrorism and cycle of violence in Nigeria should be a top international priority. Boko Haram's practices in relation to its civilian victims violate well established human rights.¹⁴⁶ Despite international aid to Nigeria, the situation with Boko Haram is becoming increasingly worse rather than improving.¹⁴⁷ The worsening situation indicates that current international aid is inadequate. While Nigerian officials are not innocent of any crimes in their treatment of Boko Haram members, the offenses committed by Nigerian officials are dissimilar in nature compared to the atrocities committed by Boko Haram.¹⁴⁸ For example, Boko Haram commonly targets civilians in places like educational and religious institutions attempting to eradicate specific practices and beliefs.¹⁴⁹ In the context of the Chibok student abductions, Boko Haram violated human rights recognized as universal to all individuals.¹⁵⁰ Those rights include the right to be free from gender based violence and discrimination, the right to be free from other forms of discrimination such as religious beliefs, health rights, the right to education, and the right to be free from slavery.¹⁵¹

In contrast, Nigerian security forces target Boko Haram members in an attempt to quash the terror inflicted upon civilians by the organization.¹⁵² While it appears Boko Haram will continue targeting civilians and employing violence as a means of accomplishing its goals, it is unlikely the

146. UDHR, *supra* note 49.

147. *Boko Haram Kidnaps More Women Near Chibok, Reports Say*, THE GUARDIAN (June 9, 2014), <http://www.theguardian.com/world/2014/jun/09/boko-haram-kidnap-more-women-near-chibok-nigeria> (last visited Sept. 24, 2014); *see also Parents Deny Playing Politics Over Chibok Girls*, BBC.COM (July 16, 2014), <http://www.bbc.com/news/world-africa-28323698> (last visited Sept. 24, 2014) (reporting forty-five people killed in Boko Haram attack on Dille Village).

148. HRW, *supra* note 20, at 76.

149. *Id.* at 52-54.

150. UDHR, *supra* note 49.

151. *Id.*; *see also* CEDW, *supra* note 52; *see also* International Covenant on Civil and Political Rights, art. 2(1), Dec. 16, 1966, 999 U.N.T.S. 171 [hereinafter ICCPR]; *see also* International Covenant on Economic, Social and Cultural Rights, art. 2(2), Dec. 19, 1966, 993 U.N.T.S. 3 [hereinafter ICESCR]; *see also* African [Banjul] Charter on Human and Peoples' Rights, art. 2, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982) [hereinafter African Charter].

152. HRW, *supra* note 20, at 20.

Nigerian government and military would continue targeting Boko Haram members but for the need to contain the violence being perpetrated by the organization.¹⁵³ That observation is not made to condone inhumane acts by Nigerian officials. Rather, the observation is intended to promote the notion that more must be done on an international level to assist Nigeria in combating the threat posed by Boko Haram.

Internationally recognized human rights are often given greater weight with regard to some people than to others.¹⁵⁴ For example, violence against women, even systematic and obvious violence, is often treated as a domestic criminal matter, rather than as a human rights issue.¹⁵⁵ In contrast, abuse perpetrated against war prisoners is recognized as an international violation of humanitarian law.¹⁵⁶ This discrepancy is the reason Nigeria is under heavy scrutiny from the international community. When rights are construed in political terms, the institutional perpetrators are held accountable on an international level.¹⁵⁷ The problem arises with regard to non-institutional organizations, such as Boko Haram, whose victims are ordinary civilians because there are no effective international procedures for holding them accountable.¹⁵⁸ Usual penalties, such as sanctions, are difficult to enforce and unlikely to produce an effective result when levied against an organization such as Boko Haram.¹⁵⁹ The unfortunate consequence is perpetuation of extreme human rights violations because the necessary policies and procedures to protect victims are lacking.

153. *Id.* at 20, 52–54.

154. Sara Dillon, *What Human Rights Law Obscures: Global Sex Trafficking and the Demand for Children*, 17 *UCLA WOMEN'S L.J.* 121, 133 (2008).

155. *Id.* (distinguishing how violence against women is often handled in local criminal systems, while political violence such as that perpetrated by a government against a war criminal received international attention).

156. *Id.*; see e.g., U.N. Charter Preamble. (Preamble states: [T]o save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind; and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small; and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained; and to promote social progress and better standards of life in larger freedom.).

157. Dillon, *supra* note 154.

158. *Id.*; see also HRW, *supra* note 20, at 78 (while the ICC has the ability to enforce provisions of the Rome Statute against Nigeria, it is far more limited with regard to holding an organization like Boko Haram responsible for crimes against humanity).

159. Dillon, *supra* note 154.

B. Proposed Approach to the Boko Haram Crisis in Nigeria

In keeping with the Geneva Convention of 1949, many member nations of the United Nations have adopted laws prohibiting assistance to foreign governments and militaries engaged in war crimes.¹⁶⁰ For example, the United States has adopted Leahy Laws discussed above.¹⁶¹ Most laws are not without exception, including Leahy Laws.¹⁶² Leahy Laws contain a provision whereby aid may still be extended to governments taking the necessary corrective steps.¹⁶³ The Nigerian government is attempting change.¹⁶⁴ Following the Giwa Barracks incident discussed above, Mohammed Sambo Dasuki, Nigeria's National Security Advisor, indicated Nigeria's willingness to take a softer approach in countering the Boko Haram insurgency and to reform prisons.¹⁶⁵ The United States agreed to aid in the reforms by sending a military team to Nigeria to analyze operations and identify areas of weakness needing assistance from international experts.¹⁶⁶ These steps are essential in the long range planning process. However, they do not resolve the pressing issue of rescuing the abducted Chibok students or of preventing further abductions and acts of terror by Boko Haram.

The long term goals of implementing policies and improving socioeconomic disparities are also critical to resolving the crisis in Nigeria.¹⁶⁷ However, achieving significant improvement in socioeconomic conditions in Nigeria is unattainable so long as Boko Haram continues instilling terror in both local and foreign investors.¹⁶⁸ Nigeria is caught in a cycle of violence, requiring more immediate action in order to sustain long-term change.¹⁶⁹ Under the Rome Statute, the ICC can intervene if a country is unwilling or unable to fulfill its obligations to investigate and prosecute

160. ICRC, *supra* note 118.

161. Serafino, *supra* note 132.

162. *Id.* at 6.

163. *Id.*

164. Blanchard, *supra* note 1, at 15; see also Ronald Mutum, *Nigeria: FG Announces "Soft" Counter-Terror Strategy*, DAILY TRUST (Mar. 19, 2014), http://allafrica.com/stories/201403190660.html?aa_source=slideout (last visited Sept. 24, 2014).

165. *Id.*

166. Testimony of DOD Principal Director for African Affairs Alice Friend, Senate Subcommittee on African Affairs, *#BringBackOurGirls: Addressing the Threat of Boko Haram* (May 15, 2014), at 1, available at http://www.foreign.senate.gov/imo/media/doc/Friend_Testimony.pdf (last visited Sept. 24, 2014).

167. Testimony of Thomas-Greenfield, *supra* note 16, at 4–6.

168. Atapattu, *supra* note 13.

169. HRW, *supra* note 20, at 76.

crimes against humanity.¹⁷⁰ The rapidly deteriorating situation in Nigeria indicates Nigeria indeed needs intervention and assistance to carry out its responsibilities.

The global community must develop a unified policy front with regard to human rights violations such as the Chibok student abductions. Holding foreign governments accountable for war crimes and enforcing aid restrictions to governments committing human rights violations are valid policies. In addition, it must be globally recognized that every situation is not black and white. While the atrocities committed against human beings of other countries can seem removed, the effects are far reaching as discussed above.

Protecting human rights and preserving human dignity should not be confined to domestic borders, especially since the impact of violations is felt internationally. Every stakeholder should be involved in creating a comprehensive plan to protect those most vulnerable to human rights violations, such as the Chibok female abductees.¹⁷¹ Stakeholders include international organizations, national as well as state and local governments, human rights organizations, social service agencies, religious groups, healthcare organizations, and educational agencies.¹⁷² Together, the stakeholders must develop national plans of action, as well as regional and sub-regional plans for countering human rights violations. The various stakeholder sectors must then be integrated into the programs developed.¹⁷³ Diversity and widespread involvement can help reduce biases, stigmas, and discrimination thereby facilitating human rights protection efforts.¹⁷⁴

Another important step is to strengthen inter-jurisdictional cooperation.¹⁷⁵ For example, laws of other countries such as the United States' Leahy Laws should be amended to account for situations of gross human rights violations, such as the Chibok student abductions. In emergency situations, such as that posed to the Chibok student abductees, laws should not hinder assistance to victims. Slavery is universally

170. *Id.* at 78.

171. Jonathan Todres, *Taking Prevention Seriously: Developing a Comprehensive Response to Child Trafficking and Sexual Exploitation*, 43 VAND. J. TRANSNAT'L L. 1, 39 (2010) (proposing cooperation and active participation of all the various stakeholders to effectively combat the problem of child trafficking and sexual exploitation).

172. *Id.* (many of the same stakeholders with an interest in stopping child trafficking and sexual exploitation have an interest in stopping Boko Haram terrorism, especially that directed at children and females).

173. *Id.* at 41 (the steps proposed in the article relating to child trafficking and sexual exploitation prevention can also be applied to address the problem of Boko Haram).

174. *Id.* at 55.

175. *Id.* at 41.

recognized as inherently evil and among the grossest of human rights violations.¹⁷⁶ Yet, the Chibok abductees remain victims of horrendous atrocities, such as slavery, because laws within the international community hinder assistance. Protecting the vulnerable from exploitation should be an international priority, even over prosecution for mistreatment of prisoners. Breaking the cycle of violence in Nigeria should begin with an international effort to rescue the innocent victims of the conflict and to prevent further victimization. Universal human rights deserve the attention, cooperation, and active protection of the international community.

V. CONCLUSION

The effects of the violence in Nigeria are felt not just by the individual victims, but throughout the country and the world as well.¹⁷⁷ Following the Chibok student abductions, the White House started what has become known as the “Bring Back Our Girls Campaign.”¹⁷⁸ The language of the slogan is appropriate. The abductees are not merely students, daughters, and Nigerian citizens; they represent our humanity and need the world’s assistance to restore their freedom and human rights.

The aid provided to Nigeria in efforts to recover abducted students is insufficient as evidenced by the fact that more than three months after the kidnapping, the girls have not been rescued.¹⁷⁹ Additionally, in the time since the Chibok student abductions, Boko Haram has engaged in more attacks, killings, and kidnappings.¹⁸⁰ The effects on the victims and their families are irreversible.¹⁸¹ The drain on economic and social resources is immense, leaving Nigerian sustainable development at a standstill.¹⁸² The spillover effect into the international community is also significant, requiring a global approach to combating Boko Haram terrorism. While Nigeria must persist in government and military reforms, the international community should also modify policies in order to provide immediate assistance to the victims, and those most vulnerable to Boko Haram

176. UDHR, *supra* note 49.

177. Atapattu, *supra* note 13.

178. Blanchard, *supra* note 1, at 12 (the #BringBackOurGirls Campaign is a social media campaign designed to generate awareness and support for the victims of the Chibok student abductions).

179. *Parents of Abducted Chibok Girls and Escapees From Boko Haram Meet Nigerian Leader*, FOXNEWS.COM (July 22, 2014), <http://www.foxnews.com/world/2014/07/22/parents-abducted-chibok-girls-and-escapees-from-boko-haram-meet-nigerian-leader/> (last visited Sept. 24, 2014).

180. See e.g., *Boko Haram Kidnaps More Women Near Chibok, Reports Say*, *supra* note 147; see also, e.g., *Parents Deny Playing Politics Over Chibok Girls*, *supra* note 147.

181. Alexander, *supra* note 89.

182. Blanchard, *supra* note 1, at 4.

terrorism. Establishing common ground and international corroboration is essential to curtailing Boko Haram violence and protecting universally recognized human rights.