



Nigeria at a Crossroads: Elections, Legitimacy and a Way Forward

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Mr. Chairman and members of the subcommittee, I am honored to testify before you today on one of Africa's most pivotal countries and one of our most important strategic partners. This hearing is also timely since Nigeria is at a crucial juncture in its history. The country has just inaugurated President Umaru Musa Yar'Adua in the first ever transition between civilian leaders in the country's history. However, the elections of April 14 and 21 were seriously flawed and a great disappointment to both Nigerians and to the United States. As you will hear today, there were credible reports of malfeasance, such as vote rigging, ballot box stuffing, and non-transparent counting. The scope and scale of reported problems with the polling have exposed serious weaknesses in the electoral system and now pose risks to the country's fragile democracy. As a result, addressing these problems quickly must be an immediate priority for the Yar'Adua administration. This will include allowing the legal challenges to proceed unimpeded and their results to be respected. It will also mean moving precipitously to fix the broken electoral system, including making the electoral commission fully independent.

Our policy is to strongly encourage the new government to tackle these problems in the early days of the administration. Indeed, in my meeting with President Yar'Adua on May 29, the first issue raised was our disappointment with the polls and the steps necessary to restore credibility to Nigeria's democratic institutions.

Some critics will no doubt urge us to isolate the country. But the stakes are too great to walk away from Nigeria. And in our judgment, the best way to nurture Nigeria's fragile democracy is for the United States to engage with them on the very issues at risk: political reform, regional security, and economic opportunity.

Nigeria remains vitally important to U.S. security, democracy, trade, and energy policy needs and objectives. Its government remains one of our most dependable allies on the continent on a wide array of diplomatic initiatives from such as Darfur, peacekeeping, counter-terrorism, and HIV/AIDS. As an up and coming emerging market of 140 million people, Nigeria welcomes U.S. investment and technology and is one of the world's largest importers of U.S. wheat. Nigeria accounts for twelve percent of U.S. oil imports.

With the second-largest GDP in Africa and a population equal to that of Russia, Nigeria nonetheless offers a study in stark contrasts. After fifteen years of military rule, the country has made remarkable progress over the past eight years. But there is still much left to do. Despite a tremendous pool of talent and natural resources, laudable macroeconomic performance, and large infusions of donor funding, the majority of Nigerians still live in poverty. Development is impeded by entrenched poverty, pervasive corruption, and ineffective governance. Decades of unaccountable rule eroded health and education infrastructure, failed to address the HIV/AIDS threat, suppressed democratic institutions, and stifled job creation. New offshore deep water oil production has compensated for the almost one-third of onshore and shallow water capacity that is not being produced because of instability; however, only one of Nigeria's four refineries is functional, which forces Nigeria to import most of its refined crude.

In terms of political rights and civil liberties, Nigeria has regained important ground since 1999. Some of its governing institutions have also begun to develop. Most importantly, the judiciary and legislative branches recently have demonstrated an impressive surge in independence. Yet the April 2007 elections are a sharp reminder of the many deep and persistent challenges to effective government in Nigeria. They also underscore the importance of continued engagement by the United States and other Nigerian partners to promote reform.

Mr. Chairman, before I address a number of challenges with greater specificity, it is important to that we recognize that our influence, although very real, is not unlimited in Nigeria. Nigerian democracy will be advanced by Nigerians principally, although we clearly have an important role. Given Nigeria's size--one of every five Africans is a Nigerian--we must remember that Nigeria's total official development assistance flows, from all sources, are less than one percent of its Gross Domestic Product. The per capita value of non-HIV/AIDS-related U.S. assistance is merely 26 cents. Our greatest contributions will lie in applying diplomatic pressure for reform, sharing technical expertise, and catalyzing private sector support all on behalf of job-creating investments and profound governance reforms. U.S. policy goals in Nigeria are to strengthen social stability through pluralism, democracy, and good governance; to promote more market-led economic growth as the best means to reduce poverty in a sustainable way; and to enhance Nigeria's ability to act as a responsible regional and bilateral trade partner. Given these circumstances, we already have conveyed three mutually reinforcing messages to the new government, the opposition, and civil society in a post-election strategy:

Democracy: The United States has an important voice to lend to democracy advocates, and can offer an array of technical assistance when matched by political commitment of the host government. President Yar'Adua and the opposition are now fully aware of our profound disappointment over the deeply flawed elections of April 14 and 21. We expect the government to facilitate the work of electoral tribunals in addressing disputes promptly and credibly. At the same time we recognize that the courts will not be able to fix all of the shortcomings of the elections. Nigerian society and political leaders need to work together to map out a road back toward credible and effective democratic processes; we stand ready to provide technical assistance to a plan that has broad support and strong political backing. At a minimum, the Government of Nigeria must commit to deep reforms in the Independent National Electoral Commission. This would include financial and operational independence for a new electoral commission, with new leadership. Subsequent public remarks by Nigeria's new president indicate that he understands the need to initiate immediate electoral reform that ensures credible future polls immune from government or political party interference. President Yar'Adua also agrees with our expectation of dialogue between the government and opposition, and that all parties must refrain from violence and harsh, counterproductive rhetoric. In these regards, we stand ready to help.

Stability in the Niger River Delta: We will continue to work directly and multilaterally with the Nigerian federal and state governments in addressing community development, coastal security, as well as the prevalence of arms and crime, in order to establish peace, prosperity, and energy security in the region. Since the end of the elections, militants have sent a clear political message to the Nigerian government by renewing multiple attacks on oil facilities, kidnapping dozens of foreign workers, and curbing between one-fourth and one-third of energy production. Not all of the Delta's problems are tied to humanitarian concerns. Many militants are criminally motivated in their kidnappings. Nigeria's security services are outgunned, outperformed, undermanned, under-funded, and some of its leadership co-opted. Nevertheless, for the most part, despite its poor human rights track record, the military has astutely avoided confrontation-so far. The long-term answers in the Delta are economic and developmental, not military.

In order to address community development at the local level, the Government of Nigeria had worked with us in developing a reasonably good draft plan for developing streamlined administration, increasing the financial scale of assistance projects, incorporating the help of the private sector, and developing transparent accounting and communications. It now must be fully funded, implemented, and broadened into a regional strategy.

In collaboration with the federal Nigerian government and the international community, the United States is willing to fund and provide training to combat money laundering, strengthen customs enforcement and border security, automate police records, and offer advisors for state budget transparency. We are providing state-of-the-art security equipment for all of Nigeria's airports and are studying how we can implement an offer to expand our community-policing projects from northern Nigeria into the Delta. We have offered Nigerian officials a network of sensors, radar, and communications gear to enhance their control of territorial waters. We wish to provide train/equip programs for a Nigerian riverine unit that could address fisheries violations, oil theft, piracy, smuggling, narcotics trafficking, and environmental degradation. We have further offered to help Nigeria institute and manage stockpile security and destroy collected/surplus weapons, and to assist in tracing the origin of weapons seized from criminals and insurgents.

We are also urging Nigerian authorities to build partnerships with the U.S. private sector in providing opportunities for profitable agricultural livelihoods, technology transfer, constructive use of currently "flared" natural gas, creating refining capacity, developing biofuels for domestic use, building greater public access to telecommunications networks and health care, and curbing oil theft. The West Africa Gas Pipeline, a project consortium led by Chevron, will offer Nigeria another source of revenue. It is expected to be completed in 2008 and will provide the region with a new pool of energy.

We hope that the Yar'Adua Administration will respond favorably to all of these initiatives.

Political and Economic Reform: The Government of Nigeria must commit to a deep and immediate reform agenda, both to re-build legitimacy in the wake of the fundamentally flawed April elections and to assure Nigerians that their voices will be respected well in advance of the next national elections. Corruption undermines democracy and prosperity. Good governance and accountability build trust in the democratic system and elected officials. Key reforms should be designed to expand citizen oversight of government and strengthen checks and balances. We welcome reforms such as the Fiscal Responsibility Bill that recently passed both the Senate and House of Representatives, locking into law the prudent macroeconomic policies carried out by the outgoing administration.

We have proposed that the Yar'Adua government:

- 1. Take further steps to combat corruption, e.g., speedy signing of legislation on public procurement, fiscal transparency, and Freedom of Information;
- 2. Adopt measures to enshrine transparency in national, state, and local government revenues and expenditures;
- 3. Establish more effective auditing, legislative, and judicial oversight of government activities; and
- 4. Institutionalize and implement agreements on bilateral trade, investment, and standards issues to facilitate mutual economic growth.

Mr. Chairman, all these arguments point to the need for robust bilateral engagement, despite the enormous challenges to be faced. We are encouraged by President Yar'Adua's public and private commitments to these types of reform, but recognize that he is operating within a complex political environment. We will focus closely on the leadership of the ruling party, the legislature, and other Nigerian institutions, and will make clear our advocacy of reform. Our goal is to help Nigeria establish itself firmly as a fully democratic, free-market reformer. The Administration is pleased to have this opportunity to highlight Nigeria's importance as a strategic partner of the United States, and to answer your questions.

Thank you.

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