

Original Paper

Counter-Terrorism in Nigeria: Challenges and Possible Solutions

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Abstract

This study examines the challenges to combatting terrorism in Nigeria. The Nigerian Government has used a variety of counter-terrorism techniques. These techniques include the formation of institutions, the involvement of security agencies, the use of civilians as security personnel, and amnesty. These steps are intended to combat terrorism in the country. The study revealed that the challenges undermine Government's efforts in counter-terrorism. The study concluded that to effectively combat terrorism in Nigeria, these challenges must be addressed. The study further, proffers solutions by way of recommendation for combatting terrorism in Nigeria.

Keywords

terrorism, Nigeria, challenges, counter-terrorism, solutions

1. Introduction

The Nigerian nation has been bedeviled by acts of terrorism for close to two decades. The acts are carried out recurrently and with brazen effrontery. The ingenuity in launching these attacks results in an alarming number of casualties. Despite the efforts of Government in counter-terrorism, terrorist attacks in Nigeria are fast becoming a norm. Nigeria has ranked among the first ten terrorism most ravaged countries in the last eight years.

Although, techniques such as legislative measures, dialogue, declaration of State of Emergency, military approach and amnesty have been used at different times, the Nigerian Government has largely depended on the deradicalization technique in its counter-terrorism efforts.

In 2011, Boko Haram launched suicide bombings attacks, which were unprecedented in Nigeria and the Government responded by dealing with the sect as a terrorist organization. The three North Eastern States of Bornu, Yobe, and Adamawa were placed under a State of Emergency as a result of the insurgency's escalation between 2012 and 2013. The actions of Boko Haram have typically remained uninterrupted notwithstanding this change. Their actions have resulted in unprecedented humanitarian crises for the nation, which have had a catastrophic impact on human security and public safety (Aljazeera 2020).

The Government would prefer that Boko Haram members denounce their membership and receive amnesty from prosecution. Furthermore, it is alleged that the Government engages in negotiations with the organization to trade terrorists who have been apprehended and incarcerated for kidnapped citizens (News Wire, 2017).

The Military has been deployed to the Northern part of the country in the fight against terrorism since 2009. This involves the cooperation of the Joint Task Force (JTF), and the establishment of Civilian JTFs among others (Akpan & Felix, 2014). To strengthen its counter-terrorism efforts, the Government increased its military spending on security and also gave a directive that the military command headquarters should be moved to Borno State. These are indications of how totally dependent the Government is on the military to defeat terrorism. Although, this approach has yielded some results, great success has not been achieved in this regard and terrorism is not totally defeated in the Country (Olatubosun & Ekundayo, 2018).

2. The Deradicalization Approach to Counter-Terrorism

The Federal Government has depended largely on the deradicalization approach in combatting terrorism in Nigeria. Negotiation with terrorists, the prospect of amnesty, and a return to normalcy are all part of the de-radicalization strategy. Here, a significant impediment can be observed with terrorists' group's objective of engaging in terrorism. In the case of Boko Haram, the goal is to establish an independent State in the northern region of Nigeria. Discussing with the Federal Government cannot work unless the group abandons her goal of establishing an independent State and the group does not appear to be willing to forsake her cause (Murtala, 2020). Another obstacle is knowing who to discuss with. Who controls a group and acts as a leader? What faction of a group is the Government going to negotiate with? (Jacob, 2014). While some may agree that negotiation should take place, another faction may be unwilling to negotiate with Government. Past attempts at negotiating with Boko Haram have failed in some instances, where other members have questioned the authority of the faction that called for such negotiation (Searcey & Stein, 2016). An example is the alleged controversial negotiation by the Federal Government with some leaders of Boko Haram, which was denied by the faction perceived overall leader, Abubakar Shekau (Conor, 2011). Moreso, the former Nigerian, President, Olusegun

Obasanjo traveled to Maiduguri in 2011 to visit the late Boko Haram founder and leader, Yusuf's family members. Some members of the group were aggrieved by this move and Obasanjo's host was murdered shortly after the visit (Ajani, 2011).

There was a time when Barrister Aisha Wakil, who is popularly called Mama Boko Haram, was a go-between in the negotiation with Boko Haram, which included the release of abductees. Later, Sheik Ahmed Gumi also interfaced between the Government and Boko Haram during the Buhari administration. It is also alleged that the Government also negotiated for the release of abductees, particularly the Chibok girls. In order to secure the release of the Chibok girls and other hostages held by the group, Boko Haram demanded the release of terrorists who had been arrested and detained by Government (Murtala, 2020). Tukur Mamu, was also a negotiator between the Federal Government and terrorists over the Kaduna train attack kidnapping and was arrested by the Department of State Security without a compelling reason (Punch, 2022). However, all these efforts have proved to be futile in effectively combating terrorism.

3. Challenges Undermining Counter-Terrorism

The challenges undermining effective counter-terrorism in Nigeria can be broadly classified into two: legal and institutional.

3.1 Legal Challenges

3.1.1 Multiplicity of Terrorism Laws

There is a need to curb the anomaly of multiplicity of laws on the same offence. In Nigeria, different laws criminalise and penalise acts of terrorism. The Economic and Financial Crimes Commission Establishment Act (EFCC) 2004, Money laundering Prevention and Prohibition Act (MLPPA) 2022, Terrorism Prevention and Prohibition Act (TPPA) 2022 and even the criminal and penal codes criminalise and penalise certain acts that may constitute terrorism. The effect is that penalties for these acts under the different law vary. Thus, a person could be arrested and charged under the different laws for the same offence.

3.1.2 Prosecution

Despite the passage of anti-terrorism legislation in Nigeria (Note 1), arrested terrorists are rarely prosecuted and punished for their crimes. As a result, terrorism legislation appears to be a simple academic exercise. The law seems to simply exist on paper with little effect. This may encourage terrorists to continue their acts of terrorism since they know they will not be punished or convicted for their crimes.

Moreover, terrorists' prosecution is fraught with difficulties. One issue that has come up is a shortage of funding for investigation and other financial ramifications of successful prosecution. Inter-agency rivalry impedes investigation and prosecution, as well. Some of the agencies in charge of apprehending

terrorism suspects may refuse to cooperate with authorities from sister agencies and withhold evidence. Another difficulty is the lack of adequate protection for the prosecutors of terrorism related crimes. Terrorists are inter-connected even outside the shore of their base. There should be a system in place for the protection of a prosecutor and his family members for effective discharge of the prosecutor's duties from people, who want to retaliate.

However, there are few cases that have been prosecuted. The case of *Federal Government v Nnmadi Kanu* (Note 2) is a high-profile terrorism case currently being heard in the Federal High Court Abuja since 2015. The accused, the leader of the proscribed group, Indigenous People of Biafra (IPOB), was arrested and charged with terrorism and other connected offenses on an amended fifteen (15) count charge. Some of the terrorism charges were dismissed by the Court, while others were left to the defendant to defend.

3.2 Institutional Challenges

In general, the government has encountered difficulties in its fight against terrorism. Notwithstanding the measures taken to combat terrorism, there seems to be no lasting solution in sight. The majority of government interventions have, in fact, merely served as supplemental window dressing because they fail to directly address the problem (Ikedinma, 2021). These challenges are addressed below:

3.2.1 Lack of Arms Tracking System in Nigeria

Nigeria has not adhered by the ECOWAS law on tracking weapons—The Registration and Control of the Movement and Use of Legitimate Arms Stock (1998). The goal of the project is to give weapons a kind of identification card by placing a number on their bodies to identify them and make them simpler to track, whether they are moved from one nation to another, sold, or borrowed (Diarra, 2005). As a result, all legal weapons imported or produced in Nigeria will have a solid, identifiably marked tag or label, along with a central office file. In addition to containing this information, the Government will also compile and maintain a register, which also track these weapons in circulation or when they are transferred as a result of theft, sale, loan or death (Cukier & Chapdelaine, 2001).

Non-tracking or non-tracing of weapons has the disastrous effect of making weapons, a free for all to bear, which leads to terrorism and hinders counter-terrorism. The sophisticated armaments that terrorists carry, which can include bombs and guns, give them the audacity to carry out their crimes. Even more concerning is the lack of appropriate responsibility for the legal weapons that have been amassed in the nation over time. Nigeria buys weapons from a variety of countries, including the US, UK, and Germany (Nwanolue & Iwuoha, 2012). Moreover, Kaduna-based Defense Industries Company of Nigeria (DICON) has produced thousands of AK-47s. There isn't any thorough or trustworthy record on the Nigerian armory's inventories, imports, or domestic manufacturing of legal weapons in the nation.

The argument being made here is that the majority of weapons that are currently banned were previously legal when they were imported or used by security agencies and other legally recognized individuals. Almost all illegal weapons that are used improperly first existed as legal goods, unlike illicit drugs that are prohibited from the point of creation. Theft, illegal sales, reactivation, and other strategies can all be used to divert them from legal to illegal markets. Hence, the need of being able to trace individual firearms is stressed in both local and international efforts to control firearms and decrease their use and trafficking in criminal activities.

The marking standard is important to enable the security agencies to detect the source of the illegal weapons obtained typically through inordinate means from various lawful sources. An efficient system for marking weapons will curtail proliferation of weapons. The fact that these legal weapons are frequently transferred in the black market for armaments, where they are then marketed to more hazardous users, is more alarming. Also, local blacksmiths who combine various illegal weapons that proliferate in the black market have not been adequately checked by the police. In secret locations around Nigeria, these illegal weaponries have been manufactured. Local productions typically use very basic production techniques. There are no machines utilized in the manufacturing process. In the fabrication process, some tools are used included small, improvised furnaces, which are used to heat the metals (Hazen & Honer, 2007).

According to the available statistics, just a few of these unlawful productions have been intercepted by the authorities. In the past, craft manufacturers frequently tagged their weapons for identification. Police used these marks to trace guns used in illegal activity and later prosecute craft makers whose weapons were proven to be used in criminal activities. Craft weapons are no longer labelled with individual identities due to the fear of being punished, making tracing weapons to the producers impossible. As a result, deadly weapons are being manufactured with haste.

Nigeria's security agencies are still lagging behind since they do not use current technologies to conduct forensic or Genetic examinations in the pursuit of criminals. Instead, they just gather photographs and fingerprints of alleged criminals apprehended in connection with criminal or terrorist acts.

3.2.2 Inefficient Policing

Crime control in Nigeria is hampered by ineffective policing. A number of issues, including an uneven distribution of police stations across the nation. Furthermore, lack of motivation, lack of weaponry and intelligence equipment, contribute to the inefficiency of the Police. David Jemibewon, a former minister of Police affairs, suggested that certain factors should be considered in the deployment of Police officers. These factors include the political terrain, the number of people in a particular environment, the crime rate of the area and land mass. In light of the country's division into Federal, State, Local Government, senatorial districts as well as geopolitical zones, police deployment should

also follow these divides. There may not be a classification for a hot zone in criminal activities in present day Nigeria because every nook and cranny indicate potential instability. Moreso, Police officers are lacking in intelligence facilities that could effectively identify individuals that are engaged in terrorism. In achieving effective and efficient policing, officers who secure highways should be provided with important surveillance equipment to identify these illegal weapons while in transit.

3.2.3 Organised Tactics and Sophisticated Weapons of Terrorists

Another major challenge to combating terrorism is the sophistication of weapons used by terrorists and their organized tactic. These include the use of nuclear and bio-chemical weapons. Also, this involves the use of women and children as suicide bombers in carrying out deadly acts, which poses a challenge to combating terrorism. The Nigerian military whose training is majorly in the area of conventional warfare may encounter difficulty in containing the use of nuclear and bio-chemical weapons.

From the videos circulating in the media, another sophisticated weapon, being deployed by the Boko Haram terrorist group vehicle-borne explosive devices for suicide mission and the Nigerian military does not seem to have the capacity to contain such.

Terrorist groups have improved from use of crude methods to sophisticated methods like the use of anti-aircraft guns acquired illegally from the Military engaged in the Boko Haram counter-terrorism in the northern part of Nigeria or acquired through the porous borders (Note 3). The criminal activities of Herdsmen and bandits, which have now been labelled terrorists could be felt in virtually every part of the country.

3.2.4 Corruption

Corruption is a contributing factor to terrorism. Security operatives, especially the Nigeria Police has been accused of corruption, which has contributed to its inefficiency in fighting crime. The alarming act of “settlement”, has replaced the thorough search of persons and vehicles by mobile police men in order to fish out criminals. The use of vehicle scanners could have been used to detect any criminality involved in the use of the highways and as a result apprehend terrorists, if applicable. Corruption continues to thrive in the police force. Officers allegedly extort citizens after harassing them and women are sometimes raped especially in conflict situations (Nwanolue & Iwuoha, 2012)

Another obvious challenge relates to arms procurement. This issue is characterized by variables such as corruptible nature of Nigerians and international delay. Funds meant to purchase arms and ammunition for the Nigeria Military have been allegedly diverted to other ventures (BBC, 2015). Some years ago, videos also surfaced online of the agonies of Nigerian soldiers, which portray poor welfare and treatment despite huge allocations in this regard (Malik, 2015).

There has also been international delays or cancellation of procurement of arms contract. Thus, the country approached Pakistan (Note 4), South Africa and Russia for supplies (Reuters, 2020). All these are as a result of long corruption, which is endemic in the country.

3.2.5 Religious and Ideological Challenges

Fanaticism and extreme ideology instead of true practice of religion has taken over the Country and it serves as an impediment to combating terrorism in Nigeria. The Government must realize that the unity and power of the state are far bigger than the interests of any religion or culture, and must place national internal security interests ahead of those of any group. When the state is led by the idea that the whole is more important than any of its individual pieces, sentiment will be put aside in the name of the greater good (Ikedinma, 2021).

3.2.6 Excruciating Poverty

Poverty is a major contributor to terrorism in Nigeria, which has caused unrest and instability. This is because the Nigerian project has been executed poorly for a lot of years based on all metrics. Ikejiani-Clark posits that Nigeria is deeply troubled and ranks among the poorest in the world as a result of poor leadership. The Nigerian situation has led to increased frustration and instability with unrest and ethnic clashes. In the sense, Nigeria suffers from perilous shortage in the middle of abundance of natural giving (Ikejiani-Clark, 2007).

Both the legal and institutional challenges are contributing factors, which undermine the effectiveness of counter-terrorism measures.

4. Conclusion

The study concluded that the counter-terrorism techniques deployed by the Nigerian Government such as legislative measures, dialogue, declaration of State of Emergency, amnesty and most especially, military approach and deradicalization have proved largely ineffective because of some inherent challenges. In order for these counter-terrorism measures to be effective in combatting terrorism, these challenges must be addressed. This study therefore, proffers solutions by way of recommendations to successfully combat terrorism.

5. Recommendations

5.1 Harmonisation of Terrorism Laws

There is a need to harmonise terrorism laws in Nigeria. All laws that criminalise terrorism should be harmonized into one. The TPPA 2022 is the extant law specifically on terrorism in Nigeria and it is recommended that terrorists should only be charged and prosecuted under that law. This will curb the anomaly of having different penalties for acts of terrorism charged and prosecuted under different laws.

5.2 Effective Prosecution of Terrorism Suspects

Terrorism suspects should be arrested and prosecuted for the alleged crime. This will constitute a pivotal development in attaining success in the fight against terrorism. Achieving this requires not only robust legal and institutional frameworks but also the political will. There is the need for a definitional

reform of terrorism instead of attempting to subsume all violent acts as terrorist acts as seen in the various laws involving terrorism. This will guide the security agencies appropriately in the investigation of terrorism crimes and also help the prosecutor in the prosecution of suspects. To make the de-radicalization program of the Federal Government a success, there must be in place, a robust re-habilitation policy. Government must adequately monitor and rehabilitate terrorists who have renounced terrorism to forestall re-engagement.

5.3 Implementation of Institutional Policies

Institutions are essential in effectively combating terrorism because legislation cannot be solely relied upon in this regard. Thus, a proper execution of the current institutional framework is required. As an example, the TPA 2022 created the Center in the NSA office, which will serve as the coordinating body for counter-terrorism and counter-terrorism policies, strategies, and plans. The TPA 2022 also established the Trust Fund, which is a pool of fund to pay compensation to victims of acts of terrorism (Note 5) and facilitate programmes geared at preventing terrorism and other related matters (Note 6)

No doubt, these are laudable institutional policies which must not only be in writing but must be implemented in order to achieve an effective fight against terrorism.

As noted in this study, poverty is a major cause of terrorism. As a result, the government must truly confront poverty. This can be accomplished by creating employment opportunities, especially for the youths. The Government must be committed to promoting, assisting, and establishing small businesses and public-private partnerships that would keep people (especially young people) occupied. The development of skill-acquisition programs for youths can also result in the creation of jobs, especially in the North where terrorism is most prevalent. To enable adequate monitoring of the plans, there must be a collaboration with the already-existing institutions. In addition, the government should develop lending programs in coordination with financial institutions to enable skilled adolescents to become independent. To ensure success of this programme, a high degree of dedication is required.

5.4 Education

Education is a pillar of any society. Thus, it must be accessible and citizens must be able to afford it. The United Nations Educational Scientific and Cultural Organization (UNESCO) advocates for free primary and secondary education for all children. In Nigeria of today, education is largely in the hands of the private sector because the Government is unable to uphold the UNESCO standard. So, it appears that education in this scenario is only available to the wealthy. In achieving the UNESCO goal of free secondary education, the Government must play a large role in the development of schools. This will reduce the risk of recruiting young individuals into terrorist organizations due to idleness and availability. In place of the dual system of Arabic and formal education that operate in Northern Nigeria, a fusion of both curricula should be put in place. This will change the “Almajiris” (Note 7) viewpoint from one of unwholesome indoctrination to one in support of knowledge liberations.

5.5 Upholding the Secularity of the Nigerian State

Religion should be channeled towards unifying the Country. Sermons which condemn the tenets of a particular group by another should be frowned at. Attempts should be made by the government to prevent the use of religion to brainwash the populace regardless of the religion of the person in charge of the country. This must be done with sincerity.

5.6 Strengthening Security and Manpower

As discussed in this study, corruption and lack of funding play a major role in the inefficiency of security personnel. Addressing the issue of corruption in a setting, where it is pervasive and there is a lack of political will to combat terrorist activities is a waste of resources. In order for security agencies to be able to actively monitor terrorist activities and promptly take appropriate action, the government should make finances available for them. The fund meant to strengthen the security agency and ensure their efficiency should not be squandered or diverted into other ventures. There should be technologically based screening mechanisms for the international borders, such as fingerprinting, picture identification, and biographical data entry. This would make it easier to track down and keep an eye on foreign combatants, criminals, and tourists that enter the country. The nationwide deployment of CCTV will assist the security authorities in their investigations and intelligence puzzles. Of course, strict border control will prevent the entry of weapons and undesirable individuals. The installation of identification numbers by DICON will assist the security services in identifying stolen, lost, and illegally imported weapons. In addition, there should be stringent laws that apply to any security personnel involved in arms trading.

5.7 Good Governance

Good governance is *sine qua non* to the development of any nation. If Nigeria's leaders avoid corruption and make good use of the nation's resources, Nigerians would benefit from democracy and co-exist with one another peacefully. Good leadership is important to effectively combat terrorism. The hallmark of leadership must be values such as honesty, trust, transparency, and integrity. The trust of the citizens should be earned by formulating policies that protect the interests of the citizens. This populist style of governance should be perceived by all as being in their own best interest. Government's economic policy must be represented in a workable economic reform that emphasizes food production. The core of this transformation should be the idea of investing in people. It ought to be connected to a social strategy that depoliticizes issues of race and religion. The administration must also look for constitutional and legal means of resolving the nation's communal and other crisis. The government must also invest in the provision of social amenities and dividends of democracy. The Government's performance in this regard will be a critical step toward alleviating insecurity and fostering a climate of collaboration and confidence between the government and the population. Overall, effective governance is achieved with the help and cooperation of all citizens

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Notes

Note 1. The extant anti-terrorism legislation in Nigeria is the TPPA 2022, which repealed the Terrorism Prevention Act of 2011 and the Terrorism (Amendment) Act 2013. Other laws, which punish Terrorism in Nigeria include the EFCC Act 2004, Money Laundering (Prevention and Prohibition) Act, 2022 and the Proceeds of Crime Act 2002

Note 2. FHC/ABJ/CR/383/2015

Note 3. Chimda Hedima, an officer of the Nigerian Airforce was attacked by terrorists in 2014. His fighter jet used to provide support for the military as counter terrorism efforts was fired, he crashed into Boko Haram territory and was captured and beheaded.

Note 4. Nigeria Turns to Pakistan, Iran and others arms and ammunitions. In July 2015, the US declined the sale of advanced weapons to Nigeria in compliance with the Leahy Law. This Law prohibits the sale of arms and ammunitions to countries whose Armed Forces have allegedly flagrantly abused human rights. The implication was that Nigeria was unable to purchase fighter helicopters needed for military operations.

Note 5. Ibid Section 91 4(a)

Note 6. Ibid Section 91 4 (b)

Note 7. A system of Islamic education in the northern part of Nigeria