



## **An Assessment of the Role of International Non-Governmental Organisations in Nigeria's Counter Terrorism War**

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### **Abstract**

*The objective of this paper is to examine the role of non-governmental organisations (NGOs) in Nigeria's war against Boko Haram. NGOs have become major actors in international relations, and their activities now pose challenges to the Westphalia concept of territorial state sovereignty. Operating behind the cover of the twin concepts of humanitarian interventions and universal jurisdiction, NGOs now assume a self-imposed responsibility of holding states and their functionaries accountable to international norms and conventions, in the areas of promoting good governance and preventing violation of human rights. Having accepted the reality of NGOs as competing actors on the global scene, not a few states including Nigeria, are averse to their intrusion into areas that are considered to legitimately fall within domestic jurisdiction. In line with the realist theory, the problem encountered by this paper is how to strike a delicate balance in such a way that the operations of NGOs in Nigeria will not prejudice the primary role of the Nigerian state in safeguarding national security. This paper relies on secondary sources of data largely due to the problem of access to the combat zone in north-east Nigeria. It notes that some of the activities of the NGOs, especially their sources of funding, are shrouded in secrecy, which further compound the challenge of policing the ungoverned space in the country. The paper recommends that the federal government should establish a framework for monitoring the operations of NGOs in Nigeria in order to ensure that their activities are not inimical to national security.*

**Keywords:** Espionage, Genocide, Militancy, Terrorism

### **1. Introduction**

As part of their mandate, several international non-governmental organisations were part of the Nigeria's war against terrorism. These organisations include the United Nations and scores of its specialised agencies such as the UN Refugee Agency and its regional affiliates, like the International Organisation for Migration in Africa. Others are the International Committee of the Red Cross and Red Crescent (ICRC), Doctors Without Borders and Amnesty International, (AI). CARE and save the Children also try to alleviate human suffering caused by conflict and poverty. Since the emergence of the Boko Haram insurgency in Nigerian, aid and humanitarian organisations had flocked into the country and had established offices with the stated goals of assisting Nigeria to take care of the



millions of displaced persons created by the conflict. Due to the urgency of the humanitarian situation in the North-east, many of these agencies were not properly vetted by the security agencies before they were allowed to set up offices in the country. This has created a situation where the security services were concerned about the activities of certain purported aid organisations that were suspected to be engaging in questionable activities. The objective of this paper is to examine the role of non-governmental organisations in Nigeria's war against Boko Haram, and the implications for national security. The paper is divided into five sections. Section one of the paper is the introduction and contains the objective/structure, methodology, literature review and theoretical framework. Section two deals with the role of the United Nations, its specialised agencies and Human Right Watch in North East Nigeria. Section three interrogates the role of Doctors without Borders, otherwise known as the MSF, Amnesty International in Nigeria's war against terrorism and the International Committee of the Red Cross (ICRC). Section four outlines the findings of the study against, and within the framework of previous empirical studies, as well as international norms and conventions. Chapter five make recommendations to the federal government of Nigeria, which is a major beneficiary of this study since it gives recommendation on how it can effectively monitor the activities of NGOs. It also drew its conclusion from the findings of the study.

## **2. Literature Review**

The extant literature is rich on the role of NGOs in Boko Haram crisis in Nigeria. Latha and Prabhakar (2011) defines NGOs as "non-profit making agencies that are constituted with a vision by a group of like-minded people committed for the uplift of the poor, marginalised... and the needy, and they are closer and accessible to the target groups". Mohanan (2000, quoted in Ali, M. and Umar, A. (2017)) noted that NGOs have been playing important role in many countries, but he however noted that "the role of NGOs is more significant and pronounced when a country is at civil unrest". He quickly added that to ensure that NGOs do not cross the red line, they need to cooperate and collaborate with relevant government agencies. A former Secretary General of the United Nations, Bankimoon in 2015 also acknowledged the role of NGOs as major stake-holders in decision making process in the area of environment, sustainable development, human rights, and assisting the victims of emergency...and they have increased the legitimacy and transparency of inter-governmental deliberations" (Carnegie, 2019). Ali and Umar (2017) observe that, as relevant as NGOs are in the areas of relief for victims of war and disaster management, they are confronted with several challenges which do hamper their operations. Some of these challenges include conflict of interests, many of them use small and they lack access to network, while others are long in ideas, but short in expertise. Due to these combined factors, the Nigerian army, in response to one of the reports by the United Nations International Children's Emergency Fund (UNICEF) accused the agency of aiding Boko-Haram, thereby frustrating the efforts of the Nigerian military in the fight against Boko Haram. Subsequently, on Friday December 14, 2018, the military banned the operations of UNICEF in Nigeria's north-east, claiming it was spying for Boko Haram. But



in a surprise move, due to behind the scene diplomatic manoeuvres, which involved the United Nations and the United States, the ban was lifted by the army few hours later (Quartz Africa, December 17, 2018). In spite of this reprieve, the National Assembly is concerned with the activities of these donor agencies, notably Action Against Hunger. Senator Ali Ndume, who was once tried for having links with Boko Haram has spoken against the opaqueness that surround the funding of these agencies, as well as the rationale behind these NGOs taking office accommodation for upward of five years, which gives the impression that they do not want the insurgency to end (Olaniyan, 2018).

This study benefits from the Realist Theory which is the oldest and major theoretical perspective developed by scholars such as Morgenthau (1973), and Gilpin (1981). The first proposition of realism is that states are the most significant actors in global politics, because they exercise supreme control over a defined territory and possess sovereignty over their internal and external affairs, they operate in a manner that would promote their individual national interests. The second proposition is that, given the absence of higher authority to which states are answerable to, the realists depict world politics as “a ceaseless, repetitive struggle for power, where the strong dominate the weak”, an anarchic situation in which every state is ultimately responsible for its own survival (Kegley & Raymond; 2008:30). A major variant or recent wave of the realist theory is *neo-realism* which was developed by Waltz (1979). While classical realism focuses its explanations on the individual level of analysis, neo-realism, sometimes called *structural realism* explains that international anarchy, not human nature, is responsible for a situation where states engage in fierce competition with one another. Mearsheimer (see Kegley & Raymond, 2008) also introduced a fresh perspective to the realist thought with what he called “offensive” realism. This variant, like Waltz’ also rests at the systemic level and asserts that the ultimate goal of states is to achieve military superiority, not merely a balance of power. Realism also posits that a state with an edge over every other state has the best guarantee of security against a predatory state that might pose a grave threat. What is, however, common to all the variants of realist thought is that there is a great continuity in global politics across time. As attractive and persuasive as it is, the realist theory is flawed in many respects in view of its limitations. First, there is lack of clarity and precision in the way realists use key terms such as *power* and *national interest*. For example, some important questions are left unanswered. These include: What are the key elements of power? What uses of power best serve national interest? Critics of realism also argue that the theory has not taken into account significant developments in world politics. These developments include the existence of non-state actors such as international organisations, humanitarian bodies, and the gradual replacement of military security with human security as the primary goal of the state. In spite of its limitations, the realist theory remains suitable and relevant in analysing the actions, reactions and responses of the states within the international systems.



### **3. Methodology**

This paper relies on secondary sources in gathering its data. The secondary sources include research and academic materials, books, journals, newspapers, periodicals, magazines archival materials as well as the Internet, workshop and seminar papers, including official publications from relevant government ministries, agencies and research institutes such as the Ministries. Data were also sourced from the official publications of international governmental and non-governmental organisations such as the United Nations and its agencies, as well as international non-governmental organisations such as the International Committee of the Red Cross, Medecins Sans Frontieres (MSF) or Doctors Without Borders, among others.

### **4. Findings**

#### *United Nations' Agencies and Human Rights Watch*

The primary objective of the United Nations, as specified in its Charter is the maintenance of international peace and security. As a post World-War II institutional arrangement, the global body, through its organs and specialised agencies, has been involved in the realisation of its primary objective of preventing conflict, and providing humanitarian assistance, where conflict cannot be avoided. Even in war situations, states at war are also expected to comply with the rules of engagements in war, these focuses on the ends and means in a war. The principles, among others, include the type of weapons allowed in a war, the principle that states that attacks should be limited to only combatants, while attacks on civilian populations should be avoided, the principle of proportionality between ends and means, and guarantee of safety to staff of international organisations, such as the United Nations, popularly called the blue helmet, and those of non-governmental organisations, such as MSF, popularly known as Doctors without Borders, Amnesty International, among others (King, 1972). These war principles have also been codified, domesticated, and are being generally complied with by UN members as embodied in the Genocide Conventions of 1948, Universal Declaration of Human Rights of 1948, Anti-Torture Convention of 1988, and Rome Treaty of 1988. It is instructive that those who were found culpable of war crimes during the Second World War were subjected to the Nuremberg trial of 1945-1946. The prosecution and conviction of Charles Taylor, former President of Liberia, under the Rome Treaty of International Criminal Court (ICC), for war crimes committed during the civil war in his country, is a contemporary example.

Walzer (1977) also listed four situations that could normally justify war or intervention in the internal affairs of another sovereign state. The first is when there is a clear and sufficient threat to a state's territorial sovereignty, a pre-emptive strike is permitted. The Israeli attacks on Egypt in 1967 in the popular six day war is a good example. The second principle is when intervention is needed to balance a previous intervention. The United States used this principle to justify its intervention in Vietnam, which eventually turned into a debacle in which US was defeated by the Vietnamese guerrilla fighters in an asymmetric war that lasted for almost two decades (Nye,2000: 152). The third principle is



when it is necessary to rescue people who were threatened by massacre, or genocide. Examples of this include the United States' intervention in Bosnia between 1992 and 1995, Rwanda in 1994, Liberia in 1996 and Sierra Leone in 1999 (Baker, 1995: 634, Nye, 2000:152, Kissinger, 2000: 267). The fourth principle is the right to assist secessionist or separatist movements when they have sufficiently demonstrated that their struggle for self-determination is genuine. Presently, there is no world-wide consensus on the application of this fourth principle, especially against the background of the opposition to the separatist agitations of MASSOB and IPOB in Nigeria. But Mill (1833) was quick to point out that for such aspiration to become legitimate, a group must be able to fight for its own freedom, before it can qualify for, or be worthy of an assistance.

The United Nations did not get itself involved in Nigeria's quest for the restoration of peace in the troubled north-east region, merely because its headquarters in Abuja was bombed by Boko Haram, but it was principally in fulfilment of its original self-imposed mandate to promote international peace and security, and provide humanitarian assistance for the displaced. One of its specialised agencies, the International Bank for Reconstruction and Development (IBRD), popularly known as the world Bank, was purposely set up to provide financial support for European countries, in their reconstruction efforts, after World War II (Calvocoressi, 2005). Since Nigeria's current situation is analogous to that of Europe in 1945, United Nations involvement in the north east can be better understood within that context. The United Nations Organisation for the Coordination of Humanitarian affairs (OCHA) is in charge of delivery of relief materials to the North East. In 2017, OCHA organised the first humanitarian conference on Nigeria and Lake Chad Basin, to be co-hosted by Nigeria, Norway, Germany and Oslo, with the objective of bringing the dire humanitarian situation in Nigeria to the attention of the international community.

The Food and Agricultural Organisation, another agency of the United Nations also disclosed in 2017 that 5.2 million people in the north-east were in urgent need of food assistance; out of which 450,000 were children under five that were in urgent need of nutrition.

At a two day mission organised in Nigeria by the United Nations to demonstrate its concern for the deplorable humanitarian situation in the north east, which was headed by the United Nations Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock claimed that the UN had succeeded in delivering live-saving relief materials to millions of IDPs in Nigeria at a level where 2 million people receive food assistance every month. It was the United Nations' massive intervention that assisted in averting famine, but, according to Mark Lowcock, millions of people are still at risk, with 17 million people in the Lake Chad Basin, including 8.5 million in the north-eastern Nigeria, being the worst hit (UN Office for the Coordination of Humanitarian Affairs, <https://reliedweb.int>).



### *Human Rights Watch*

Like Amnesty International, Human Rights Watch had also catalogued several cases of human rights violations by the soldiers of the Multinational Joint Task Force. These include indiscriminate and arbitrary arrests; detention without trial; torture and maltreatment of detainees; forced disappearance of scores of suspects, and extra judicial killings. Most of these attacks, according to Mr. Mausi Segun, who is the Human Rights Watch's Nigeria researcher, based on what he has peaked after a state of emergency was declared in Boko Haram ravaged states (*nairaland.com*, April 23, 2017). Human Rights is of the opinion that repression is not the answer to terrorism. Instead, Nigeria should take measures to address factors that gave rise to militancy, not only in the north-east, but all over the country. Which include lack of education, health and other social services; endemic government corruption, and the failure to investigate and prosecute those responsible for religious, ethnic and inter-communal violence, a long list of precipitating factors of violence, which cannot be solved by the use of force alone.

Human Rights Watch acknowledges the waning intensity of Boko Haram, especially with the displacement of the terror group in Sambisa forest in 2017. Yet, the body is still worried about the inadequate response of the federal government to the humanitarian crises in the north-east, especially in IDPs camps, where basic essentials of life are lacking. Human Rights Watch is also disturbed as the rate at which young girls are being used as suicide bombers, a disturbing trend, which the UNICEF put at 83 children, in a ratio of 57 boys and 27 boys in 2017 alone (Human Rights Watch, World Report, 2017).

### *Doctors without Borders, Amnesty International and International Committee of the Red Cross*

*Doctors without Borders (MSF)* - Doctors without Borders, popularly known by its French name, Medecins Sans frontieres was established in 1971 to coordinate and supply humanitarian relief and health services in times of conflict and natural disasters. In July, 2017, The MSF, Doctors without Borders, confirmed FAO report on the severe food crisis among the IDPs in Nigeria when it reported that 240 children died of malnutrition in Borno State alone ([www.fao.org](http://www.fao.org), fao-report). But it is in the area of its operations that the military has alleged that the Medicins Sans Frontieres (MSF), Doctors without Borders, has been clandestinely involved in fuelling the Boko Haram conflict (*Leadership*, May 19, 2017). It was alleged that the MSF had always refused to allow the Nigerian Army access to verify whether it was actually distributing food and medicine as it claimed whenever it left Maiduguri into rural areas and at the same time, do not inform the authorities whenever they are leaving for rural areas or of their activities. In the opinion of security agencies, with these movements by MSF and other aid agencies, without screening, it is possible for these NGOs to bring in weapons into their warehouses in Maiduguri, and deliver them to Boko Haram during their clandestine travels along the highways, an action which amounted to espionage, and for which diplomats have been expelled from countries of their accreditation.



To make matters worse, MSF also refused to allow inspection of its warehouses, or inform the military before venturing out into areas with insurgent presence, so as to take military escort when doing so, as other humanitarian agencies do. The security implication of this lack of cooperation seemed to indicate that there was something sinister the organisation intended to do or was doing which may compromise national security. The security agencies are equally worried that MSF 'did not seek and had not sought the Nigerian government's permission to initiate dialogue with Boko Haram, and to reach a deal with the sect to supply it with food, medicine and other humanitarian assistance. Worried by the activities of MSF, a Nigerian security official said MSF:

*Is acting clandestinely like they are an intelligence organisation, not an aid agency...Why can't MSF ask Nigeria's permission or inform the government before engaging Salkida and get approval to talk to the enemies of this country? (Leadership, May 19, 2017 p 7)*

Perhaps, only a few countries would tolerate a situation where by a terrorist organisation like Boko Haram, that have killed over 20,000 Nigerians and have displaced millions would be treated with kid glove, as MSF is doing. The Nigerian experience during the civil war when foreign aid agencies, propped by France, used Benin republic as a staging post to supply ammunitions to the defunct Biafra Republic, under the guise of humanitarian assistance, is a good example of how aid agencies can go outside their mandate to endanger national security (Madiabo, 1980). The Government of Niger (GON) was also forced to suspend MSF-France's Agadez program after three MSF-F vehicles were stolen in a short time frame, which the authorities in Niger described as "voluntary imprudence" on MSF's part. Aljazeera(2014) also reported that Myanmar kicked out the MSF from the country for lack of "transparency in its work". Similarly, Egypt in the aftermath of the Arab Spring did not take it lightly what the government described as "subversive activities of two journalists from the Aljazeera Television". For acting in a manner prejudicial to Egyptian national security, Mohamed Fahmy and Baher Mohamed were detained for two years until they were pardoned, after worldwide appeals, by the Egyptian President, Abdel Fattah([https://en.m.wikipedia.org/wiki, 2013](https://en.m.wikipedia.org/wiki/2013)).

*Amnesty International (AI)* - One of the more intriguing human rights NGOs to appear in the past twenty-five years is Amnesty International. This organization dedicates itself to the release of political prisoners all over the world, as well as securing fair treatment for political prisoners whom it cannot get released. The organisation works for the release of such prisoners provided that they have not used or advocated violence. With this condition stated in the Charter of Amnesty, one could say on the face value that, because Boko Haram has a speciality in the promotion and execution of violence, the group, willy-nilly, do not qualify for the protection that Amnesty International and other donor agencies, are seeking for it. Amnesty International report also criticised the overcrowded nature of the detention facility at Giwa barracks in Maiduguri, where more than 4, 900 detainees are being held. The police also continued to deny the Islamic movement of Nigeria which was



banned in 2016 the right to peaceful assembly while its leader, Ibrahim El-Zakzaki, has been in detention for four years, despite a court ruling ordering his immediate release (2017 Amnesty International Report, *This Day*, Feb 23, 2018). On the order of a Kaduna State High Court, El-Zakzaki was however released by the Kaduna State Government on medical ground. He was allowed to travel to India under the security escort provided by the state. The Federal Government immediately flew him back into the country, and promptly detained him because he was still viewed as a security risk to the country (From premiumtimesng. August 5, 2019)

The 2017 Report of Amnesty International also disclosed that Boko Haram conflict indicated that there were 65 attacks by Boko Haram, with 411 people killed in 2017 alone. According to the report, sixteen women, including ten policewomen were among the abducted, including three oil workers who were abducted in July, during which at least 40 people were killed in the ambush, including soldiers and members of the Civilian Joint Task Force. The report also revealed that at least 1,7 million internally displaced people (IDPs) in north eastern states of Borno, Yobe and Adamawa, 39 percent in camps, and 61 percent in host communities. The report also included what was described as the accidental bombing of IDP camp in Rann, headquarters of Kala Balge local government in Borno State, which led to the death of civilians, including children.

Expectedly, just like it reacted to the activities of the MSF, the Federal government was equally dissatisfied with the report of the 2017 Amnesty International, as it was with AI previous reports. It also noted that concerted efforts to meet with the country management of AI to discuss issues of the alleged rights violations have not been successful (2017Amnesty Report, saharareporters.com, February 24, 2018). Giving the Amnesty International predilection to protect the interest of the Islamic sect, the military has even described Boko Haram as an armed branch of Amnesty International, and working hands in glove. Describing the AI report as 'a gross disservice to the nation's high security command.', the army said the report could have been 'ill conceived to frustrate the ongoing U.S, Nigerian anti-terrorism cooperation', and to hold back necessary collaboration of key western nations and donor agencies in Nigeria's counter terrorism operations. The military also lamented that Amnesty International never contacted it for clarification or guidance before releasing the number of death in its detention facility. Describing the AI report as concocted and biased, as the Nigerian army concluded:

*It is clear that amnesty international becomes more active in presenting distractive allegations whenever the terrorists are losing ground in the battle. It is very unfortunate that amnesty International has used this report to further confirm its questionable interest in the counter terrorism effort in Nigeria (www.premiumtimes.com,)*

The army was not alone in criticising Amnesty International. A pressure group, a Coalition for Truth and Justice even alleged in 2017 that AI had earmarked N10 billion to settle





'dormant terror NGOs and CSOs to champion the beak up of the country. The Coalition accused AI of supporting Boko Haram insurgency in the North East, militancy in Niger Delta and IPOB in the South East with the objective of destabilising Nigeria (*Daily Post Nigeria*, 2017).

*International Committee of the Red Cross* - Of all the humanitarian organisations and aid agencies working in north east Nigeria, the International Committee of the Red Cross (ICRC) is the only one that its operations has elicited little or no criticisms from the federal government or the army. ICRC was formed by a Swiss citizen, Henry Dunant, after witnessing the Battle of Solferino in 1859, in northern Italy where 9,000 wounded on the battle field were left unattended to. After returning to Geneva, Dunant wrote a book about his experience, concluding with a question: "Would it not be possible, in time of peace and quiet, to form relief societies for the purpose of having care given to the wounded in wartime by zealous, devoted and thoroughly qualified volunteers? It was this question that led to the formation of the Red Cross. Dunant also asked the military authorities of various countries whether they could formulate "some international principle, sanctioned by a convention, and inviolate in character, which once agreed upon and ratified, might constitute the basis for societies for the relief of the wounded in the different European countries. This second question was the basis of the Geneva Conventions ([www, icrc.org](http://www.icrc.org), accessed December 8, 2003). In May 2017, the ICRC brokered a negotiation in collaboration with Switzerland that led to the release of the first batch of Chibok girls in October 2016, and the second batch of 82 in May 2017. Switzerland, with the ICRC playing a supportive role facilitated the release of 10 policewomen, three University of Maiduguri lecturers and a female youth corper in February 2018. Although ICIC was not involved in direct negotiations with Boko Haram, but the terrorist sect had confidence in the ICRC as a neural intermediary, and that was why it handed over the abductees to the group, which eventually transported the released captives, in ICIC's marked vehicles to the Nigerian authorities (*Punch*, October 18, 2016). So far, unlike other aid agencies, the Nigerian military, has a more cordial relationship with the ICRC.

*Assessment of the NGOs and Findings on their Activities and Operations in Nigeria*

It has been clearly established from past studies that the activities of NGOs had always been viewed with suspicions by states. In Nigeria, the House of Representatives in 2018 pushed for the enactment of 'NGO Regulatory Bill" into law. Not a few commentators had criticised the proposed law as being repressive in nature. Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights wrote: Violations of human rights should not have to become so personal, for all of us to truly grasp their importance"(Olaniyan, [sarahareporters.com](http://sarahareporters.com), 01/04/2018, accessed on the internet on 15/10/2019). But this is not to deny the fact that there are justifications for what appears to be a censure of their operations, in the interest of national security. It is trite in inter-state relations that when state and non-state interests collide, realism would expect power to be final arbiter, just as it is between states. Thus, from a power-politics perspective, when there are conflicts



between the state and transnational actors, outcomes will depend upon power. Not surprisingly, Nigeria wielded the big stick against two NGOs. In September 2019, the Nigerian military accused Action Against Hunger (AAH) and Mercy Corps of "supplying Boko Haram and Islamic State West African Province (ISWAP) with food and drugs", and closed their regional offices ([www.thenewhumanitarian.org](http://www.thenewhumanitarian.org), accessed on the internet on 14/10/2019). It has also been established in this paper that officials of these NGOs take a lot of risk in carrying out their operations. Many of their staff have been injured, while others have either being abducted or killed. Indeed, a week after the closure of the offices of AAH, one of its kidnapped staff member was killed by Boko Haran. Despite the danger that officials of NGOs are exposed to, the Nigerian army has nevertheless sharpened its focus on their activities, against the background of battle field reversals in their encounter with Boko Haram in early 2019. The new strategy of the Nigerian army is code named "super camp" strategy in which the army has withdrawn from the countryside in order to concentrate its forces in a small number of key towns. The objective is to deny aid agencies access to the civilian population. The question may be asked: Why should NGOs be denied access to certain areas after they have been legally registered? For example MSF claimed it had registered as a medical humanitarian organisation in Borno State since 2014, and had been working in Nigeria since 1985 (*Leadership*, May 19, 2017, p). But that legal permission for MSF or any NGO to operate in the war ravaged Borno State is not a licence for MSF or any other humanitarian organisation to support, condone, or abet the killing of innocent Nigerians, under the guise of providing humanitarian assistance. For transnational actors, one critical issue is that they must secure legally recognised access, a prerogative possessed by all sovereign states, before they can operate within a sovereign state. For example, in raw material exploitation and civil aviation, access is essential, but it is not that relevant in international broadcast, even though, states with powerful equipment can jam signals from unwanted broadcast stations. Like NGOs, under contemporary international law, individual citizens also have recognised status that should not be violated by a terrorist organisation. According to Andrada Florea (2012), 'individuals have become limited subjects in international law because the latter has provided them with certain obligations, the violations of which directly implies international criminal responsibility'. Although an International Criminal Code is not yet in place, yet the 1998 Rome Statute of the International Criminal Court had provided basis for indictment and prosecution of state officials for war crimes. Therefore, if state officials are liable for violating individual rights, by the same logic, NGOs do not have basis to provide humanitarian cover to any murderous terrorist group such as Boko Haram.

However, a major problem with terrorism is not only the absence of a legally acceptable definition, but the tendency to treat terrorism as a political crime. For the simple reason that terrorism has been associated with the fight for liberty and self determination, terrorist violence has been traditionally accepted or tolerated. The judicial consequence of qualifying terrorism as a political crime is that those accused of terrorism are usually exempted from the application of the conventions on extradition(). The traditional system



based on the treaty of Westphalia had an answer to the problem of violence between states—recourse to war—but it provided no solution to violence within states, arising from civil war, terrorism and human rights violations (Johari, 2006). In essence, the treaty dealt with the problem of peace and left justice to domestic institutions. But NGOs and contemporary human rights activists argue from the point of view that peace flows automatically from justice, and that states, if left alone, cannot be relied on to deliver justice. For this reason, like the NGOs, the activities of the state and its functionaries must also be subjected to monitoring, or indeed scrutiny. One of those who share this view is Befeqadu Hailu, an Ethiopian writer, who had been charged several times "for inciting violence through his writings". Another is Libyan-American Heng Armry, who is not afraid to speak against issues such as racism, Islamophobia and inequality" (<https://www.amnesty.org>, accessed from the internet on 25/09/2019). They argued that states must be put under some kind of supranational authority that can apply force, or that NGOs can come in and use moral suasion to persuade them to do what is right. The basis of the United Nations interventions in Bosnia and Kosovo, in a gory war situation, that the western nations described as 'humanitarian nightmare' was meant to protect citizens of those countries from atrocities, or ethnic cleansing, as Slobodan Milosevic, sought to do in Bosnia (Baker, 1995: 634). Kissinger (2002:235) once opined that the traditional principle of sovereignty and non-interference in domestic jurisdiction are the 'principal obstacles to universal rule of peace and justice'. This is why, in spite of the criticisms against humanitarian bodies, in the area of compromising national security, the argument can be made that the global political system needs to have organisations that can put pressure on states to operate within acceptable international standards. Over the years, nongovernmental organisations have deployed normative resources to compel states to alter their policies through a strategy of shaming which involves bringing to bear moral pressure on states to force them to live up to their international obligations or stated values. For their global efforts, specifically, in bringing about the Anti-Personnel Landmines Treaty, a coalition of more than 350 NGOs, including MSF, Human Rights Watch was awarded the Nobel Peace Prize in 1997 (Kaarbo, & Ray, 2001: 127). It must also be stressed that because NGOs have also been performing a variety of functions in international and state governance such as carrying out policy research, monitoring of state commitments to various international agreements and participation in international negotiations, they have become useful in putting pressure on states to comply with their international obligations and commitments. As it stands now, according to (Mathews, quoted, in Kaarbo & Ray, 2001)) 'the relative power of states will continue to decline...both in number and in impact, "non-state actors have never approached their current strength'.

##### **5. Conclusion and Recommendations**

There is no doubt, that non-governmental organisations have increasingly become important non-state actors in contemporary international relations. Because of the significant role they play, most states have allowed them access into their domestic jurisdiction, so as to demonstrate their commitment to upholding global norms and



principles, which are areas that are of concern to NGOs. Although cases of conflicts have been noticed between states and NGOs, especially when the latter operate in a manner that appear to be inimical to national security. It is not uncommon as Green (1998:101) argues for an NGO to pose as a friend, and work as a spy. As he puts it: 'there is no occasion that is not an opportunity for artful spying'. It is in situations when states observes that NGOs seem to have overreached themselves, that they resort to power as the ultimate judge, to decide whether or not NGOs should continue to operate within their territory. But, more often than not, state functionaries often tolerate the operations of NGOs within their states, in spite of their shortcomings, in order to prove to the international community that their (state) activities are open to public scrutiny.

This cooperative response by states is in recognition of the liberal view of international relations that recognises non-governmental organisations, and sub-state actors as important actors in world politics. The concept of multiple interdependence also suggests that there are multiple channels of communication, beyond state to state, and that in addition to military security, there are economic, ideological, cultural and environmental issues that are part of the global agenda, and are of concern to NGOs. The activities of NGOs have also demonstrated that military force is not as effective as it was in the past, and there are issues that cannot be addressed through military means. If state leaders have recognised this, it is also imperative for officials of non-governmental organisations to conduct themselves in a manner that do not convey the impression that they have sinister objectives, beyond what they publicly proclaim. Yet, it is within the legitimate power of the state to put in place mechanisms to monitor the activities of NGOs to ensure that they do not threaten national security.

From the foregoing, it is obvious that the Federal Government of Nigeria cannot allow non-governmental organisations to continue to have a free rein in their activities and operations within the confines of Nigerian territory. To permit this is to unwittingly permit a non-state actor to engage in activities that can possibly undermine national security. In spite of the forces of transnationalism and the reality of the concept of universal jurisdiction, the political and legal concept of sovereignty remains potent, and confers on state exclusive power over its territory. It is hereby recommended that a code of operations must be put in place to monitor the activities of all non-governmental organisations once they have been duly registered to operate in the country. This will make it easier for relevant government agencies to monitor whether they are complying with these codes or not. In the prosecution of the counter-terrorism military campaigns, security agencies must ensure due adherence to the "just war" principles such as prevention of attacks on non-combatants so as to avoid needless collateral damages among the civilian population. The relevant information agencies of the Federal Government should constantly brief non-governmental organisations and the international community on the precise nature of the Federal Government's military engagements against the terrorists in a manner that would counter



any smear campaign or insidious propaganda by Boko Haram and its local collaborators and foreign affiliates.

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