

TERRORISM IN NIGERIA: AN OVERVIEW OF TERRORISM (PREVENTION), ACT 2013, AMENDED

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ABSTRACT

The paper focuses on terrorism in Nigeria and an overview on the Terrorism (Prevention) Act in Nigeria. The paper aimed to discuss terrorism with a view to explore the definitional concept of terrorism and with reference to its scope, various form and categories of terrorism were also considered. The paper aim at discussing Nigeria in relation to the current practices of terrorist that is affecting the nation and thus has been one of the major issues facing the nation. Although so many mechanisms has been put in place so as to address this menace, as there is progress in the fight. The objective of the paper also looks into the Terrorism (Prevention) Act 2013, as amended by outlying the offences related to the terrorism. The methodology adopted in the paper is doctrinal approach method wherein both primary and secondary sources of data were analysed. The primary sources include legislations on the subject area particularly at the international level and the secondary sources are the relevant literature consulted on the area. The finding of the paper reveals that there is no provision or section dealing with computer devices and the paper recommends for a few words indicating an inclusion of computer devices in the Act.

Key words: Terrorism, Nigeria, an overview of the Act

Introduction

The paper focuses on terrorism in Nigeria and an overview of the Terrorism (Prevention) Act, 2013 as amended. Terrorism is not new, even though it has been used in the early times of human existence. Terrorism has been termed as both a tactically and executed crime as holy duty and also as a justified response to oppression and an unpardonable abomination. Apparently, a lot depends on what point of view is being signified. Terrorism has often been an operative tactic for the weaker side in a conflict. As an unequal form of conflict, it confers coercive power with many of the advantages of military force at a little cost. Due to the mysterious nature and small size of terrorist organizations, they often offer opponents no clear organizational structure to defend against or to deter others. Terrorism has been a means of a continued conflict without the opponent realizing the nature of the threat, confounding terrorism for criminal activity. Because of these characteristics, terrorism has become gradually common among those dogging extreme goals throughout the world.

2. Meaning of Terrorism

There is neither a consensus academic nor an accurate legal consensus regarding the definition of terrorism, various government agencies and legal systems use different definitions. Besides, governments have been averse to formulate an agreeable, legally binding definition. These difficulties arise from the fact that the term is politically and emotionally motivated. Terrorism being a criminal act that sways an audience afar the immediate victim, the definition of terrorism seems controversial as it depends on how one views it from his own perspective. The International Law Commission has provided the definition of terrorism with an expansive application of legal theory, as such it includes:

- (a) Any act causing death or grievous bodily harm or loss of liberty to a Head of state, persons exercising the prerogatives of the Head of state, their hereditary or designated successors, the spouse of such persons, or person charged with public functions or holding public positions when the act is directed against them in their public capacity.
- (b) Act calculated to destroy or damage public property or property devoted to public purpose
- (c) Any act likely to imperil human lives through the creation of public danger, in particular the seizure of aircraft, the taking of hostages and any form of violence directed against persons who enjoy international protection or diplomatic immunity.

- (d) The manufacture, obtaining, possession or supplying of arms, ammunition, explosives or harmful substances with a view to the commission of a terrorist act.

However, the United Nations General Assembly 1994, in condemnation of terrorist acts described terrorism as:

“Criminal acts intended or calculated to provoke a state of terror in the public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them.”¹

This definition by the United Nations did not achieve an Inclusive perspective on International Terrorism that incorporates a single, all-embracing, legally binding definition of terrorism. Though, Bockstette, proposed a definition, based on psychological and tactical aspects of terrorism; thus

“Terrorism is defined as political violence in an asymmetrical conflict that is designed to induce terror and psychic fear (sometimes indiscriminate) through the violent victimization and destruction of non-combatant targets (sometimes iconic symbols). Such acts are meant to send a message from an illicit clandestine organization. The purpose of terrorism is to exploit the media in order to achieve maximum attainable publicity as an amplifying force multiplier in order to influence the targeted audience(s) in order to reach short- and midterm political goals and/or desired long-term end states.”²

However, according to Hoffman even if an all-inclusive definition of terrorism could not be proffered he identified certain characteristics that terrorism could be viewed from. He suggests that; Terrorism could occur from an ineluctably political aims and motives of violence or threat of violence designed to have far-reaching psychological repercussions beyond the immediate victim or target, conducted by an organization with an unrecognizable chain of command or conspiratorial cell structure, whose members do not wear uniform or identifying emblem.³ In the same manner Saul observed the following on the lack of a generally agreed, all-encompassing, definition of the term:

“‘Terrorism’ currently lacks the precision, objectivity and certainty demanded by legal discourse. Criminal law strives to avoid emotive terms to prevent prejudice to an accused, and shuns ambiguous or subjective terms as incompatible with the principle of non-retroactivity. If the law is to admit the term, advance definition is essential on grounds of fairness, and it is not sufficient to leave definition to the unilateral interpretations of States. Legal definition could plausibly retrieve terrorism from the ideological quagmire, by severing an agreed legal meaning from the remainder of the elastic, political concept. Ultimately it must do so without criminalizing legitimate violent resistance to oppressive regimes – and becoming complicit in that oppression.”⁴

It should be noted that each act of terrorism is a performed plan to have an impact on many large targets; they attack national symbols to show power and also an attempt to weaken the foundation of the country or society they are opposed to. This may adversely affect the government, thereby uplifting the status of the terrorist group and their ideology.

Terrorist acts usually have a political aim and purpose as it often achieved where there is an inter-relationship between terrorism and belief. When a political struggle is integrated into the framework of a religious struggle, failing in such a struggle becomes equated with spiritual failure, which, for the highly committed ones, is worse than their own death or the deaths of innocent civilians. The suffering or danger posed by terrorism act accomplishes their goals of instilling fear, getting their message across to an audience or otherwise satisfying the demands of their often radical religious and political agendas.⁵ The calculated aim of terrorism is the use of unlawful violence or threat of unlawful violence to inculcate fear, which is intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological. The key element of terrorism includes; violence, fear, and intimidation, and each element yields terror on its victims. The strategy of terrorists in carrying out the act of violence is to draw the attention of the local populace, the government, and the world to their cause, they plan their attack to obtain the highest publicity, choosing targets that represent what they are opposed to. The effectiveness of the act of terrorism does not lie on the act itself, but on the public’s or government’s reactions to it. The next segment of the paper discussion will be on the act of terrorism and its forms.

3. The acts of Terrorism

Terrorists do not see themselves as evil. They believe they are legitimate combatants, fighting for what they believe in, by whatever possible means to attain their goals. A victim of a terrorist act sees the terrorist as a criminal with no regard for human

¹ 1994 United Nations Declaration on Measures to Eliminate International Terrorism annex to UN General Assembly resolution 49/60, "Measures to Eliminate International Terrorism", of December 9, 1994, UN Doc. A/Res/60/49.

² Bockstette, Carsten., *Jihadist terrorist use of strategic communication management techniques*, George C Marshall Center Apo AE 09053 European Center for Security Studies, 2008.

³ Hoffman, Bruce, *Inside terrorism*, Columbia University Press, 2013.

⁴ Ben Saul, "Defining 'Terrorism' to Protect Human Rights" in Sydney Law School Legal Studies Research Paper, No. 08-125 (2008) p. 11.

⁵ Juergensmeyer, Mark. "Terror in the Mind of God" *Theological Studies* 61, no. 4 (2000): 779-779, at

life. Consequently according to the National Advisory Committee on Criminal Justice Standards and Goals,⁶ there are six separate forms of terrorism, all share common characters of being violent that destroy property, raise fear and effort to harm the lives of innocent civilians. The forms of terrorism are as follows;⁷

3.1 Civil disorder

This sometimes is a violent form of protest organized and held by a group of individuals, usually in opposition to a political policy or of a government. They are intended to send a message to a political group that the people are unhappy with their policies and for demand change. The protests are intended to be non-violent, but they do sometimes result in large riots in which private property is destroyed and civilians are injured or killed in the process.⁸

3.2. Political terrorism

This is used by one political faction to intimidate another, though government officials are the ones who are intended to receive the ultimate message, but it is the citizens who usually suffer and eventually become the victims of the violent attacks.⁹

3.3 Non-political terrorism

It is a terrorist act carried out by a group for any other purpose, mostly of a religious nature. The anticipated goal is rather other than a political objective. But the tactics and the style of the attack involved are usually the same.¹⁰

3.4 Quasi terrorism

This is a violent act that uses the same methods terrorists employ, but does not have the same inspiring factors. Cases like this regularly involve armed criminals who are trying to escape from law enforcement using civilians as hostages or shield to help them escape. The law violators are acting in a similar manner to that of terrorists, but terrorism is not the ultimate goal.¹¹

3.5 Limited political terrorism acts

These are essentially one time plots to make a political or ideological statement to send a warning to the government. The aim is not to take over the government, but to protest against a governmental policy or action.¹² Every form of terrorism uses distinct methods of violence to get their message across. They can be in form of assault weapons or explosive devices or toxic chemicals that are released into the air. These attacks may occur at any time or place, which makes them an extremely effective method of infusing terror and uncertainty into the general public.¹³

4. Categorizations of Terrorist

Having highlighted some of the forms of terrorism we will now briefly look at the categories of terrorist groups; thus there are many different categories of terrorism and terrorist groups that are currently in use. These categories serve to differentiate terrorist organizations according to specific criteria, which are usually related to the field or specialty of whoever is selecting the categories. Similarly, some categories are simply labels added arbitrarily or redundantly, usually by the media. For example, every terrorist organization is by definition "radical", as terrors tactics are not ascribe norms of any group, but it is through their act. Some of the groups are as follows;¹⁴

4.1 Separatist

The separatist groups are those with the goal of separation from existing entities through independence, political autonomy, or religious freedom or domination. The ideologies separatists subscribe to include social justice or equity, anti-imperialism, as well as the resistance to conquest or occupation by a foreign power.

4.2 Ethnocentric

The groups of this persuasion see race as the defining characteristic of a society, and therefore a basis of unity. There is usually the attitude that a particular group is superior because of their inherent racial characteristics.

4.3 Nationalistic

⁶ Byrne Commission, "National Advisory Committee on Criminal Justice Standards and Goals" (1976).

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² <http://www.crimemuseum.org/crime-library/types-of-terrorism>, accessed on 26th September, 2015, 9:12pm.

¹³ Ibid.

¹⁴ Ibid.

The loyalty and devotion to a nation, and the national consciousness derived from placing one nation's culture and interests above those of other nations or groups. This can find expression in the creation of a new nation or in splitting away part of an existing state to join with another that shares the supposed national identity.

4.4 Revolutionary

This is a group dedicated to the overthrow of a recognised order and replacing it with a new political or social structure. Although often associated with communist political ideologies, this is not always the case, and other political movements can advocate revolutionary methods to achieve their goals.

4.5 Political

Political ideologies are concerned with the structure and organization of the forms of government and communities. While observers outside terrorist organizations may stress differences in political ideology, the activities of groups that are completely opposed on the political range are similar to each other in practice.

4.6 Religious

Religiously inspired terrorism is on the increase, while Islamic terrorists and organizations have been the most active, and the greatest recent threat, all of the major world religions have extremists that have taken up violence to further their perceived religious goals. Religiously motivated terrorists see their objectives as holy summons, and therefore dependable and non-negotiable

4.7 Domestic

These are terrorists group that are home-based and operate within and against their home country. They are frequently tied to extreme social or political factions within a particular society, and focus their efforts specifically on their nation's socio-political arena. For instance, the Boko Haram terrorist in Nigeria.

4.8 International or Transnational

Often describing the support and operational reach of a group, these terms are often loosely defined, and can be applied to widely different capabilities. International groups typically operate in multiple countries, but retain a geographic focus for their activities. Transnational groups operate internationally, but are not tied to a particular country, or region. For instance, Al Qaeda is transnational; being made up of many nationalities, having been based out of multiple countries simultaneously, and conducting operations throughout the world. Their objectives affect lots of countries with opposing political systems, religions, ethnic compositions, and national interests¹⁵

5. Terrorism in Nigeria

Terrorism in Nigeria was unknown in the early years of Nigeria's independence in 1960. It became rampant in the late 90's and further culminating in today's epidemic proportion. A closer look at terrorism will reveal from its definition that it reflects a breakdown in law an order in society.¹⁶ It is a sign that formal authority is ineffectual and that checks and balances in governance are not working since little or no prosecution of cases abound. The terrorist based his assumption on the fact that there is no justice and equality provided by organisation of the society to encourage people to work and conscientiously earn a decent living. They see the common wealth of the nation as belonging to all, but only use by the more powerful in the society. In that light they take up arm to become powerful in order to join the loot. However, where there is proper education and civic orientation perhaps this impression could be changed but not in Nigeria at the moment where money is held too high surpassing every other virtue in the pursuit of survival. This stage of the history of terrorism in Nigeria is so delicate as the institution of the state is overheated because its inadequacies in solving the problems, consequently the problem has political root, since from its inception.¹⁷

Again one factor that risen the terrorism in Nigeria is unemployment saga; it has deteriorate the system by the rising numbers of uneducated young person ascending from low quality of education and life. This is against a background of amazing inexplicable wealth and display by those whose rise to fame could only be traceable to few moments of lawlessness or defiance of order.

The Nigerian community and government have struggle against the attacks of terrorism activities and has been reported to be the 4th largest impact of terrorism out of 162 countries on the Global Terrorism Index. The summary accounts for almost 2,000 innocent citizens of Baga town in Maiduguri State of Nigeria Boko Haram.¹⁸ That the increase and rapid spread terrorist act is what lead to the growth of Boko Haram in Nigeria, which means 'Western Education is forbidden'. This sectoral Islamic

¹⁵ <http://www.terrorism-research.com/groups/categories.php>, accessed on 26th September, 2015, 9:20pm.

¹⁶ <https://www.causes.com/causes/559771-war-against-terror-in-plateau-state/updates/443350-history-of-kidnapping-and-terrorism-in-nigeria>, accessed on 27 Sep. 15, 3:22pm.

¹⁷ Terrorism, in Nigeria, available at <http://www.visionofhumanity.org/#page/news/1117>, accessed on 20/9/2015 and the report of Global terrorism Index 2014 on Nigeria, published on 6, January 2015.

¹⁸ Ibid.

institution has grown and leads the most heinous terrorist groups across the globe, accounting for eight lives in an attack. They live in the north-East of Nigeria.¹⁹ The nature of terrorism in Nigeria is dramatically different from other terrorist countries, the strategy applied by the terrorists in Nigeria is more of like gang crime and violence than bombings or suicide attacks. Armed assault caused 85% of Nigeria's terrorism deaths in 2013, as opposed to just 5% for bombings and explosions. However, a kidnapping also falls under the operations of terrorism in Nigeria. In 2013, Boko Haram kidnapped law enforcement agencies such as the police officers, members of the military as well as women and children. Sadly, in 2015 they also kidnapped over 200 Chibok schoolgirls which gained international media attention and has been a subject of discussion daily both in Nigeria and the global community. Although a group has been formed to stand for the release of the kidnapped children, named as 'Bring Back Our Girls' (BBOG), the BBOG pleaded seriously with the government to secure the release of this innocent children, as any delay in securing their freedom, could possibly turn them into slaves and wives of the terrorist.²⁰

6. Overview of the Terrorism (Prevention) Act, 2013, Amendment

The overview of the Terrorism Act 2013 is an amendment²¹ made by the National Assembly of the Federal Republic of Nigeria that dwelt on the offences regarding the terrorism under the Act. The Act provides for the Principal Act that 'all acts of terrorism and financing of terrorism are hereby prohibited.'²² and a person or body corporate who knowingly in or outside Nigeria directly or indirectly willingly.²³

- (a) does, attempts or threatens any act of terrorism,
 - (b) commits an act preparatory to or in furtherance of an act of terrorism,
 - (c) omits to do anything that is reasonably necessary to prevent an act of terrorism,
 - (d) assists or facilitates the activities of persons engaged in an act of terrorism or is an accessory to any offence under this Act,
 - (e) participates as an accomplice in or contributes to the commission of any act of terrorism or offences under this Act,
 - (f) assists, facilitates, organizes or directs the activities of persons or organizations engaged in any act of terrorism,
 - (g) is an accessory to any act of terrorism, or
 - (h) incites, promises or induces any other person by any means whatsoever to commit any act of terrorism or any of the offences referred to in this Act,
- commits an offence under this Act and is liable on conviction to maximum of death sentence.'

The Act also provides for the Office of the National Security Adviser (in this Act referred to as ONSA) shall be the coordinating body for all security and enforcement agencies under this Act and shall -²⁴

- (a) provide support to all relevant security, intelligence, law enforcement agencies and military services to prevent and combat acts of terrorism in Nigeria;
- (b) ensure the effective formulation and National Coordinating Bodies implementation of a comprehensive counter terrorism strategy for Nigeria;
- (c) build capacity for the effective discharge of the functions of all relevant security, intelligence, law enforcement and military services under this Act or any other law on terrorism in Nigeria; and
- (d) do such other acts or things that are necessary for the effective performance of the functions of the relevant security and enforcement agencies under this Act.

The Attorney-General of the Federation shall be the authority for the effective implementation and administration of this Act and shall strengthen and enhance the existing legal framework to ensure-²⁵

- (a) conformity of Nigeria's counter-terrorism laws and policies with international standards and United Nations Conventions on Terrorism;
- (b) maintain international co-operation required for preventing and combating international acts of terrorism; and
- (c) the effective prosecution of terrorism matters.

That the law enforcement and security agencies (in this Act referred to as law enforcement agencies) shall be responsible for the gathering of intelligence and investigation of the offences provided under this Act.²⁶ And further to subsection (3), the law

¹⁹ Ibid.

²⁰ Ibid.

²¹ By the Amended Act of No 10 2011.

²² Section 1(1), Ibid.

²³ Section 1(2), Ibid.

²⁴ Section 1A(1), Ibid.

²⁵ Section 1A(2), Ibid.

²⁶ Section 1A(3), Ibid.

enforcement agencies shall have powers to -²⁷... in addition, the act provides for a wide power to law enforcement agencies²⁸ which includes:

- (a) to investigate
- (b) execute search warrant
- (c) investigate evidence
- (d) seizure
- (e) seal up properties
- (f) adopt measures to identify, trace, freeze and seize terrorist properties
- (g) operate under Attorney-General of the Federation plus other agreement with national and international body
- (h) request a data from any person, agencies, organizations
- (i) appoint experts or professionals where deems fit

It further provides that the law enforcement agencies may initiate, develop or improve on specific training programmes for its officers charged with the responsibility for the prevention, detection, investigation, elimination and prosecution of terrorism activities in Nigeria.²⁹

While the Act provides that any person who intentionally-³⁰

- (a) murders, kidnaps or commits other attacks on the person or liberty of an internationally protected person,
- (b) carries out a violent attack on the official premises, private accommodation or means of transport of an internationally protected person in a manner likely to endanger his person or liberty, or
- (c) threatens to commit any such attack, commits an offence and is liable on conviction to life imprisonment.

That the Act provides that any person who-³¹

- (a) arranges, manages, assists in arranging or managing, participates in a meeting or an activity, which in his knowledge is concerned or connected with an act of terrorism or terrorist group,
- (b) collects, or provides logistics, equipment, information, articles or facilities for a meeting or an activity, which in his knowledge is concerned or connected with an act of terrorism or terrorist group, or
- (c) attends a meeting, which in his knowledge is to support a proscribed organisation or to further the objectives of a proscribed organization, commits an offence under this Act and is liable on conviction to imprisonment for a term of not less than twenty years.

Also provides that any person who knowingly, in any manner, directly or indirectly, solicits or renders support -³²

- (a) for the commission of an act of terrorism, or
 - (b) to a terrorist group,
- commits an offence under this Act and is liable on conviction to imprisonment for a term of not less than twenty years.

It further provides that for the purposes of subsection (1) of this section, "support" includes -³³

- (a) incitement to commit a terrorist act through the internet, or any electronic means or through the use of printed materials or through the dissemination of terrorist information;
- (b) receipt or provision of material assistance, weapons including biological, chemical or nuclear weapons, explosives, training, transportation, false documentation or identification to terrorists or terrorist groups;
- (c) receipt or provision of information or moral assistance, including invitation to adhere to a terrorist or terrorist group;
- (d) entering or remaining in a country for the benefit of, or at the direction of or in association with a terrorist group; or
- (e) the provision of, or making available, such financial or other related services prohibited under this Act or as may be prescribed by regulations made pursuant to this Act.

Lastly, it provides that in this section, it is not necessary to prove that the material or information or facilities or financial assistance was actually collected or provided if it can be reasonably established that the person collected or provided the material, information or facilities or financial assistance to terrorists, or terrorist groups.³⁴

Any person, who knowingly harbours, conceals or causes to be harboured or concealed, hinders or interferes with the arrest of a person whom to his knowledge has-³⁵

- (a) committed or about to commit an act of terrorism,
- (b) likely to commit an act of terrorism,
- (c) is a member of a terrorist group,

²⁷ Section 1A(4), Ibid.

²⁸ Section 1A(5), Ibid.

²⁹ Section 1A(6), Ibid.

³⁰ Section 3, Ibid discusses offences.

³¹ Section 4, Ibid, discusses on terrorist meetings.

³² Section 5(1), Ibid, on soliciting and giving support to terrorist groups for the commission of terrorist.

³³ Section 5(2), Ibid.

³⁴ Section 5(3), Ibid.

³⁵ Section 6, Ibid discuss on harbouring terrorist or hindering the arrest of a terrorist.

- (d) has been convicted of an act of terrorism but escaped from punishment, or
- (e) against whom he knew that a warrant of arrest had been issued, commits an offence and is liable on conviction to imprisonment for a term of not less than twenty years.

The Act further provides that any person who, knowingly, agrees to provide or receive training, training material or instructions-

³⁶

- (a) in the making or use of any form of explosive or other lethal devices,
- (b) in carrying out a terrorist act, to a member of a terrorist group,
- (c) to a person engaging in or preparing to engage in the commission of a terrorist act, or
- (d) in the practice of a military exercise or movements but who is not an authorized officer acting in the performance of an official duty, commits an offence and is liable on conviction, to imprisonment for a term of not less than twenty.

That subject to the provisions of subsections (2) and (3) of this section, where a person has information which he knows or believes to be of material assistance in-³⁷ and the Act provides that any person who knowingly offers to provide, or provides any explosive or other lethal device to a terrorist group, a terrorist or any other person for use by, or for the benefit of, a terrorist group or a member of a terrorist group, commits an offence and is liable on conviction to imprisonment for a term of not less than twenty years.³⁸ That any person who knowingly agrees to recruit or recruits another person to be a member of a terrorist group or participate in the commission of a terrorist act commits an offence and is liable on conviction to imprisonment to a term of not less than twenty years.³⁹ In addition, the Act provides for any person who knowingly-⁴⁰

- (a) incites or promotes the commission of a terrorist act,
- (b) incites or promotes membership in a terrorist group, or
- (c) solicits property for the benefit of a terrorist group or for the commission of a terrorist act,

Commits an offence and is liable on conviction to imprisonment for a term of not less than twenty years.

That any person who being who the owner, occupier, lessee, agent in relation to building, a charterer of a pilot, operator, aircraft, vessel commits an offence and is liable on conviction to life imprisonment.⁴¹ And proceed to provide for any person or entity involves in the financing of terrorism within Nigeria and outside.⁴² That any person who deals with person or entity that involves property or funds in relation to terrorism, commits an offence under this Act and is liable on conviction to imprisonment for a term of not less than twenty years.⁴³ Whereas any person involves in hostage taking in whatever manner commits an offence under this Act and is liable on conviction to life imprisonment.⁴⁴

That any person who is a member or professes to be a member of a terrorist group commits an offence and is liable on conviction to imprisonment for a term of not less than twenty years.⁴⁵ That any person who conspires with another to commit an offence under this Act in Nigeria, or to commit a terrorist act in any place outside Nigeria being an act, which if done in Nigeria would have constituted an offence under this Act, shall be deemed to have conspired to do that act in Nigeria and is liable on conviction to-⁴⁶

- (a) life imprisonment where the act of terrorism is committed; and
- (b) an imprisonment for a term of not less than twenty years, where the act of conspiracy is committed.

A person who knowingly, directly or indirectly-⁴⁷

- (a) aids and abets,
 - (b) induces, incites, instigates, instructs,
 - (c) counsels or procures another person by any means whatsoever to commit an act of terrorism,
- commits an offence and is liable on conviction -(a) where the act of terrorism is committed, to life imprisonment; and (b) where the offence of terrorism is not committed, to an imprisonment for a term of not less than twenty years.

The Act provides that any person who -⁴⁸

- (a) being in lawful custody, escapes; or

³⁶ Section 7, *ibid*, on provision of training and instruction to terrorist groups or terrorist.

³⁷ Section 8(1), *Ibid*, on concealing of information about acts of terrorism.

³⁸ Section 9, *Ibid* on provision of devices to terrorist.

³⁹ Section 10, *Ibid* on recruitment of persons to be members of terrorist groups or to participate in terrorist act.

⁴⁰ Section 11, *Ibid* on incites promotion or solicitation of property.

⁴¹ Section 12, *ibid* on provision of facilities in support by a terrorist act.

⁴² Section 13, *Ibid* on financing terrorism.

⁴³ Section 14, *Ibid* on dealing on terrorist property.

⁴⁴ Section 15, *Ibid* on hostage taking.

⁴⁵ Section 16, *Ibid* on membership of a terrorist group or proscribed organizations.

⁴⁶ Section 17, *Ibid* on conspiracy.

⁴⁷ Section 18, *Ibid* on aiding and abetting.

⁴⁸ Section 19, *Ibid* on escape or aiding or abetting escape.

- (b) aids, facilitates or abets the escape of a person who is in lawful custody of any law enforcement or security agency or a person suspected to have committed an offence under any of the provisions of this Act,
commits an offence and is liable on conviction to life imprisonment.

Further, that any person who attempts to commit any offence under this Act is liable on conviction to life imprisonment.⁴⁹ That where a person is charged with any of the offences under this Act and the evidence establishes an attempt to commit that offence, he may be convicted of having attempted to commit the offence and is liable on conviction to a life imprisonment.⁵⁰ And where a person is charged with an attempt to commit an offence under this Act, but the evidence establishes the commission of the full offence, the offender is not entitled to acquittal but is convicted for the commission of the offence and is liable on conviction to life imprisonment.⁵¹

That any person who engages in any conduct in preparation to commit acts of terrorism or assisting another person to commit an act of terrorism commits an offence and is liable on conviction to life imprisonment.⁵² That any person who, with intent to deceive, unlawfully assumes the name, character or designation of an officer of any law enforcement or security agency commits an offence under this Act and is liable on conviction to imprisonment for not less than five years.⁵³

Also a person who tampers with-⁵⁴

- (a) a witness by intimidation, threats, blackmail or similar acts, or
(b) evidence or exhibit by falsification, conversion, destruction or forgery,
commits an offence under this Act and is liable on conviction to imprisonment for a term not less than five years.

That any person who - willfully obstructs any authorized officer of a relevant enforcement or security agency in the exercise of any of the powers conferred on it by this Act, or...⁵⁵ It further provides for prosecution ⁵⁶ as well as witness protection.⁵⁷ In addition the Federal high Court shall have the jurisdiction to try any related offence under the Act⁵⁸ and provides penalty.⁵⁹

7. Findings

The findings of the paper reveal that terrorism is a global phenomenon and the international community were concerned on the act and encourages country's to strengthen their fight against terrorism. It also reveals that the Nigerian government intensify its efforts in fighting the Boko Haram terrorist in the North-East of Nigeria where a thousand numbers of people killed and several properties both movable and immovable were destroyed. The record of Boko haram throws threw country unbalanced as the current ranking index reported by the Global Terrorist Index ranked Nigeria 4th out of the numbered countries indexed. This is due to the consistent attacks into the lives and properties in the community that lead to the increased and spread of internally displaced persons in Nigeria. it is correct to say that, the government and the military are fully committed into the fight so as to being the end of Boko Haram terrorism in Nigeria, moreover to justice. The amended Act 2013 is remarkable where it addresses the offence under the Act and most be expanded so as to meet up with the current strategy and tactics employed by the terrorists in their attacks.

8. Conclusion

The paper centred on terrorism in Nigeria with an outline on the Terrorism Act as terrorism has been one and major obstacle to the nation. Boko haram has terrorize the North –East of the country, people are fleeing and number of internally displaced persons are increasingly and spreading in the nation's states and its neighbouring countries. The act of terrorism is a global phenomenon having looked at the way it is formed, their categorizations and it clearly gives you an insight of the act. The Terrorism (Prevention), Act identified various offences in relation to the act of terrorism, of course the current government of Nigeria is fighting the terrorist to the last minutes, the commitment of the government is quite remarkable in the fight of terrorist whereas the government energy, resources, and it head of defence, military and intelligence are all fully engrossed into the fight. Thus score a credit to the government in the international community. Therefore the paper recommends that full strict adherence to the Act as well as the international best practices. The local community in the areas affected should commits in sharing any relevant information to the law enforcement agencies that will be helpful in the fight of terrorist. Further, the paper recommends new strategies and counter measures should consistently be adopted in tackling these menace.

⁴⁹ Section 20(1), Ibid on attempt to commit an offence under this Act.

⁵⁰ Section 20(2), Ibid.

⁵¹ Section 20(3), Ibid.

⁵² Section 21, Ibid on preparation to commit terrorist attack.

⁵³ Section 22, Ibid on unlawful assumption of character of office of any law enforcement or security agency.

⁵⁴ Section 23, Ibid on tampering with evidence and witness.

⁵⁵ Section 24, Ibid on obstruction of any officer of the law enforcement or security agency

⁵⁶ Section 30, Terrorism (Prevention) Act, 2011, Act No. 10.

⁵⁷ Section 31.

⁵⁸ Section 32.

⁵⁹ Section 33.

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