

# THE PALM

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The History and Source  
of Human Rights:  
Expanding the Frontiers.

YEHOSHUA ODIASE, LL.B., B.L., LL.M

Herders' Attacks, Self-Defence  
and Regard (or lack of it)  
for Right to Life in Nigeria.

JAMES E. URO, ESQ.

The Legal Dimension of  
Human Rights Violations  
During Armed Conflict in  
Nigeria: Seeking Justice  
and Accountability.

MILLER NZENWATA, ESQ &  
OLUSEYI APAMPA, ESQ.

INTERVIEW WITH

AGATHER   
ATUHAIRE

Lawyer, Journalist, Human Rights Activist &  
Executive Director at Agora Centre for Research

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## EDITOR-IN-CHIEF'S NOTE

History has always whispered a simple truth: a society is only as strong as the rights and dignity its people enjoy. Human rights are not lofty ideals reserved for textbooks or courtrooms; they are the very essence of life and justice. They are the bread on the table, water in the cup, shelter over the head, and the assurance that life will not descend to Thomas Hobbes' "State of Nature" (i.e, nasty, brutish, and short). Yet, in our continent, and the world at large, human rights too often buckle beneath the weight of violence, silence, and impunity. In this Edition, we confront these truths head-on.



**EZEKIEL ARCHIBONG**

Yehoshua Odiase's article explores the history of human rights, unmasking the gulf between Nigeria's constitutional guarantees and the lived realities of her people, highlighting the need for reforms for right to life to include right to food, water, shelter, and dignity. Similarly, James E. Uro's work reflects the collapse of state protection of lives and the uncertainty surrounding self-defence. He exposes the horror of herders' attacks - an unending nightmare that has claimed over 600,000 lives in Nigeria, forcing one to question how a nation not at war can bury so many in peacetime, while the State watches in silence. Miller Nzenwata and Oluseyi Apampa's article shine a piercing light on the legal dimensions of human rights violations during armed conflict in Nigeria. Their analyses remind us that laws and treaties, however noble, are of little consequence when enforcement falters and impunity prevail.

This edition will not be complete without an exclusive interview with an icon in the field of Human Rights. Thus, we are honoured to sit with Agather Atuhaire, Ugandan foremost journalist, lawyer, and activist, whose journey embodies courage, resilience, and an unyielding pursuit of justice. With grace and grit, she navigates the intersections of law, journalism, and activism, redefining impact in a society where truth is often stifled. Her story reminds us that change begins with a voice that refuses silence, and that activism is not just about resistance, but about hope.

My gratitude goes to our editorial members, whose dedication and editorial skills continue to shape The PALM into a space of bold ideas and uncompromising truth. To our contributing authors, thank you for lending your intellect, your courage, and your words. And to everyone who, in ways both visible and unseen, contributed to the success of this issue, whether through research, design, or encouragement, please accept my heartfelt appreciation.

Conclusively, this edition is more than a collection of articles and interview. It is a mirror, reflecting both the fractures and the possibilities of our continent. It is also a rallying cry that we cannot be indifferent in times when rights are trampled, when lives are lost without justice, and when silence becomes complicity. As you turn these pages, may you find not just knowledge, but conviction. May you be reminded that the pursuit of human rights is the collective duty of us all.

Thank you.



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# CONTENTS

**Editor-in-Chief's Note - EZEKIEL ARCHIBONG**

3

**The History and Source of Human Rights:  
Expanding the Frontiers - YEHOASHUA ODIASE, ESQ.**

6

**Herders' Attacks, Self-Defence and Regard (or lack of it)  
for Right to Life in Nigeria - JAMES E. URO, ESQ.**

15

**INTERVIEW WITH AGATHER ATUHAIRE**

24

**The Legal Dimension of Human Rights Violations During  
Armed Conflict in Nigeria: Seeking Justice and Accountability  
- MILLER NZENWATA, ESQ & OLUSEYI APAMPA, ESQ.**

28



# THE HISTORY AND SOURCE OF HUMAN RIGHTS: EXPANDING THE FRONTIERS.

YEHOSHUA ODIASE, ESQ

## INTRODUCTION

**W**hat is it that guarantees that as soon as you walk out of your door, you will not be shot at, harassed, oppressed, or unfairly treated? Is it your human right or the state's machinery of security that keeps you safe? How sure are the rights described as human rights and why should anyone trust them?

According to Freedom House's 2024 Freedom in the World report, Nigeria received a combined score of 44 out of 100 for political and civil liberties. The report highlights concerns such as military brutality, terrorism, discrimination, and broader security challenges affecting the nation's human rights landscape.

## HUMAN RIGHTS VIOLATIONS: THROUGH THE ANNALS OF HISTORY

Throughout history, there have been countless accounts of leaders, dictators, and kings who violated human rights in the treatment of their subjects, prisoners of war, and slaves. These monarchs derived pleasure from public executions, arbitral displays of power, and commands to carry out violence – such as throwing people into a human oven or a lion's den or pulling them apart. The individuals who suffered these fates had no opinion about their suffering nor were they able to save themselves if they harboured any thought about their ill-treatment.

For example, the Roman gladiatorial arenas were brutal centers of violence where enslaved individuals were forced to fight for public entertainment. Gladiators, often prisoners of war or criminals, had little to no autonomy over their lives and were treated as disposable commodities.

Another example of human rights violations on a large and global scale is forced slavery. Forced slavery has been one of the most egregious violations of human rights throughout history, entrenched in societies across the world from ancient times to more recent eras. The biblical story of Joseph being sold into slavery by his brothers illustrates how individuals could be stripped of their freedom without justification, and unable to resist or escape their fate. In many civilizations, including ancient Rome, Greece, and various ancient African and Asian societies, slavery was a common practice, often justified by war, economic necessity, or social hierarchy.

Up until recent centuries, human beings were exchanged as payment for debts or traded for what their captors deemed essential commodities, reducing them to mere objects of commerce. This system fueled the transatlantic slave trade, where millions of Africans were forcibly taken from their homelands and sold into brutal servitude. The practice of people selling themselves or

their family members into slavery for survival was not uncommon, highlighting the desperation and lack of alternatives in oppressive economic systems.

Slavery was not just a local phenomenon—it was a global enterprise, stretching from the bustling markets of ancient Mesopotamia to the sugar plantations of the Caribbean, from the sunbeaten hinterlands of Yorubaland to the war-loving, ancient city of the Benin Kingdom, and from the grand estates of Rome to the cotton fields of the American South. The movement of enslaved people from place to place was a grim testament to how deeply ingrained slavery was in human civilization, shaping economies and societies in ways that still have lasting effects today.

The eventual abolition of gladiatorial combat, changes in slavery laws, and other apartheid, racist, and discriminatory regimes marked the slow evolution toward recognizing basic human rights.

### THE SOURCE OF HUMAN RIGHTS: BETWEEN CHURCH AND STATE

The idea that human rights are inherent to every person is a relatively recent concept rooted albeit in ancient cultures and historical documents. Early societies often based rights on group membership, such as social, cultural, or religious affiliations. The horrors and devastation of the two World Wars highlighted the need for universal recognition of individual rights. This led to global discussions emphasizing that human rights belong to all humans simply by virtue of being human. The Universal Declaration of Human Rights (1948) was a milestone in affirming these inherent rights. Today, this concept underpins international laws and movements aimed at protecting individual dignity worldwide. Fundamental issues of justice, duty, and human dignity were explored in ancient writings like the Hindu



Vedas, the Babylonian Code of Hammurabi, the Bible, the Quran, and the Analects of Confucius. Moreover, legal codes from the Inca and Aztec civilizations, as well as the Iroquois Constitution, established guidelines for governance and social organization centuries before the 18th century. Throughout history, societies across the world, whether through spoken traditions or documented laws—created structures aimed at maintaining justice and protecting the welfare of their people.



## THE ORIGINS OF HUMAN RIGHTS: EARLY BEACONS OF HOPE

In 539 B.C, Cyrus the Great, after his conquest of Babylon, made a groundbreaking decision—he granted freedom to all enslaved individuals, allowing them to return home. Additionally, he proclaimed that people should have the right to choose their own religion. His declarations were said to have been inscribed on something called the “Cyrus Cylinder,” a clay tablet that is now recognized as the first recorded human rights charter.

The concept of human rights quickly spread beyond Babylon, influencing societies in India, Greece, and Rome. Over the centuries, several key documents shaped the evolution of human rights:

- 1215: The Magna Carta—Established new rights for individuals and placed the monarchy under the rule of law.
- 1628: The Petition of Rights—Outlined fundamental rights and protections for citizens.

- 1776: The United States Declaration of Independence—Asserted the right to life, liberty, and the pursuit of happiness.

- 1789: The Declaration of the Rights of Man and of the Citizen—A French document affirming the equality of all citizens under the law.

- 1948: The Universal Declaration of Human Rights—The first international document to comprehensively list the 30 fundamental rights to which every person is entitled.

These milestones reflect humanity’s ongoing struggle to define and protect individual freedoms, shaping the legal and ethical frameworks that continue to influence societies today.



## EARLY HUMAN RIGHTS DOCUMENTS: A NEW ERA

Several historical documents laid the groundwork for modern human rights principles. The Magna Carta (1215), the English Bill of Rights (1689), the French Declaration of the Rights of Man and Citizen (1789), and the U.S. Constitution and Bill of Rights (1791) were instrumental in shaping contemporary legal protections. However, these early declarations often excluded marginalized groups, such as women, people of color, and those outside certain social, religious, or economic classes. Despite these limitations, oppressed communities worldwide drew inspiration from these documents to fuel movements advocating for self-determination and equality.

### THE EVOLUTION OF INTERNATIONAL HUMAN RIGHTS LAW

The foundations of today's human rights laws were influenced by 19th-century efforts to abolish the slave trade and mitigate the atrocities of war. In 1919, the International Labor Organization (ILO) was established to oversee treaties ensuring workers' rights, including protections for health and safety. The League of Nations, formed after World War I, attempted to address minority rights and promote international peace. However, its effectiveness was undermined by the United States' refusal to join and its failure to prevent key conflicts, such as Japan's invasion of China and Manchuria (1931) and Italy's attack on Ethiopia (1935). Ultimately, the League collapsed with the outbreak of World War II in 1939, paving the way for the creation of the United Nations and the formalization of human rights on a global scale.

### THE FORMATION OF THE UNITED NATIONS

The horrors of World War II strengthened the global commitment to human rights. The mass extermination carried out by Nazi Germany, which claimed the lives of over six million Jews, Sinti and Romani people, homosexuals, and individuals with disabilities, shocked the world. In response, the Nuremberg and Tokyo trials were held, bringing officials from the defeated nations to justice for war crimes, crimes against peace, and crimes against humanity.

Determined to prevent such atrocities from ever happening again, world governments came together to establish the United Nations. The primary mission of this new organization was to promote international peace and prevent future conflicts. Leaders sought to ensure

that no one would be unjustly deprived of life, freedom, food, shelter, or nationality. President Franklin Delano Roosevelt captured the essence of these emerging human rights principles in his 1941 State of the Union Address, where he outlined four fundamental freedoms: freedom of speech, freedom of religion, freedom from want, and freedom from fear. These ideals resonated globally, fueling demands for human rights standards that would hold nations accountable for their treatment of citizens. These discussions played a crucial role in the drafting of the United Nations Charter at the San Francisco Conference in 1945.

### THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

With the establishment of the United Nations, member states pledged to uphold and promote human rights for all. To advance this goal, the UN created the Commission on Human Rights, tasking it with defining the fundamental rights and freedoms outlined in the Charter. Under the determined leadership of Eleanor Roosevelt, the Commission gained worldwide attention.

On December 10, 1948, the Universal Declaration of Human Rights (UDHR) was officially adopted by the 56 member-states of the United Nations. The vote was overwhelmingly in favor, with only eight nations choosing to abstain. This landmark document became the foundation for international human rights law, setting a precedent for the protection of human dignity across the globe.

Often referred to as the international Magna Carta, the UDHR marked a turning point in international law by reinforcing the idea that a government's treatment of its own citizens is a matter of global concern rather than a purely domestic issue. It asserts that all rights are interconnected and inseparable. Its Preamble powerfully states:



**Recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world.**

The UDHR has had a profound impact, with its principles integrated into the constitutions of most of the more than 185 nations that are part of the United Nations. While it is not legally binding, the declaration has attained the status of customary international law, as it is widely regarded as a universal standard for human rights.

## THE HUMAN RIGHTS COVENANTS

To establish enforceable mechanisms for the UDHR, the UN Commission on Human Rights drafted two key treaties: the International Covenant on Civil and Political Rights (ICCPR) and its optional Protocol, along with the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Together with the UDHR, these documents form what is known as the International Bill of Human Rights.

- ICCPR addresses fundamental freedoms such as the right to life, freedom of speech, religious liberty, and voting rights.

- ICESCR focuses on essential human needs, including access to food, education, healthcare, and shelter.

Both covenants emphasize the universal extension of rights and explicitly prohibit discrimination. By 1997, over 130 nations had ratified these agreements. However, the United States has only ratified the ICCPR, and even then, with numerous reservations limiting its full implementation. These treaties continue to shape global human rights policies and serve as benchmarks for evaluating governmental accountability.

Nigeria quickly ratified both instruments on July 29, 1993. However, neither of them has been reduced into law in Nigeria by the National Assembly, they therefore do not have legal teeth.

According to Okeke & Anushiem, Nigeria follows a dualist system in the application of international law, similar to many other common law nations. As a result, treaties entered into by Nigeria and other international entities do not automatically become part of domestic law. Instead, they require legislative approval—specifically, enactment by the National Assembly—in accordance with Section 12 of the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) before they can carry legal weight within the country. Thus, despite the speedy ratification of the treaties, perhaps, with a view to currying the favour of the international community for the then military regime in Nigeria, the treaties did not, and do not, have the force of law in Nigeria.

## EXPANDING HUMAN RIGHTS PROTECTIONS

Beyond the foundational covenants of the International Bill of Human Rights, the United Nations has introduced over 20 key treaties aimed at strengthening human rights protections. These agreements address specific violations such as torture and genocide while also safeguarding

vulnerable groups, including refugees, women, and children. Notable examples include:

- 1951: Convention Relating to the Status of Refugees—Provides legal protections for displaced individuals.
- 1979: Convention on the Elimination of All Forms of Discrimination Against Women—Advances gender equality and women's rights.
- 1989: Convention on the Rights of the Child—Ensures fundamental protections for children worldwide.

As of 1997, the United States had ratified only a handful of these conventions, including:

- The Convention on the Elimination of All Forms of Racial Discrimination
- The Convention on the Prevention and Punishment of the Crime of Genocide
- The Convention on the Political Rights of Women
- The Slavery Convention of 1926
- The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Regional human rights frameworks have also emerged to complement international efforts. African nations established the African Charter on Human and Peoples' Rights in 1981, while Muslim-majority states adopted the Cairo Declaration on Human Rights in Islam in 1990. Since 1989, sweeping political changes across Eastern Europe, Africa, and Latin America have fueled growing demands for human rights protections. Similarly, grassroots movements in China, Korea, and other Asian nations continue to advocate for justice and equality.



## THE INFLUENCE OF NON-GOVERNMENTAL ORGANISATIONS

Although governments are crucial in establishing human rights laws and policies, much of the advancement in this field owes itself to the persistent efforts of ordinary citizens and non-governmental organizations (NGOs). These groups actively raise awareness about human rights violations through campaigns, education, and advocacy, reaching audiences that formal institutions might miss. NGOs often serve as watchdogs, monitoring governments and other entities to ensure they uphold human rights standards and exposing abuses when they occur. Their work includes lobbying international bodies, assisting victims, and providing expert advice to shape better policies. Activists use grassroots movements and social media platforms to mobilize communities and generate global support. Through protests, legal actions, and public discourse, they put pressure on policymakers to enact reforms and respect human dignity. Many groundbreaking changes in human rights, such as gender equality and minority protections, have been catalyzed by these tireless efforts outside government corridors. This continuous push from below helps keep governments

accountable and ensures that human rights remain a priority in political agendas. Despite setbacks and challenges, activists and NGOs persist in their mission to dismantle injustice and inequality. Their dedication brings society incrementally closer to the universal ideals spotlighted in international human rights declarations.

### THE NIGERIAN SITUATION: HOW WE CAN LEAD THE FUTURE

Nigeria's recognition of human rights is embodied in Chapter 4 of the 1999 Constitution (As Amended), where these rights are classified as fundamental because they are essential to individual survival and dignity. These fundamental rights include:

- Right to life (Section 33)
- Right to dignity of human person (Section 34)
- Right to personal liberty (Section 35)
- Right to fair hearing (Section 36)
- Right to private and family life (Section 37)
- Right to freedom of thought, conscience, and religion (Section 38)
- Right to freedom of expression and the press (Section 39)
- Right to peaceful assembly and association (Section 40)
- Right to freedom of movement (Section 41)
- Right to freedom from discrimination (Section 42)
- Right to acquire and own immovable property anywhere in Nigeria (Section 43)

Beyond these fundamental rights, Chapter 2 of the Constitution introduces another category known as Fundamental Objectives and Directive Principles of State Policy, which include:

- Ensuring the maximum welfare, freedom, and happiness of every citizen based on social justice and equality
- Providing adequate medical and health facilities for all
- Guaranteeing adequate means of livelihood
- Securing opportunities for suitable employment
- Expanding access to educational opportunities at all levels
- Advancing environmental protection

However, these rights are not justiciable—meaning they cannot be directly enforced in court unless provided for elsewhere in the Constitution. The Supreme Court in *Centre for Oil Pollution Watch v. N.N.P.C.* (2019) 5 NWLR (Pt. 1666) 518 clarified that if a provision elsewhere in the Constitution makes a section of Chapter 2 enforceable, courts will interpret it accordingly.

Nigeria must take deliberate steps to strengthen the enforceability of these rights, ensuring that constitutional protections are not merely aspirational but actionable.

### DIRECTIVE PRINCIPLES

Human rights violations in Nigeria have become deeply ingrained in our socio-economic milieu, as a result of class dominance, oppression based usually on financial motives/incentives, can be changed through a concerted effort to address the systemic issues that perpetuate these injustices. The usual culprits, including using law enforcement agencies as debt recovery agents, police brutality and corruption, inefficient court systems, etc., can be revitalized and evolved to cater to human rights needs for everyone by implementing reforms that prioritize accountability, transparency, and justice.

Abolition of a class system (which does not equate abolition of capitalism) can provide a more egalitarian society where the rule of law prevails, ensuring that every individual has equal access to justice and opportunities. This, in turn, can help to break down the barriers that currently prevent many Nigerians from realizing their full potential.

I strongly believe that the end of protecting the human rights of every individual is the entrenchment and solidification of the rule of law as a core value of our democratic society. By upholding the rule of law and promoting a culture of respect for human rights, we can build a more just and equitable society that benefits everyone. This requires a sustained commitment to reform and a willingness to challenge the status quo, but the potential rewards are well worth the effort.



## CONCLUSION

Nigeria stands at a critical juncture where the protection of human rights demands stronger enforcement and broader recognition. With nearly one-tenth of all court cases involving human rights violations, it is imperative that law enforcement agencies, particularly the police, strictly adhere to human rights principles and refrain from overstepping their constitutional limits.

While fundamental rights are well established, Nigeria must move beyond these protections to secure other essential human rights, such as medical aid, education, legal representation, adequate employment opportunities, and environmental sustainability. Making these rights enforceable will elevate Nigeria's leadership in human rights advocacy across Africa and beyond.

By prioritizing human dignity and equality, especially beyond the hitherto defined frontiers, Nigeria has the potential to champion social justice, ensuring that rights and opportunities are accessible to all—regardless of class, gender, ethnicity, or background. This shift toward an inclusive legal framework would not only align Nigeria with global human rights standards but also position it as a beacon of progress in the international community. This author argues that the right to life is as inherent to man as the right to food, water, accommodation, and other forms of sustenance to preserve that life.

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Yehoshua Odiase is a prolific writer and scholar who has won numerous awards and recognitions for writing and speaking, including Best Project Proposal for the Postgraduate School of the University of Benin (for LL.M and PhD candidates), 1st Prize for the Chief Judge's Young Lawyers' Essay, Most Intuitive Lawyer, etc. Yehoshua obtained his LL.B, degree in 2017, B.L, in 2018, and LL.M, in 2022. During his LL.M. studies, he was sponsored by the Faculty postgraduate school to the World Intellectual Property Organization (WIPO) Summer School as the best IPL student at the post-graduate level. His hobbies include screen time and playtime.



# HERDERS' ATTACKS, SELF-DEFENCE AND REGARD (OR LACK OF IT) FOR RIGHT TO LIFE IN NIGERIA.

JAMES E. URO, ESQ.



## INTRODUCTION

Scores of deaths have greeted the people of Nigeria on a larger scale than usual in recent years. From the 36 states to the Federal Capital Territory, news of mass killings has become disturbingly routine, with entire communities often decimated overnight. While the Country has fought the war of Boko-haram and other related insurgencies in the last two decades, what has since metamorphosed into another brand of killing machine has come in the form of herdsmen attack. Over 620,000 deaths have been reported across the country on the issue of herders and villages clashing between 2016 and 2024. That reported figure

enormous, however, commentators have also quickly added that with Nigeria's issue of record-keeping, or the lack of it, the number could be even more.

Hence, the universal recognition of the right to life, which is the most fundamental human right, no longer seems to matter as much as it should in Nigeria. This right, which should be protected above all, is being ignored, especially by leaders who have allowed the violence to continue without strong action. The situation has now gotten so bad that it feels like the lives of ordinary Nigerians have little or no value. Every day, more people are killed in

attacks by armed herders, and the government's silence or slow response has made things worse.

This paper looks at the facts, figures and history relating to the herders' attacks in Nigeria and asks whether the right to life in Nigeria still possesses any semblance of the value it ought to in the face of the incessant attacks and the huge question mark placed on it and the right to self defence by the widely unpopular decision of the Supreme Court in the now notorious 2025 case of *Sunday Jackson v The State*.

## HERDERS' ATTACKS IN NIGERIA

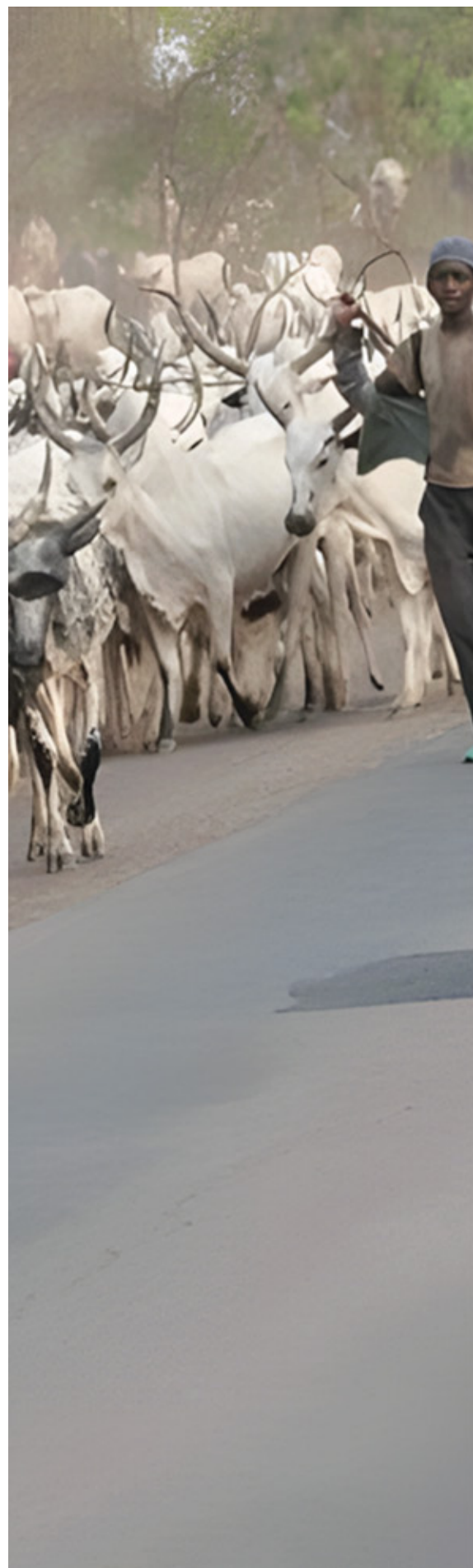
Already overwhelmed by the nagging issue of terrorism especially at the hands of the nefarious Boko-Haram sect, right to life in Nigeria now faces another demon that has been claiming human lives at an alarming rate. This evil is in the name of herdersmen attacks on villages where the herders take their cattle for pasture. In this, herders who graze openly in bushes across the country would seek more pasture for their flock, thereby, leading to villages. When bushes seem no longer enough, they stray into farms. Naturally, farmers would resist, asking the herders to find feed for their flock places farther from the farms to avoid the destruction of their crops. Disagreements between parties often sparked clashes, which, over time, evolved into full-scale attacks on entire villages across the Country.

In the South-Eastern and South-Southern zones of the country, herders have continued to devalue human lives by the attacks unleashed which have often culminated in multiple deaths of members of the communities. In November 2024, three people were reported dead at the hands of herders in the Mgbuji community, Eha-Amufu, in Isi-Uzo Local Government Area of Enugu State. Before that, it was reported that herders had sacked over 20 farm settlements in the same Eha-Amufu and killed no less than 123 locals between 2019 and 2022, during clashes

over farm destruction. On 25th April 2016, scores of deaths were reported in Ukpabi-Nimbo village in Uzo-Uwani LGA of Enugu State. The assailants were herdsmen. The attacks persisted largely unchallenged until the recent attacks in 2025 which led to the deaths of 25 people in April. The people protested, as before, yet no action. And, sadly, the story is largely the same in Ebonyi State as well as Abia State and other states in the South-East.

One notable case has stood out in the South-South, being the case of suspected herders who were intercepted at Uromi, Edo State, by youths of the community in April 2025. The story of the suspects was that they were migrating to a place that would be most conducive for hunting, explaining the arms found in their possession. However, instead of handing the suspects over to Law Enforcement bodies responsible, the villagers set them on fire. Yes, they were burnt alive. Such is the level of lack of respect for the hallowed right to life in Nigeria. Cross River State, Delta State, Rivers State, and Akwa-Ibom State have all witnessed similar violations of the fundamental right to life without much action exerted to tackle same.

Yet, none of those areas, as gruesomely affected as they are, have been robbed of their human right to life via herders' attacks as the Middlebelt zone of the country. In Benue State,





the situation is more than dreary. At the last count, over 2000 people had died at the hands of herders and nearly 8 Local Government Areas were temporarily or permanently sacked by herders in the state. On the 14th May 2025, 23 more people were reportedly killed across four Local Government Areas (LGAs) —Guma, Logo, Ukum, and Kwande — in Benue State . Before that, on 17th April 2025, 70 people had lost their lives at the hands of attackers who were reported to be herders clashing with the people of the community . Earlier that week, 11 people had been killed by armed attackers in the Otukpo area of Benue. In short, according to ACN International, in Benue alone, over 400 people were reported to have lost their lives in 2023 alone due to herders-villagers clashes .

The same has been the situation in Plateau State where it has become almost a tradition that during seasons of celebrations, communities are left scared for their lives, and attacks are almost always confirmed, killing scores of people. On 23rd June 2018, 86 people were killed on Saturday. In an attack that was termed "senseless and unprovoked", the Christmas massacre of 2023 will forever live in the minds of all who recall the bastardization of the fundamental right to life of the people of 17 communities in Plateau State. Over 144 people lost their lives to yet another attack by herders on the people who were celebrating Christmas. It was termed "Bokkos killing" because of the number of persons (100) who died in the area. It is one of the most gruesome evidence of the incessant killings and loss of lives from herders' attacks in Plateau State. Furthermore, in continuing with the tradition of unleashing mayhem on the people of Plateau during festive periods, on April 14, 2025, around the Easter period, 51 people were killed in Zikke and Kimakpa villages in Plateau's Bassa district. The list goes on.

### **SELF DEFENCE AND THE CASE OF Sunday Jackson v The State**

Natural instincts would suggest that people attacked so much should defended themselves and villages have been severally advised to take up arms and defend themselves. However, the government has failed to protect these people despite being against it. So, they are left without an organized front for self-defense, yet being humans, when assailed, natural instincts to defend life come to fore.

In one of the very rare cases, where the herder was the victim, that got to be tried in court, in a recent judgment that drew the ire of many commentators on human rights in Nigeria. The Supreme Court confirmed the conviction of a man who was charged with homicide after he defended himself from a

herdsman attack. The facts of the case are as follows: On January 27, 2015, Sunday Jackson was working on his farm in a village in Kodomti, Numan Local Government Area of Adamawa State, when the deceased Ardo Bawuto, a cattle herder, attacked him with a knife and tried to unlawfully take his right to life. In the course of the struggle, Sunday Jackson disarmed the deceased assailant and used the same weapon to deal him mortal stabs which led to his death. He was arraigned on a one-count charge of culpable homicide punishable with death, contrary to Section 221(a) of the Penal Code CAP 98 Laws of Adamawa State, 1997. At trial, the prosecution called two witnesses and tendered several exhibits, including the Appellant's confessional statements (Exhibits B1 and B2) and coroner reports (Exhibits A and B). The Appellant testified as the sole witness in his defense, relying on the defences of self-defence and provocation.

The trial Court rejected the Appellant's plea of self-defense and provocation, convicted and sentenced him to death by hanging. On appeal, the Court of Appeal affirmed the conviction and sentence, which was further affirmed by the Supreme Court with a dissenting opinion from Justice Ogunwumiju, JSC., who was of the view that the defense of self-defense ought to have been enured to the Defendant.

While most commentators agree with the dissenting opinion, some have argued in support of the judgment, thereby disagreeing with the dissenting judgment of Hon. Justice Ogunwumiju, JSC. The basis of their disagreement is that there was material contradiction in the confessional

statement and what he eventually testified to the court upon being tested by the fire of cross-examination. While I understand why some may hold that opinion based on the facts, I must respectfully disagree with their rejection of the dissenting judgment, as I believe it more accurately reflects the true position of the law.

Did the court consider the issue of an accused being presumed innocent until proven otherwise by the unbroken chain of evidence presented by the Prosecution that leaves no room for conjecture by the court or, for that matter, the unbiased - disinterested, nay, uninterested onlooker who will come across the judgment? One must bear in mind the plethora of authorities that are conclusive on the issue of doubt being resolved in favour of the Defendant.

Furthermore, it is not material contradiction as some scholars have suggested. Rather, what can be seen in the facts is just as my Lord, Ogunwumiju, JSC,

stated: a mere expansion of the events. Considering the facts again, he first wrote his statement and gave a summary of the facts as he could remember them. The deceased attacked him on his farm, whereupon he defended himself and overpowered the assailant, seized the weapon with which he was attacked, and used the same weapon to do mortal stabs to the assailant. Then, later, under the fire of cross-examination, knowing how lawyers often trim down details to the minor issues (, he was asked questions which led to him extracting more facts, whereupon he added that he was stabbed twice by the deceased before the reported overpowering. Key facts remain the same with additional details revealed.

That is not a contradiction, if at all, the like of which should make the court convict for such heavy offence and punishment. It merely raises doubts about the defence of self-defense which, in the bid to keep up with the presumption of innocence, should have been resolved in favour of the Defendant. A material contradiction

would be in the colour of saying he was alone in one breath and, then, turning around to say he had the help of a family member, friend, or child. Or if, at the station, he had said that he used the assailant's weapon and later said he used a gun he had on himself. Or that he was at his (Defendant's) farm when the deceased assailed him whereas, upon cross-examination, he did a volte-face and admitted that the deceased met him at his sister's or friend's farm. Or anything of that ilk. But none of that transpired in the case: he maintained his story and only added facts that were hitherto not present.

Another ground on which some have attacked the dissenting judgment, generally seen as the voice of reason, is the defence of provocation where it has been argued that the multiple stab-bings were more than required and, so, intensified his action into a vengeful and retaliatory one rather than a defensive and spontaneous one. However, this view largely misses the point of provocation for how else can it be if not retaliatory? The multiple stabs were not separated



but followed one another in an unbroken chain of events. In any event, cases are only authorities for what they decide and it is a duty incumbent on all courts to ensure that cases are treated based on the peculiarity of the facts of the said case. In this case, perhaps to arrive at a just and reasonable decision, the Judges should have taken a trip down the mind of the Defendant who had probably lost colleagues, friends, or even family members to the attacks of people like the deceased in the past. The cumulative effect of the fear of losing your own life if one is not able to permanently neutralise the assailant who, notably, had just attempted your life, can drastically affect the mind. If my lords had averted their minds to that, despite the rule to leave concurrent decisions largely undisturbed, it would probably have been clear that the multiple stabs were necessary to preserve the Defendant's right to life as guaranteed by the Constitution. As such, authorities suggest that that line of argument is flawed and cannot be sustained.

Nonetheless, the judgment stands as judgment of the Supreme Court with its well-established consequences on grounds of stare decisis on all lower courts and subsequent judgments of the Supreme Court.

### **HUMAN RIGHTS AND VALUE OF LIFE IN NIGERIA**

What flows from the above is that the war on the right to life in Nigeria rages on. Human rights and human rights laws have taken a nosedive in Nigeria in recent years. It is so bad that according to 2024 World Human Rights and Rule of Law Index, Nigeria ranks as low as 120th out of 142 countries in the human rights index for 2024. Successive governments have, either actively or otherwise, taken part in reducing the respect for human rights in the country with the right to life suffering even nearly as much as the dignity of the human person seeing that nearly 1,000,000 lives have been lost to insecurity in the last two decades. To contextualize, in 2014, the government of President Goodluck Ebele Jonathan, actively or otherwise, permitted the removal of 276 female students from their supposed sanctuary of learning in the Government Secondary School, Chibok to an unknown place by men of Boko Haram. This was, directly or otherwise, an offshoot of the amnesty programme granted to Militants who had hitherto killed people in the Niger Delta areas of Nigeria. On his part, despite he came to power on the wheels of the chastisement of President Jonathan for failing to ensure the protection of the guaranteed right to lives of the people, President Buhari allowed, directly or otherwise, the killing of a staggering 63,111 people in the course of his eight years as president from 2015 to 2023. Tinubu has fared even much worse as the figures

for his administration make for a very difficult read. It is reported that between May 2023 when he took over and May, 2024 (just one year), there has been recorded a total of about 615,000 deaths relating to failure of government to guarantee the right to life in Nigerian. At that rate, by the end of 8 years, as compared to Buhari (63,111), nearly 4,920,000 people would have lost their lives because of the failure of the government to protect the lives of its citizens in Nigeria.

This sad reality has led to a lot of people questioning the premium placed on the right to life by the government of Nigeria, or by extension, Nigerians. Sadly, the issue appears to not be getting the attention it deserves as people have seemingly become used to reading about tens of deaths as a daily occurrence. It is now so normal that people read of deaths without batting an eyelid. All the discussions have centered on insurgency and terrorism, strictly so-called, with particular reference to bodies like Boko Haram but herders' attacks are contributing quite significantly to the gory figures emanating from Nigeria's media on deaths being recorded due to insecurity and lack of apparatus for the protection of lives in the country. It is unnerving.

## CONCLUSION

There is a gnawing lack of regard for the otherwise sacred human right to life in Nigeria. The herders' attacks over the past decade, leading to the loss of over 600,000 lives, have been responsible for this apparent lack of regard for the right to life in the country. In spite of the lives lost, only words have been committed to it by the government, each succeeding President performing worse than his predecessor so that Nigeria now ranks at a measly 120th out of 144 countries in the human rights index. To contextualize, while On May 5, 2014, President Jonathan declared that the Chibok girls would be freed, said: "Wherever these girls are, we'll get them out"; And, while in 2016, at the infantile phase of the herdsmen attacks, President Buhari ordered that the herders be brought to justice, breaking his initial silence, though two years later, in 2018, he would state that it was not fair that he is being "blamed" for the herders' attacks in Plateau which claimed 86 lives and, thereafter, stayed silent on the menacing problem until his departure in May 2023, very little form of response, even if verbal, has been received from President Tinubu. This signals a sad decline culminating in people's belief that human lives mean next to nothing to government officials and successive governments seem to have only built on the inactions of the previous ones, thus the situation has worsened over time. It is a disaster.

It perhaps merits mention to point out that it is not so much the fact of it as it is the manner of the losses of life that has left so many people wondering if the premium placed on the human right to life in Nigeria is the lowest anywhere in the world. For one might argue that, true, deaths occur on such a regular basis in Nigeria but then there are other countries with similar occurrences each year, month, or even week, as is the case in Nigeria. But it is doubtful that there is any country in any part of the world where the manner and cause of deaths can be attributed to the cause of death in Nigeria. For instance, countries that would be used by those for that argument as an instance are countries at war. While the figures in Nigeria are unfortunately significantly higher,

thus admitable that they are comparable for context, however, beyond the fact of it, the manner of it and the reason for the said deaths in those countries, like Ukraine and Hamas, are attributable to war. And that makes all the difference, leaving such comparison with little substance as it should not be the case that a country at war should even be compared to one not at war, let alone see that the one not at war is losing more human lives than the one actually at war. Yet, sadly, that is the Nigerian conundrum. What is more, in those countries, it would appear that human rights are still more respected than obtained here.

Finally, what, then, are the effects of this judgment on the right to life and, especially, self-defence in Nigeria? Simple: Uncertainty. There's now more doubt as to what happens to anyone who attempts to defend himself or herself against the attacks by herdsmen in Nigeria. A very important opportunity was missed by the judicial arm of government to instill some measure of confidence in the people that the government is ready to protect the rights to life of the citizens. Unfortunately, not unlike the macrocosm, the dissenting judgment confirmed the sad reality of Nigeria where the voice of reason appears to consistently be the minority who can only have its say while the majority standing against good sense have their way. Hence, rather than being the majority opinion and, thus, the judgment of the court, Justice Ogunwunmiju's opinion is relegated to a mere opinion that means no more than that, an opinion. The decision, which should have set a clear map for the people to defend themselves against assailants coming after them for their lives has instead set the country some decades back to a time when people seemed to not be clear on what constitutes self-defense.

In the end, we are left with more questions than answers, to wit: where does Nigeria go from here? With the government unable to come to their aid, leaving over 600,000 people dead in less than a decade, with loved ones left to rue what could have been, and the people not being able to defend themselves against such attacks, since



self-defence is no longer seen as it ought and used to be seen (now further confirmed by the judicial arm) what options are left for the protection of the fundamental right to life in Nigeria? In Nigerian colloquial mother tongue: what is the way forward? Will the government rise to the occasion and give it the needed attention? Will human rights organizations keep speaking up or do they join the seemingly overwhelmed and give up the fight, too? Who will come to the aid of Nigerians and curb this menace on the right to life at the behest of herders? Will the right to life regain the sacrosanctity it once had? Only time will tell. But, for now, the figures look very dreary for Nigeria and its people.

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provocation must be shown to be instantaneous to the act reacted against. (e)the force used by the accused in repelling the provocation is not disproportionate in the circumstance. Thus, it must be shown that the retaliatory act to the provocation must be proportionate to the act reacted against; These ingredients must co-exist to ground the plea of provocation."

- 13** Cases are authorities for what they decide. See: *F.R.N. v. Nwosu* (2016) 17 NWLR (Pt. 1541) 226 (SC); *Ifeanyi v. Ogba* (2023) 6 NWLR (Pt. 1880) 253 (SC), etc.
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## INTERVIEW WITH AGATHER ATUHAIRE

**Q** Can we meet Agather Atuhaire?

**Answer:** Agather Atuhaire is a journalist and lawyer by training but is more known now as an activist.

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I was forced to change the way and methods of work because I was yearning for impact; impact that conventional journalism did not realise. Impact that the legal practice, in an environment like Uganda's, can never realise. The impact I was looking for was to see things change for the better as a result of my work.



I am also a mother of three children, two biological sons, and a niece I have raised since she was one. She is now nine. I also love life and having fun, especially going out to dance, away from the stresses and frustrations that come with living in a country like ours (40 years of one man's rule that has become a full-blown dictatorship, dysfunctionality, and death of all institutions, lawlessness, deprivation caused by endemic corruption, among others). I lead a team of activists, journalists, researchers, and lawyers at Agora Centre for Research (<https://agoraug.org>) where we do activism and journalism. Our work is mostly shared on social media, notably X and TikTok. Our work mainly focuses on accountability and transparency, human rights, democracy, and the rule of law.

**Q** Your journey is as compelling as it is courageous. Could you share with us the defining moments that shaped who you are today, and what continues to fuel your passion?

**Answer:** I think the defining moments are many, starting with my childhood which was characterised by violence and abuse against my mother. I found myself having to stand up for her from a young age. In my high school, I challenged the discrimination against female students where they were not allowed to watch TV yet their male counterparts had a TV room that was out of bounds for the female students. All through my levels of education, I have stood up against all forms of injustices against fellow students. I guess what fuels my passion is my empathy and the desire to see a just and fair world for everyone, and my disdain for impunity and abuse of power.



**Q** As a lawyer, journalist, and activist, you navigate multiple worlds, each demanding its own voice and resilience. How do you balance these roles while staying true to your mission?

**Answer:** I think that the law and journalism have enabled me to do a different and more effective kind of activism-evidence based activism, that isn't the case with other activists. I no longer find that much of a conflict but at first I worried a lot if there isn't a conflict between activism and journalism. If activism does not contravene the tenets of neutrality and objectivity. But I think I resolved that doubt in my mind in the sense that I am a stickler for facts, fact-checking, and verification which to my mind is the most important part of journalism.

**Q** Many people have preconceived notions about what it means to be a lawyer. What are some of the biggest misconceptions about the profession that you wish more people understood?

**Answer:** So, from the onset, I should have told you that I have never practiced the legal profession. I only studied it. I think that it is difficult, if not impossible, to practice law in a lawless country. Cases in Uganda are not won based on how good one's case or argument is, but based on one's political leaning, family ties, or the amount of bribe one can pay. I decided to practice the law in the "court of public opinion" through activism. But speaking of misconceptions about the legal profession, I have learned that many of them are not misconceptions per se. The notion that lawyers love money and a luxurious lifestyle is largely true in Uganda's case. Not many lawyers in Uganda are willing to do anything that can jeopardise that. They are also trained to follow the legal path and the law to the latter and I find them unable or unwilling to think about practical options considering that they deal with a State that does not care about the law.

**Q** The legal landscape is constantly evolving. In your opinion, what qualities define a truly exceptional lawyer in today's world, and how can young professionals cultivate these attributes?

**Answer:** I think that depends on the environment each lawyer is working in. In the case of Uganda, I think an exceptional lawyer should be an activist too, should be ready to explore other ways of challenging injustices and not just reading the law and making good arguments, because the law and argument have been rendered immaterial in Uganda. It also requires being brave enough to challenge traditional lawyering of bowing to judicial officers and accepting whatever decisions regardless of how illogical and irrational they are.

**Q** With "Agora", you have created a sanctuary where citizens can challenge power and demand accountability. What victories stand out for you?

**Answer:** There are quite a number of victories. The first is that we now have a significant number of Ugandans engaging in these conversations and making the politicians and public officers who abuse their offices uncomfortable. That level of civic engagement was not there a few years back and it makes one hopeful. The other is that now many of these politicians and public servants know that the public is watching and so the stealing and abuse aren't at the levels they were at so there is hope that corruption will gradually reduce. I also hope that this level of awareness will influence voting behaviour at least at the parliamentary level in the upcoming general elections. The other victory was the sanctioning of some of the politicians at the height of the "Uganda Parliament Exhibition" by the British and US governments in May 2024.

**Q** **The 2022 Computer Misuse Act has cast a long shadow over digital activism in Uganda. Do you see this as a death knell or a challenge to innovate and how so?**

**Answer:** I Well, I see it as a challenge considering that we are not about to let it stop us. I am one of the petitioners who petitioned the court to challenge the law because it is unconstitutional and I will continue to do my work as long as it is within the confines of the 1995 constitution of Uganda which is the supreme law of the land. Anyone who is harassed for violating an illegal law will be seen as another victim of the State especially since the Constitutional Court has failed or refused to handle this case with the urgency it deserves. The petition was filed in November 2022, but to date has never been heard and disposed of.

**Q** **At the 2024 Oslo Freedom Forum, you made a heartfelt appeal for strategies to protect “Agora” from imminent threats. Were there any ground-breaking ideas that gave you hope, and how do you envision the platform’s future in the face of adversity?**

**Answer:** Yes, we received some good ideas like shifting from X to other platforms and looking for other ways of ensuring reliable internet that the government cannot shutdown. We are however still looking for resources to afford that option. Hopefully we will have found it by election time in January when the government’s appetite to silence dissenting voices is high.

**Q** **From receiving the Human Rights Defender and International Woman of Courage Awards to being named in TIME100 Next and several other global recognitions, do you think these accolades affirm that the world is listening?**

**Answer:** Receiving these accolades feels gratifying and reminds one that their small efforts are not in vain. And yes, it affirms that the world sees you, the world listens although it would feel great if the world did more than just listen.

**Q** **Your fight against parliamentary corruption comes at immense personal risk, as seen in your recent detention for leading a peaceful march. In the face of such danger, what keeps you determined and firm?**



**The desire to see a fair, just, and equitable society keeps me determined. But also, I tell people who ask me why I am not afraid, that we should not fear death. Fear is the reason dictatorships, corruption, and human rights violations have thrived. It is deliberate to hold us captive of fear**

**Answer:** yet when you live in a country like Uganda, even not speaking up will not help you. The dysfunctionality will get to you whether you are speaking up or not. The women dying while giving birth (about 16 every day) are not dying because they have criticised the government, the children dying because of a dysfunctional health system (we did a health exhibition revealing the alarming state of the health sector) did not expose the corrupt, the hundreds of people that were buried by a garbage fill in the suburbs of Kampala in August last year because it was neglected by the government for about 15 years, I could go on and on. So there is no guarantee whatsoever that if you keep quiet you will be spared by the impunity, the corruption, and all the abuse happening in this country.

**Q** **For young African lawyers and activists looking up to you, would you encourage them to walk this path? What wisdom would you impart to those who dream of making a similar impact?**

**Answer:** Yes. Yes. I would encourage them to walk this path. I have been encouraging everyone in

Uganda who meets me and says, "we appreciate your work" that I will only know they appreciate my work if they join me. We all need to feel each other's pain and intervene. We need to speak for the voiceless because we have the education, the knowledge, the information, and the platforms they don't have. But also we need to know that the more we are the harder it will be for our governments to threaten us. They can't kill all of us. We need to be many and spread the risk but also make it costly for people to abuse their power. My advice would be that whoever ventures into advocacy shouldn't expect it to be easy. Should be mentally prepared for frustrations, attacks, and threats but they have to have convictions strong enough to enable them to withstand it all.

**Q** In a world often silenced by fear, your voice rings loud and clear. If you could leave us with one message, one call to action, what would it be?

**Answer:** I think I already made the call in the previous question but let me reiterate it;



**Everyone needs to stand up. We all need to rise above fear. Everyone needs to stand up against corruption, against human rights violations, against the rise of dictatorships in whichever way they can.**

The international community should not keep quiet when individual governments are killing and imprisoning their citizens. The citizens need to reclaim their power. These are the leaders they put in these positions, so they not only have the right but also the responsibility to question them; that the resources misused by these individuals, while their children, wives, mothers, etc die in hospitals, die as a result of poor or lack of roads in the case of Uganda, are their hard-earned resources.

# THE LEGAL DIMENSION OF HUMAN RIGHTS VIOLATIONS DURING ARMED CONFLICT IN NIGERIA: SEEKING JUSTICE AND ACCOUNTABILITY

MILLER NZENWATA, ESQ & OLUSEYI APAMPA, ESQ.

## ABSTRACT

This paper explores the legal dimensions of human rights violations during armed conflict in Nigeria, with particular attention to both domestic and international legal frameworks. Nigeria has experienced prolonged armed conflicts, especially in the north-eastern region, involving non-state actors. These conflicts have resulted in widespread human rights abuses, including arbitrary detention, extrajudicial killings, and sexual violence. This study focused on how Nigerian domestic law and international human rights frameworks, including the Geneva Conventions and their Additional Protocols, address these violations and provide mechanisms for seeking justice and accountability for victims. This paper adopts a qualitative methodology, utilising the doctrinal approach. The doctrinal method involves a detailed examination of existing legal frameworks, treaties, case law, statutes, such as the Constitution of the Federal Republic of Nigeria (1999), the National Human Rights Commission (NHRC) Act (1995), and the International Criminal Court Act (2009). It also considers international treaties and legal instruments, including the Geneva Conventions of 1949, Additional Protocols I and II (1977), and the International Covenant on Civil and Political Rights (ICCPR) (1966). Academic commentary is also used to analyse issues related to the human rights violations that occur during such conflicts. The findings reveal that, despite the existence of robust international legal provisions, the enforcement of human rights protections in Nigeria's conflict zones remains inadequate. Although international frameworks such as the Geneva Conventions are designed to safeguard civilians during armed conflicts, Nigeria's domestic legal system continues to struggle with issues of corruption, a weak rule of law, and a lack of political will. The paper concludes that legal frameworks, while comprehensive in theory, are limited in their effectiveness due to systemic failures within Nigeria's judicial and political structures. The study proposes that greater efforts are required to enhance the capacity of national institutions to uphold human rights laws and ensure accountability. It further recommends stronger international cooperation to address violations during armed conflict, highlighting the need for comprehensive reforms to better protect victims and prosecute perpetrators of human rights abuses in Nigeria.

**Keywords:** Armed Conflict, Human Rights Violations, Legal Dimension, Legal Frameworks

## INTRODUCTION

Armed conflict is widely regarded as an unfortunate but inevitable aspect of human existence. The continued application of National and International human rights laws in situations of armed conflicts has become the prevailing norm. In the 21st Century, armed conflicts continue to evolve, shaped by globalisation, technological advancements, and ideological struggles. Non-state actors, such as terrorist groups and rebel militias, increasingly engage in conflicts that challenge traditional state-based security frameworks. The use of advanced technologies, including drones and cyber warfare, has altered the dynamics of modern warfare. Conflicts are often charac-

terized by irregular warfare, in which conventional armies face insurgent groups employing guerilla tactics and asymmetrical strategies. The humanitarian consequences of war such as displacement, famine, and the collapse of social order, continue to pose significant global challenges.



The persistence of armed conflict and terrorism has created grave and life-threatening challenges on a global scale. Reports of escalating violence, insurgencies, and terrorist activities causing widespread destruction to humanity and critical infrastructure are increasingly common in both developed and developing nations. Nigeria, in particular, faces a growing wave of armed conflict and terrorism, stemming from both immediate and deep-rooted causes. This ongoing crisis has led to severe consequences, including the loss of life, the destruction of key infrastructure, and the widespread maiming of civilians, with casualties numbering in the hundreds of thousands.

The complexity of resolving armed conflict and terrorism in Nigeria is compounded by the country's ethnic diversity, with more than 250 groups, and a long history of both real and perceived marginalization, making efforts to end violent activities particularly challenging. Addressing the grievances of vulnerable or marginalised ethnic nationalities in Nigeria requires a strong focus on conflict resolution and recognition of their emotional and socio-political needs.

Although the Nigerian legal system is theoretically equipped to prosecute human rights violations, it has frequently failed to deliver justice. The National Human Rights Commission (NHRC), established to monitor and promote human rights within the country, has been criticized for lacking the independence and resources required to effectively address violations during armed conflict. The country's military courts, tasked with holding military personnel accountable, are often perceived as compromised, offering little in the way of transparency or impartiality. Additionally, civilian courts are often hindered by challenges such as limited access to justice, lack of evidence due to the destruction caused by conflict, and victim displacement. This environment fosters a climate of impunity, where those responsible for atrocities rarely face any legal consequences.

Accountability remains elusive, as ongoing human rights abuses in regions like the North-East and Niger Delta continue to result in few prosecutions and inadequate reparations for victims. Efforts by international bodies, including the United Nations and human rights organizations, have often been stymied by the lack of effective cooperation from the Nigerian government. Consequently, the legal dimensions of human rights violations in Nigeria during armed conflict illustrate a



significant gap between international legal norms and domestic implementation, highlighting the need for stronger mechanisms to address accountability and justice. Domestic legal mechanisms, including military tribunals, often fail to ensure justice for victims due to a lack of transparency, impartiality, and accessibility. Moreover, the displacement of large populations and the disruption of legal processes during conflict further hinder victims' ability to seek redress.

## 2.0 Conceptual Clarification

Human history has been shaped by armed conflicts, which have significantly impacted economies, civilizations, and international relations. Various academic disciplines have produced a wealth of literature aimed at understanding the origins, dynamics, and consequences of such disputes. Human rights violations refer to the breaches of fundamental freedoms and protections guaranteed to individuals by national and international legal standards. Scholars

such as John Locke, Thomas Paine conceptualised human rights as inherent entitlements that every individual is entitled to, regardless of nationality, ethnicity, or religious background, and these rights are inalienable.

The conflicts in Nigeria are largely driven by the rise of insurgent groups like Boko Haram in the North-East, militant groups in the Niger Delta, and ethno-religious conflicts in the central and northern regions. The term “armed conflict” is sometimes misinterpreted as being synonymous with “hostilities.” For many children who witness or are victims of various atrocities, the topic of armed conflict has become a regular occurrence in their lives. Conflict, according to Akpu-ru-Aja, is an attitude or protest motivated by frustration against the absence of opportunities for growth as well as against the absence of identity and recognition. Armed conflict is defined as occurring when people use weapons to express their frustration. A state of open, armed, and frequently

protracted confrontation between states, parties, or nations is known as an armed conflict. It may also refer to a state of ongoing hostility or disagreement to wage war. At its core, conflict arises when individuals, groups, or nations become engaged in serious disputes. In many respects, conflict is an inevitable aspect of human life.

There are always conflicts of interest, choice, and opinion inside the individual. This has been found to be one of the main causes of stress in addition to making decision-making challenging. Conversely, interpersonal conflict happens between people, groups, state representatives, and members of an organization. The international response to human rights violations in Nigeria has been significant, though not always effective. International humanitarian law (IHL) has been a critical framework for addressing violations, but enforcement has been limited. Researchers like John A. F. M. West and Nnamdi Obasi have analysed how IHL is often ignored or poorly enforced by both the Nigerian

government and insurgent groups. Despite the efforts of international organizations, such as the United Nations and human rights NGOs, to monitor and document abuses, the Nigerian government has often resisted external oversight, thereby complicating efforts to address human rights violations. At the same time, NGOs and civil society organizations have played a crucial role in documenting abuses and advocating for victims. Adebayo Olukoshi and Kelechi Anyanwu have discussed the role of these organizations in mobilizing domestic and international support for human rights protections in Nigeria.

## 2.0 Overview of Armed Conflicts in Nigeria

Following a generally peaceful campaign, Nigeria held legislative and presidential elections in February 2019. The president-in-waiting, Muhammadu Buhari, was sworn in and re-elected on May 29. He unveiled his Cabinet in August. In August, he presented his Cabinet. In 2013, a state of emergency was declared in Borno, Yobe, and Adamawa, which are



the three states heavily affected by Boko Haram. The state of emergency was lifted in 2015, although no formal notification was issued. This period also coincided with a decline in the presence of security forces and a rise in human rights legislation.

Check points during this reporting period allowed for greater civilian freedom of movement across the three states. Following reports that the Nigerian armed forces might have been responsible for human rights violations in the fight against Boko Haram and in detention centres, the army launched a national inquiry in March 2017 to investigate the allegations. In August of that year, the President established a separate investigating team to assess whether the armed forces had complied with the rules of engagement and human rights obligations. The panel heard testimony from witnesses and victims in open sessions. The findings of both investigations were submitted to the President and the Chief of Army Staff in May and December 2017 respectively but were not made public. Each of Nigeria's three geopolitical zones North-East, North-Central, and South - South has a distinct history and conflict profile. These are the areas of focus in this overview.

**North-East Nigeria** comprises six states: Taraba, Yobe, Borno, Bauchi, Adamawa, and Gombe. Of all the zones in Nigeria afflicted by conflict during the past ten years, this has been the most severely impacted. The primary driver of conflict and bloodshed is Boko Haram, a terrorist group that has committed human rights violations across Niger, Chad, Cameroon, and Nigeria. Since 2009, approximately fifteen million people have been impacted by the military operations triggered by Boko Haram's violent radicalisation. Although Boko Haram's territory has shrunk over the past few years, the group continues to carry out attacks in the region, including suicide bombs, forced displacement, abductions, sexual violence against women, and forced recruitment of men.

**North-Central Nigeria** includes the Federal Capital Territory (FCT) and the states of Benue, Kogi, Kwara, Nasarawa, Niger, and Plateau. Tensions between farmers and herders have increased recently, resulting in the expansion and an escalation of conflict in the region. The core of this dispute lies in competition for land between nomadic cattle-herding communities and agricultural households. As the population grows, more land in the region is being converted for farming, often encroaching upon areas traditionally used for cattle grazing. The conflict over territory and resources is exacerbated by ethnicity and religion; the majority of herders belong to the Fulani ethnic group, which is a minority in the region and is predominantly Muslim. Conflicts between farmers and herders frequently stem from attacks by one group followed by reprisals by the other population. Although the issue is receiving increased attention, meaningful conflict resolution or investment in peacebuilding efforts remains limited.

**South-South Nigeria** consists of the states of Akwa Ibom, Bayelsa, Cross River, Delta, Edo, and Rivers. Known for its oil wealth, this region is often viewed as the economic engine propelling Nigeria ahead. However, most residents of these states have not shared in this economic prosperity because of their abundant resource base. Rather, oil spills, high youth unemployment rates, and widespread inequality between the local populace and oil company personnel are the main causes of ecological degradation in the region. Political and ethnic tensions further compound these issues. Ethnic minority groups have frequently clashed over the distribution of oil revenues. Crime rates remain high due to these conditions. For years, the region has been the focus of militant and pirate organizations that target civilians, pipelines, and oil businesses. Murders, kidnappings, and robberies are frequent occurrences, and the violence has displaced large numbers of people from their homes and towns.

Globally, the nature of armed conflict has shifted from traditional inter-state warfare to what literature describes as “new wars” which are numerous small-scale conflicts without clear front lines, battlefields, or distinctions between combatants and civilians, and ideology. Through the deaths of fighters and civilians as well as the destruction of vital infrastructure, armed conflict has a deleterious effect on societies. Indirect consequences include the collapse of revenue streams, forced displacement, and the deterioration of living conditions in overcrowded, unhygienic conditions. In many ways, conflict represents development gone awry. A focus on demographics, economic development, and human capabilities is necessary to evaluate both the direct and indirect impacts of conflict on societal progress.

### **3.0 Nature and Extent of Human Rights Violations in Armed Conflicts**

Human rights violations seem to occur most frequently during military situations. Consequently, specialists have paid increasing attention over time to the development of legal frameworks and mechanisms aimed at reducing human suffering in times of war and conflict. Three areas of contemporary international law currently aim to safeguard war victims: Humanitarian law, refugee law, and rights law. These domains must be rigorously segregated despite their close relationship.

Children and women receive additional protections against sexual violence and abuse during violent wars, and Nigeria should not be an exception. Gender inequality and discrimination are prevalent problems in armed conflicts, especially when they affect women and girls. State protections against these violations of women's and children's rights are clearly outlined under both international humanitarian law (IHL) and international human rights law (IHRL). These also include protections for religious and cultural freedoms, the right to family life, and safeguards against arbitrary detention. Particular focus is placed on human rights abuses committed against especially weaker communities during armed conflict. It is true that there is not a single, broadly applicable definition of what constitutes a vulnerable group, and this is especially the case in conflict situations. Originating from the Latin word *Vulnus*, which meaning wound, the word *vulnerable* refers to a quality that is common to all individuals and an inevitable aspect of being human.

Environment is the primary determinant of vulnerability; a particular environment comprising elements like geography, social and economic resources, and the unique characteristics of the individual or group in question may make certain individuals or groups more vulnerable than others.

Prior to a conflict or crisis, a state of vulnerability may exist, or those circumstances may create one. The idea that presumptions about vulnerabilities rooted in wider power relations, existing before the conflict, will influence how varied the opportunities are for groups to combat the dynamics and effects of the conflicts. Literature also cautions against framing certain populations solely as passive victims, as this may inadvertently reinforce marginalisation. For this reason, interventions should be tailored to address the structural factors that give rise to vulnerability. One example of a policy-mapping initiative is the European Union's Framework Package Report on legal and policy instruments for human rights and democracy support.

In situations of armed conflict, IHL applies to regulate the conduct of hostilities and ensure the humane treatment of persons not actively participating in the fighting. Like IHRL, humanitarian law protects the lives and dignity of individuals, prohibiting torture or cruel treatment, prescribing rights for persons subject to a criminal justice procedure, prohibiting discrimination and setting out provisions for the protection of women and children. It further regulates the conduct of hostilities, combatant and prisoner of war status, and



the preservation of the Red Cross, Red Crescent, and Red Crystal insignia. IHL predates modern human rights law and has evolved through a series of key international conferences, including those held in Paris (1856), Geneva (1864, 1949, 1977), St. Petersburg (1868), Brussels (1874), and The Hague (1899, 1907).

The four Geneva Conventions of 1949 and their Additional Protocols of 1977 remain the cornerstone of humanitarian law, particularly in relation to international armed conflict. Establishing humanitarian guidelines for use in international armed conflicts was the main goal of the four Geneva Conventions. A variety of actions are listed in the Fourth Geneva Convention, which is the Convention relating to the Protection of Civilian Persons in Time of War, and which the parties are required to refrain from under any circumstances.



These encompass behaviours acknowledged to constitute grave breaches of fundamental human rights, such as acts of violence posing a threat to life, torture, and coercion either physical or moral as well as disregard for numerous rights related to due process. The use of human shields is expressly prohibited by the Convention. It further stipulates that unless certain stringent requirements are satisfied, citizens may not be forced to labour for an invading force (Article 51). Significant advancements in this regard include the Additional Protocols to the Geneva Conventions, which were approved at the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts (1977).

The Geneva Conventions and Protocols are monitored for conformity by the International Committee of the Red Cross (ICRC), which conducts visits to detention facilities, receives reports of violations of humanitarian law, and engages with governments. Concerning humanitarian and human rights legislation, there has been a renewed focus in recent years on cultural property protection, collective security preservation, peacekeeping, and humanitarian intervention. The final point pertains to Chapter III, which deals with civilian objects, of Additional Protocol I to the Geneva Conventions. Other recent international efforts to lessen human suffering resulting from conflict is the fight against the widespread use of anti-personnel mines and small arms and the efforts to curb easy funding such as the trade in conflict diamonds and the use of drug revenues to finance conflicts.

It is simple to provide a schematic explanation of the connection between the law of armed conflicts and human rights law. At any one time, one of four scenarios could apply to a given nation. For each of the four instances that have been identified, a different set of international standards apply. Human rights law offers the highest level of protection under normal circumstances, or peacetime, and may provide less protection during non-international military conflicts or international conflicts. Only in cases of both non-international armed conflict (covered by common Article 3 of the Geneva Conventions and Protocol II) and international armed conflict (covered by the four Geneva Conventions and Protocol I) is international



humanitarian law applicable. Research indicates that human rights violations and human rights protection are closely linked to the patterns of contemporary conflict in a number of ways, even if human rights violations are not the sole cause of violence.

#### 4.0 Institutional Framework for the Protection of Human Rights in Nigeria

Conflict-settings, identified as one of the five causes of civilian displacement, bring about the possibility of simultaneous application of IHRL and IHL. In these settings, IHRL and IHL are closely linked. In some instances IHRL may defines specific acts, such as torture or genocide, as crimes. Meanwhile, IHL identifies a list of 'grave breaches' of the Geneva Conventions, of Additional Protocol I and of other serious violations of the laws and customs of war. These conducts have been recognized as criminal in IHL and subjected to the jurisdiction of international criminal tribunals, including the International Criminal

Court (ICC). These different legal frameworks can operate concurrently in conflict situations,, combining to form a comprehensive legal framework for protection and assistance. After considerable scholarly debate and disputed practice, it is now generally accepted that international human rights law applies in situations of armed conflict alongside international humanitarian law. However, the scope and implications of this overlap remain subject to further interpretation.

Nigeria's legal framework for the protection of human rights is grounded in a range of legislative instruments aimed at guaranteeing the protection, respect, and promotion of fundamental rights across the nation. The main piece of legislation in Nigeria that ensures the preservation of human rights is the Constitution of the Federal Republic of Nigeria 1999 (as amended). In addition, Nigeria has ratified several international agreements that

reinforce its commitment to upholding human rights, some of which are outlined in the following sections.

#### 4.1 Constitution of the Federal Republic of Nigeria 1999 (as amended):

The Nigerian Constitution serves as the supreme law of the land and contains several provisions that guarantee fundamental human rights. These rights are enshrined in Chapter IV of the Constitution, titled "Fundamental Rights. " Key provisions include:

**Section 33:** Right to life, with exceptions for lawful execution of criminal sentences and acts of self-defence or defence of others.

**Section 34:** Right to dignity of the human person, including protection against torture, inhuman or degrading treatment.

**Section 35:** Right to personal liberty, including protection against arbitrary arrest or detention.

**Section 37:** Right to privacy and family life.

**Section 38:** Right to freedom of thought, conscience, and religion.

**Section 39:** Right to freedom of expression and the press.

**Section 40:** Right to peaceful assembly and association.

**Section 41:** Right to freedom of movement.

**Section 42:** Right to freedom from discrimination, including protection against discrimination on grounds of sex, race, religion, or political opinion.

The enforcement of these fundamental rights is governed by the Fundamental Right (Enforcement Procedures) Rules 2009, which establish the procedure for adjudicating matters relating to the breach of fundamental rights. According to Order 2, Rule 1 of the Fundamental Rights (Enforcement Procedure) Rules, any individual who alleges that their fundamental rights, as provided for in the Constitution and to which they are entitled, have been, are being, or are likely to be infringed, can apply to the court in the state where the infringement occurred or is likely to occur for redress. Therefore, in cases of actual or potential violations of fundamental rights, the affected individual can seek recourse or prevention through the courts. As per the 1999 Constitution, the High Court (state or federal) holds jurisdiction over fundamental rights actions, limited to subject matters within the specific court's jurisdiction.

#### 4.2

##### **National Human Rights Commission (Amended) Act 2010**

The National Human Rights Commission (NHRC) Act as enacted in 1995 and amended in 2010 to enhance the autonomy and authority of the NHRC, an autonomous entity tasked with safeguarding and advancing human rights in the country. The 2010 amendment significantly strengthened the NHRC's mandate by granting it the power to investigate human rights infringements and enforce its rulings. The NHRC is tasked with several responsibilities, which encompass examining reported human rights breaches, advocating for and safeguarding human rights, raising public awareness about human rights, and fostering collaboration with governmental bodies and civil society organizations regarding human

rights matters.

#### 4.3

##### **Anti-Torture Act 2017**

The Anti-Torture Act 2017 was passed by the 8th National Assembly and signed into law by President Muhammadu Buhari on 29 December 2017. This legislative advancement holds great importance in the fight against torture and other cruel treatments. It criminalizes torture, laying out specific offenses and penalties for individuals engaged in such acts or those who support, encourage, or facilitate them. It expressly recognizes the right to freedom from torture, cruel, inhuman, and degrading treatment as a fundamental and non-negotiable right. By addressing existing legislative shortcomings, it provides vital protection for victims and witnesses of torture.

This Act also introduces a paradigm shift in the accountability of law enforcement personnel, especially police officers, as it establishes torture as a formal criminal offense. Significantly, the Act forbids the use of emergency powers or orders from superiors as justifications for torture. It extends criminal liability to commanding officers who issue or knowingly tolerate torture. The Act also prohibits secret and incommunicado detentions and renders evidence obtained through torture inadmissible in court—except when used in prosecution of the alleged torturer. Victims or their representatives are granted the right to file complaints and seek legal assistance. Law enforcement agencies are mandated to inform individuals of their right to independent medical examinations following interrogation.

However, it grants individuals the right to complain about torture to authorities, including the police and the National Human Rights Commission, ensuring protection for both victims and complainants. Further, the Act imposes strict penalties—up to 25 years' imprisonment for torture—with possible murder charges if death results. It empowers regulatory bodies and law enforcement agencies to ensure implementation, including through mandatory training programmes for personnel responsible for arrest, detention, and interrogation.

Despite its enactment, enforcement challenges persist. Challenges include a lack of awareness among law enforcement personnel, delays in formulating necessary rules and regulations for efficient implementation, and entrenched patterns of violence and impunity within security institutions, all of which impede the Act's intended goals. Addressing these challenges requires concerted efforts to enhance education, build capacity, and establish robust oversight mechanisms to effectively enforce the Anti-Torture Act and eradicate torture practices in Nigeria.

#### 4.4

##### **The Fundamental Rights (Enforcement Procedure) Rules 2009**

The Fundamental Rights (Enforcement Procedure) Rules (FREP Rules) 2009 were established to enhance and prioritize the protection of human rights. The central principle behind these Rules is the emphasis on substantive fairness over procedural technicalities. According to paragraph 3(e) of the regulation's preamble, no human rights complaint should be dismissed or rejected due to a

lack of standing. The Rules also encourage courts to support and foster public interest actions in the realm of human rights, thereby broadening access to justice for individuals and groups acting in the public interest.

#### 4.5

##### **Violence against Persons (Prohibition) Act 2015**

The Violence against Persons (Prohibition) Act (VAPP Act) of 2015 is a landmark legal instrument in Nigeria's fight against violence, particularly targeting gender-based violence and harmful practices. Serving as an extensive legal framework, the Act is designed to prevent, prohibit, and offer remedies for a wide range of violent acts perpetrated against individuals, with a special emphasis on women and vulnerable groups.

This legislation represents a significant step forward in addressing the pervasive issue of violence in Nigerian society. By comprehensively outlining measures to prevent and prohibit various forms of violence, the VAPP Act underscores the government's commitment to safeguarding the

rights and well-being of all citizens, especially those who are most susceptible to violence and abuse. The Act serves as a vital tool for providing recourse and redress to victims of violence, ensuring that they have access to justice and support services to aid in their recovery and rehabilitation. By prioritizing the protection of individuals from violence, the VAPP Act reinforces the principle of human dignity and underscores the importance of creating a safe and secure environment for all members of society.

Overall, the VAPP Act of 2015 represents a groundbreaking legislative initiative in Nigeria's efforts to combat violence and promote the rights and dignity of all individuals, particularly women and vulnerable groups. Its comprehensive approach and victim-centred focus underscore its critical role in combating violence and upholding the rights of individuals, particularly women and other vulnerable groups.





## 5.0 International Treaties

In accordance with Section 12 of the 1999 Constitution, Nigeria operates as a dualist state. This section provides for the domestication of all treaties before they can apply within the country. Once domesticated, treaties assume the same status as other Nigerian statutes and remain subordinate to the Constitution. Nigeria has ratified numerous international treaties and conventions aimed at safeguarding human rights, underscoring its dedication to preserving fundamental freedoms and ensuring the welfare of its populace. These treaties cover a wide range of rights, including civil, political, economic, social, and cultural domains, while also offering specific protections for vulnerable groups like women and children.

The Universal Declaration of Human Rights (UDHR), ratified by Nigeria in 1961, lays the groundwork for these treaties, establishing basic principles that Nigeria commits to uphold. Subsequently, Nigeria ratified the International Covenant on Civil and Political Rights (ICCPR). And the International Covenant on Economic, Social and Cultural Rights (ICESCR). 1993, which further elaborate on these rights and impose specific obligations on the government.

In addition, Nigeria has endorsed treaties targeting discrimination and safeguarding the rights of specific demographics, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In 1985 and the Convention on the Rights of the Child (CRC). in 1991. These treaties mandate Nigeria to enact measures ensuring women and children can exercise their human rights without prejudice.

At the regional level, Nigeria ratified the African Charter on Human and Peoples' Rights (ACHPR) in 1983, offering additional protections for human rights and recognizing the rights of communities and peoples. However, despite these ratifications, Nigeria faces challenges in translating these treaty obligations into domestic law, limiting their

enforceability in Nigerian courts. Moreover, persistent human rights issues like police misconduct, arbitrary detention, and violence against women and children persist.

To bridge this gap, Nigeria must take concrete steps to domesticate all relevant treaties, enhance institutional enforcement capacity, and address systemic issues that contribute to human rights violations. Collaboration between civil society groups and international partners is also crucial in supporting these efforts and ensure governmental accountability to its human rights commitments.

## 6.0 Conclusion

This paper has analysed human rights violations and their implications during armed conflict operations in Nigeria. The government's approach to national security, with a weak rule of law, has contributed to the tacit acceptance of human rights violations by security agencies. These agencies have been widely implicated in extrajudicial killings, arbitrary arrests, torture, rape and other abuses. Ongoing violations of human rights committed with impunity in conflict-affected areas have made the promotion and protection of human rights extremely difficult. If left unaddressed, these violations could result in even more severe consequences on the citizens.

An assessment of the impact of armed conflicts and terrorism on human rights protection in Nigeria reveals a complex web of interrelated challenges. The fight against terrorism and armed conflict itself infringes upon human rights, with the right to life, education, security, and other fundamental human rights systematically undermined. These conflicts displace communities and expose vulnerable populations to egregious abuses.

From an economic standpoint, armed conflict and terrorism divert resources away from productive development. The government tends to allocate significant funding to national security at the expense of economic growth and public

welfare. Beyond civil, political, social and cultural rights, these conflicts also harm the environment and erode community cohesion and national unity.

## 7.0 Recommendation

This paper recommends the following strategies to strengthen the protection of victims during armed conflict in Nigeria;

### 7.1 Strengthening International Humanitarian Law (IHL) Compliance

Nigeria should prioritize robust training programs for its armed forces and security agencies on International Humanitarian Law (IHL), ensuring they understand the principles of distinction, proportionality, and necessity in the use of force. This training should focus on protecting civilians and preventing abuses like torture, extrajudicial killings, and unlawful detentions. Collaboration with international bodies such as the International Committee of the Red Cross (ICRC) could enhance these training programs, providing practical guidance on IHL enforcement during conflicts.

The creation of monitoring mechanisms, such as an Independent Monitoring Body, would help ensure adherence to IHL. This body should be tasked with reviewing military operations and investigating potential IHL violations, with the authority to report violations both within Nigeria and to international human rights organizations. These structures would foster transparency and accountability, while providing victims a way to report abuses without fear of retaliation.

### 7.2 Establishing Independent, Transparent Investigative Mechanisms

An independent body, such as a National Human Rights and Accountability Commission, should be set up with the power to investigate human rights abuses in conflict zones. This commission should operate independently from political and military influences, with a mandate to monitor human rights conditions, receive complaints, and launch investigations into violations. The commission should also have the authority to hold public hearings and issue findings that are shared with the Nigerian public and international communities.

Given the political challenges that may arise in investigating domestic actors, Nigeria should encourage collaboration with international human rights organizations and bodies, such as the United Nations or Human Rights Watch, to ensure impartiality. These collaborations would strengthen investigations, enhance documentation, and lend legitimacy to the outcomes.

### 7.3 Strengthening Domestic Legal Frameworks for Prosecutions

Nigeria should establish Specialized War Crimes Courts to handle cases of war crimes, genocide, and crimes against humanity arising from armed conflicts. These courts should be staffed with judges trained in international criminal law, ensuring that prosecutions follow international standards for justice. These specialized courts would serve as a deterrent against future violations and expedite the legal process for victims seeking justice.

Nigeria should revise its criminal code to include provisions for the prosecution of war crimes and crimes against humanity under Universal Jurisdiction. This allows Nigerian courts to prosecute perpetrators of such crimes, regardless of where they occurred, bridging gaps where international courts like the ICC may not have jurisdiction or capacity.

### 7.4 Establishment of a Conflict-Specific Human Rights Unit with the NHRC

The National Human Rights Commission (NHRC) should establish a dedicated arm to focus exclusively on human rights violations in conflict zones. This division would be responsible for

monitoring human rights abuses, document incidents, and offer legal support to victims of armed conflict.

This unit should offer victim-centred support by offering legal aid, advocacy, and assistance with accessing reparations. Its role must include advocacy at both national and international levels to ensure justice and visibility for victims of armed conflict.

## 7.5 Promoting Reparations for Victims

Nigeria should establish a National Reparations Fund specifically for individuals affected by human rights violations during armed conflicts. The fund should offer monetary compensation, support for resettlement, medical care, and educational programs for survivors.

In addition to financial compensation, symbolic reparations such as public apologies, memorials or official recognition of the harm caused should be incorporated. Long-term programs must also be introduced to assist in victims' reintegration through vocational training, mental health services, and housing support, fostering long-term recovery and societal cohesion.

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