

# SDGs Monitor

A Journal of Implementation



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## NIGERIA

Introduction:

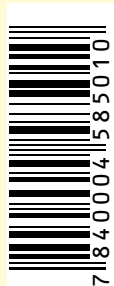
**Nigeria's Drive towards the  
Promotion of Peace, Justice and  
Strong Institutions**

**The Challenge of Promoting  
Peaceful Coexistence and  
Inclusive Governance in Nigeria**

**Plus:**

Book Reviews:

- ◆ **Transitioning to Peace, Justice and Strong Institutions**
- ◆ **SDG16 - Peace and Justice: Challenges, Actions and the Way Forward**

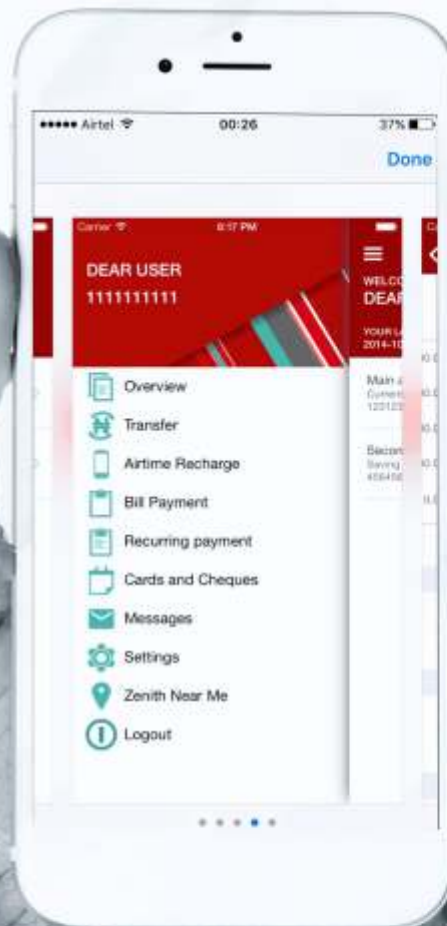




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## A Review of Nigeria's Implementation of SDG 16

ALL over the world, peace, human rights and effective governance based on the rule of law are important conduits for sustainable development. It is against this background that Goal 16 of the Sustainable Development Goals (SDGs) is dedicated to the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all and building effective, accountable institutions at all levels.

Since September 2015, when President Muhammadu Buhari joined other world leaders to endorse the 17 SDGs, his

administration has been striving to promote peace and justice as well as the building of strong institutions in Nigeria as envisaged by SDG16. In this edition of the SDGs Monitor Journal, we review the implementation of SDG16 in Nigeria. The review by our consultant, Professor Jibrin Ibrahim, Senior Fellow, Centre for Democracy and Development, reveals that Nigeria is not on track with respect to achieving the sub-goals or targets of SDG 16. For instance, while sub-goal 1 requires all member states of the United Nations to significantly reduce all forms of violence and related death rates everywhere, our review finds that rather, there has been a significant growth of wanton violence and death in Nigeria in recent years. It also finds that the country has witnessed the expansion of terrorism, ethnic militia and rural-based violence that are grouped as Boko Haram terrorism and farmer-herder clashes.

The country is equally not on course in terms of sub-goal 3, which demands the promotion of the rule of law at the national and international levels and ensuring equal access to justice for all. Our review shows that the criminal justice system in the country has been particularly problematic because it is characterised by lack of respect for the rule of law and frequent abuse of the rights of Nigerians, and that these failings are the direct result of the corrupt nature of the police, the prisons and the courts.

The study finds that certain factors such as the high level of insecurity in the country, weak judicial system, corruption and lack of strong institutions appear to be impediments to the actualisation of SDG16 in Nigeria by 2030. To put Nigeria on the path towards attaining SDG 16, it recommends that government should strive to significantly reduce all forms of violence, the judiciary must be truly independent, devoid of undue executive muzzling, and that all the critical institutions such as the Police, the Army, the Prison Service, and political parties should be strengthened.

Happy reading!

A handwritten signature in blue ink, appearing to read "Ebere Onwudiwe".

**Ebere Onwudiwe**

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# Introduction: Nigeria's Drive towards the Promotion of Peace, Justice and Strong Institutions

**A**MONG the 17 United Nations Sustainable Development Goals (SDGs) for transforming the world, SDG16, which focuses on “peace, justice and strong institutions” ranks high, and for obvious reasons. Without peace, justice and strong institutions, society itself may be likened to the Hobbesian State where life is solitary, nasty, brutish, and short ; a free-for-all society where anything goes, where justice is for sale, where law enforcement agencies are above the law and easily compromised, and where there is no equality before the law. The implications of this are that impunity will increase while corruption will become entrenched.

The quest for peace in modern societies appears elusive. Although the absence of the peaceful atmosphere necessary for growth and development is much more prevalent in developing countries, developed countries are not spared their own share of crises. According to Akeredolu (2019), there is virtually no continent or country that is immune from conflict; as a result the business of peace-keeping is growing.

The lack of peace, or at best; fragile peace, in some cases; is worsened by a weak justice system and lack of strong institutions in many societies. Societies short of peace, justice and strong institutions provide the perfect ground for chaos, violence, maltreatment, corruption, state terror and injustice. This leads to recrimination and alienation among the populace.

It is in pursuit of the development of societies where peace, justice and strong institutions prevail that the United Nations made it number 16 of the SDGs for transforming the world by 2030. Through Goal 16, member states of the United Nations have committed “to the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building effective, accountable institutions at all levels.”

Clearly, SDG 16 is key to achieving the transformative 2030 Agenda. According to *The Global Alliance for Reporting Progress on Peaceful, Just and Inclusive societies (Global Alliance 2019)*, its focus on seven tenets of strong institutions (effective, inclusive, responsive, participative, representative, accountable and transparent), as well as peaceful societies, are necessary for achieving all the SDGs:

“This is true whether the goal is related to education, health, economic growth, climate change or beyond. Without sustained peace, which goes beyond the mere absence of violence and



includes respect for human rights and the rule of law, development gains are reversed. And without inclusion and access to justice for all, inequalities in poverty reduction and socio-economic development will increase and countries' commitments to leaving no one behind will not be met.”

In his message marking the 2018 International Day of Peace, the Secretary General of the United Nations, António Guterres reiterated the importance of human rights for peace and called for a redoubling of efforts to address the root causes of conflict and advance SDG 16, along with other SDGs. He noted that “there is more to achieving peace than laying down weapons.” He emphasised the need to promote inclusive societies, access to justice and to build accountable institutions, as called for in SDG 16.

Reflecting on the significance of SDG 16, Kumar and Roy (2018) describe it as a prerequisite and the core of all SDGs. This, according to them, is because the SDGs cannot be achieved by 2030 without global peace. They posit that:

“There is no doubt that the inclusion of this goal in the SDGs is significant. However, more importantly, it is to be argued that SDG 16 is the most important goal, without which none of the other goals can be sustained. It should be in the core to realize other

Figure 1: Goals 16 – Peace, Justice and Strong Institutions is central to all other SDGs



goals. SDG 16 is just as complex as it is significant. It is persuasive to view peace, security, and governance as complex political issues that fall squarely in the purview of governments and security agencies or as issues specific to “conflict zones.” However, SDG 16 is not just about ending wars and reducing the incidence of violence. In addition to two targets on reducing violence, SDG 16 also has a focus on important drivers of conflict including access to justice, corruption and bribery, transparency, fundamental freedoms, and participatory decision-making.”

Kumar and Roy recommend that government and international organizations must put Goal 16 as a prerequisite and at the core of SDGs. Figure 1 is an illustration by Kumar and Roy on how SDG 16 is central to the other 16 SDGs.

In its report titled: *Enabling the Implementation of the 2030 Agenda through SDG 16+ - Anchoring Peace, Justice and Inclusion*, published in July 2019, Global Alliance describes SDG 16 as an enabler and accelerator for all SDGs. It notes that:

“The issue of reporting on peace, justice and inclusion is fundamental to the sustainable development goals. Whatever countries are trying to achieve across the SDGs has to involve key elements of SDG 16+, including effective institutions, participatory decision-making, access to justice for all, a reduction in violence, tackling corruption and access to information. All of the key parts of SDG 16+ are at the fore in the implementation of Agenda 2030.”

In line with the position of Global Alliance, Akeredolu believes that it has become pertinent to

domesticate SDG 16 in Nigeria because the “indispensable essence of the tripod – justice, peace and abiding institutions,” has been acknowledged globally. He elaborates the importance of peace, justice and strong institutions in the world, Africa, and particularly Nigeria:

“No society can achieve meaningful progress without peace. But there can be no real peace in an unjust ambience. The absence of strong institutions with the mandates to train, prevent, correct and maintain proprietary decorum in a society depicts the level of development in such a geo-political space. The misapprehension of the basic elements necessary for socio-political stability in a society often compels ad hoc solutions to fundamental challenges of nationhood. This is counter-productive.”

Taking a retrospective look into the quest for peace in the Nigerian state and the need for justice and strong institutions, Akeredolu says that the country has had its fair share of crises since political independence from Britain. He notes that the crisis of confidence among the political elite ensured that the whole country almost ceased to exist barely a few years after independence:

“Prevailing suspicion among these elites led to a violent overthrow of government and the subsequent civil war. The end of the war witnessed another phase in the seemingly unending transition to nationhood. A military interregnum appeared to have halted the political progression to a truly indigenous, independent political entity.”

He recalls how the long military intervention, punctuated with a four-year civilian administration, in the Second Republic, deepened the crisis of identity as politicians employed the obnoxious instruments of ethnicity and religion to divide those who had just transited from being subjects to becoming citizens.

“The new political leadership did not need a new device to create confusion. The British template of “divide and rule” sufficed and this was employed with murderous efficiency. It was not surprising, therefore, that the young Republic became embroiled in fratricidal war which claimed millions of lives. The war ended after three years but the effects are still with us...fifty years after.”

Akeredolu contends that attempts at civil rule during the First and Second Republics, the long military interregnum and the programmes of long transition to civil rule and the eventual arrival into the current democratic dispensation are all pointers to the failure of the inherited system. He describes the various reform programmes in Nigeria as mere cosmetic approaches towards solving a fundamental problem of coexistence which will not work.

For Akeredolu, one of the basic things that Nigeria needs to overcome its perennial problems is effective implementation of SDG 16. He says:

“Not a few persons conclude, rather justifiably, that the absence of justice, however defined, is largely

responsible for the deplorable conditions militating against peace... Nigeria will only be in a position to discuss sustainable development if there is peace. The absence of strong institutions can only perpetuate poverty.”

Interestingly, the administration of President Muhammadu Buhari understands the pivotal role of SDG 16 in achieving the SDGs. In her presentation on the margins of the 73rd session of the United Nations Assembly in New York in 2018, the Senior Special Assistant to the President on Sustainable Development Goals (SSAP-SDGs), Mrs Adejoke Orelope-Adefulire said that Nigeria was prioritising some of the goals, particularly SDG 16, which would also lead to addressing the others in some ways. She noted that of all the 17 global goals, Goal 16 is crucial as its implementation would make other goals realisable.

### SDG16 Targets

The targets of SDG16 are as follows:

- Significantly reduce all forms of violence and related death rates everywhere.
- End abuse, exploitation, trafficking and all forms of violence against and torture of children.
- Promote the rule of law at the national and international levels and ensure equal access to justice for all.
- By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime.
- Substantially reduce corruption and bribery in all their forms.
- Develop effective, accountable and transparent institutions at all levels.
- Ensure responsive, inclusive, participatory and representative decision-making at all levels.
- Broaden and strengthen the participation of developing countries in the institutions of global governance.

**Societies short of peace, justice and strong institutions provide the perfect ground for chaos, violence, maltreatment, corruption, state terror and injustice.**

**In addition to two targets on reducing violence, SDG 16 also has a focus on important drivers of conflict including access to justice, corruption and bribery, transparency, fundamental freedoms, and participatory decision-making.**

- By 2030, provide legal identity for all, including birth registration.
- Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.
- Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.
- Promote and enforce non-discriminatory laws and policies for sustainable development.

### Quest for Sustainable Peace in Nigeria

Peace, which is one of the key elements of SDG 16, could be considered as a conducive and favourable condition that enables humankind to exhibit its potential for a meaningful existence in society. According to Francis (2006):

“Peace is generally defined as the absence of war, fear, conflict, anxiety, suffering and violence, and about peaceful coexistence. It is primarily concerned with creating and maintaining a just order in society and the resolution of conflict by non-violent means.”

Francis went further to assert that in general, six meanings of peace are agreed on by many peace researchers including; Peace as the absence of war (absence of direct violence); Peace as justice and development (absence of structural violence); Peace as respect and tolerance between people; Peace as Gaia (balance in and with the ecosystem); Inner Peace (spiritual peace) and; Peace as “wholeness and making whole.”

Peace is a prerequisite for sustainable development. As Egugbo (2016) rightly points out, development cannot take place in an atmosphere of absence of peace. It is against this background that the Nigerian government places much emphasis on peace in order for the country to achieve the necessary development.

Since September 2015 when President Buhari joined other world leaders to endorse the 17 SDGs, his administration has been giving priority to the quest for sustainable peace in Nigeria. In his address at the 70th session of the United Nations General Assembly in New York on September 28, 2015, the Nigerian leader affirmed that peace is “close to the hearts of Nigerians as we are in the frontline in the war on terror” - the *Boko Haram* insurgency.

He said that government has moved with “dispatch to put in a robust strategy to defeat *Boko Haram*” into effect. He noted that *Boko Haram* is not the only security issue bedeviling the country because the spate of kidnappings, armed banditry, herdsmen/farmers clashes, and cattle rustling all help to add to the general air of insecurity in Nigeria. To address these security challenges, President Buhari pledged his government's determination to “erect and maintain an efficient, disciplined people-friendly and well-compensated security forces within an overall security architecture.”

Femi Adesina, Special Adviser to President Buhari on Media and Publicity said that his boss knew that government could not efficiently manage the country until it had secured it; hence he relocated the command centre of the war against *Boko Haram* to Borno State, which is the epicentre of the insurgency. Nigeria's Chief of Army Staff, Major General Tukur Buratai, who led the command centre, vowed that the Nigerian troops would crush the insurgents in the North East geo-political zone of the country. As part of the revised operational strategy, the Buratai leadership had re-named the operational code of the counter insurgency, changing it from “*Operation Zaman Lafiya*” to “*Operation Zaman Lafiya Dole*” - which in Hausa means 'the quest for peace becomes a must.' Adesina said that the result of the counter insurgency is that today, the insurgents have been terribly degraded.

“Steadily and progressively, the insurgents were beaten back, till they got circumscribed in Sambisa Forest. Even that was taken away from them, till they became like sheep without shepherd, mingling with the civilian population to attack soft targets. Today, the insurgency is terribly degraded. Though not totally conquered, it is only a matter of time. The situation today can in no way be compared to what we had in 2015. President Buhari is winning the security war.”

According to Adesina, other theatres of insecurity like kidnapping, armed robbery, attacks by violent herdsmen on farmers, and other civil strifes, have also been curbed. He is optimistic that eventually, calm will suffuse the entire country and peace will prevail.

### Policy and programme drivers towards sustainable peace

Although the Economic Recovery and Growth Plan (ERGP) 2017 - 2020, Nigeria's home-grown four-year development plan, is primarily aimed at driving economic recovery, it also has some salient



intervention strategies aimed to address issues related to SDG 16; including the following:

- Develop and implement a comprehensive action plan for the North East, including emergency humanitarian assistance, relocation, rehabilitation, and resettlement, and building peace, security, infrastructure, agriculture, health, education, and governance.
- Develop and implement a sustainable action plan to stabilize and develop the Niger Delta.
- Sustain and re-invigorate the Amnesty Plan for the repentant Niger Delta militants. Continuous funding of the Amnesty Office to create peace in the oil-rich Niger Delta.
- Ensure environmental sustainability within the Niger Delta Region.
- Strengthen the capacity of the Nigeria Police Force, the Nigeria Security and Civil Defence Corps, Nigerian Prisons Service, Federal Fire Service and the Nigeria Immigration Service, by establishing a national criminal records registry.
- Develop and strengthen the capacity of the Armed Forces of Nigeria and the Military Industrial Complex to ensure strategic deterrence and defence, exercise forward presence in vital areas, responding effectively to crisis and retaining the national capacity to reconstitute forces.
- Establish at least one Brigade in every State capital in Nigeria to fulfil the fundamental demands of the National Security Strategy.
- Promote the adoption of community policing strategies.
- Equip and provide the manpower required for military and paramilitary services.
- Establish enduring partnerships with security agencies in allied countries to build local capacity and curb cross-border crimes such as terrorism, cyber-crimes and others.

It is noteworthy that of all these intervention strategies, the Amnesty Programme for repentant Niger Delta militants is the one that appears to be yielding results, because peace is gradually returning to the oil-rich region as the vandalization and destruction of oil facilities have been significantly reduced.

### Nigeria's ranking on the Global Peace Index

Despite the efforts of the Buhari administration to ensure that peace prevails in the country through various policies and strategies, the Global Peace Index 2019 (GPI) ranked Nigeria 148th out of 163 independent states and territories, according to their level of peacefulness. The report also placed Nigeria among the five least peaceful countries in sub-Saharan Africa, alongside the Democratic Republic of Congo (155th), Central African Republic (157th), Somalia (158th), and South Sudan (161st).

The GPI, which is produced by the Institute of Economics and Peace, measures peacefulness across the three domains; safety and security, ongoing conflict, and militarisation. According to the report, while the world has become less peaceful over the last decade, there had been some notable improvements in place.

The GPI also analysed the potential long-term impact of climate change on levels of peacefulness. An estimated 971 million people live in areas with “high” or “very high level” exposure to climate hazards. The report reads in part:

“Eight of the 25 least peaceful countries have 10 per cent or more of their population in areas of high risk to multiple climate hazards, or a total of 103.7 million people. The Philippines, the Democratic Republic of Congo, Mexico and Nigeria are particularly vulnerable, with 47, 26, 24, and 24 per cent respectively of their populations in areas of high exposure to climate hazards.”

The report noted that the world is considerably least peaceful now than it was in 2008, with average level of peacefulness deteriorating by 3.78 per cent over the last decade.

**Table 1: Global Peace Index 2019 – The least peaceful countries**

RANK	COUNTRY	SCORE	CHANGE
141	India	2.605	↓ 4
142	Palestine	2.608	↓ 2
143	Colombia	2.661	↑ 2
144	Venezuela	2.671	↓ 2
145	Mali	2.710	↑ 2
146	Israel	2.735	↑ 1
147	Lebanon	2.800	↓ 26
148	Nigeria	2.898	↔
149	North Korea	2.921	↑ 1
150	Ukraine	2.950	↑ 2
151	Sudan	2.995	↑ 3
152	Turkey	3.015	↓ 3
153	Pakistan	3.072	↓ 2
154	Russia	3.093	↓ 1
155	Dem. Rep of the Congo	3.218	↔
156	Libya	3.285	↑ 1
157	Central African Rep	3.296	↓ 1
158	Somalia	3.300	↑ 1
159	Iraq	3.369	↑ 1
160	Yemen	3.412	↓ 2
161	South Sudan	3.526	↔
162	Syria	3.566	↑ 1
163	Afghanistan	3.574	↓ 1

## Accelerating Access to Justice

It is pertinent to note that the judiciary in Nigeria has been anchoring the administration of justice in the country as part of measures to achieve Goal 16 through partnership with other institutions in the country at the federal and state levels. The first step towards accelerating access to justice was the signing of a Memorandum of Understanding (MoU) between the Nigerian Bar Association (NBA) and the Office of the Special Assistant to the President on Sustainable Development Goals (OSSAP-SDGs) in October 2017, to guarantee access to justice for all Nigerians. Orelupe-Adefulire, SSAP-SDGs said the partnership was meant to achieve SDG 16. According to her, the target being addressed by the partnership relates to peace, access to justice and building of strong and efficient legal institutions for good governance. She added that the promotion of access to justice, respect for the rule of law and protection of human rights were the agreed objectives of the partnership.

The then President of the NBA, Abubakar Mahmoud said that the MoU followed a proposal by the NBA to initiate projects relating to goals 16 and 17 of the SDGs (*The News*, 2017). Mahmoud explained that the signing of the MoU shows that the enthronement of the rule of law, access to justice, suppression of corruption and establishment of transparent institutions are indispensable requirements for sustainable development (*The Guardian*, 2017).

Like the NBA, Civil Society Organizations (CSOs) are also partnering with government in the implementation of the SDGs. They use their various organizations as platforms for the enthronement of a humane Nigerian society where peace, justice and the rule of law will always prevail. This is being done under the auspices of the Transparency, Accountability and Participation (TAP), a broad network of CSOs that works to ensure that effective governance and peaceful societies. According to Dr. Tola Winjobi, Coordinator of the Civil Society Coalition on Sustainable Development (CSCSD), "TAP's work looks to reinforce the assertion that SDG16 underpins the

entire 2030 Agenda and that SDG16 is linked with all other SDGs."

On its part, the Nigerian judiciary collaborates with Economic and Financial Crimes Commission (EFCC) on SDG 16, specifically those relating to anti-corruption and transparency in order to substantially reduce corruption and bribery in all their forms (Target 16.5). These measures appear to be yielding results as the number of persons prosecuted for corruption is increasing as shown in the table below covering the period: 2013 to 2018:

**Table 2: Number of Persons Convicted of Corruption from 2013 to 2018**

Years	Number of Persons Convicted of Corruption
2013	117
2014	126
2015	103
2016	194
2017	189
2018	312

*Source: Economic and Financial Crimes Commission (2019)*

Based on the number of convictions stated above, there has been a significant increase in the number of persons imprisoned for corruption. The 312 convictions secured by the EFCC between January and December 2018 is the highest conviction rate secured by the commission since the Buhari administration started its own anti-corruption campaign in 2015. The record number of convictions in 2018 is a significant improvement from the 189 convictions in 2017.

The Nigerian judiciary continues to uphold the rule of law by promoting equality before the law. This is manifested in the arrest of not only infamous criminals, but prominent politicians such as three former State Governors jailed for misappropriating public funds.

High profile convictions in 2018 include those of two politically exposed persons: Jolly Nyame, a former Governor of Taraba State and Joshua Dariye, a serving Senator and a former Governor of Plateau State. Both were sentenced to 14 years in prison by the High Court of the Federal Capital Territory (FCT) and are currently serving terms at Kuje Prison. Dariye and Nyame had appealed to the Court of Appeal to challenge the "guilty" verdict handed down on them by Justice Adebukola Banjoko of the High Court of the FCT. Although their convictions were upheld, the appellate court reduced Dariye's jail terms to 10 years, and that of Nyame to 12 years with a fine of N 495 million.

In December 2019, Orji Uzor Kalu, a former Governor of Abia State and serving Senator joined the ignoble ranks of convicted ex-governors. Kalu whose

**Nigeria will only be in a position to discuss sustainable development if there is peace. The absence of strong institutions can only perpetuate poverty**

trial for misappropriating N7.65billion while in office had lasted 12 years was found guilty of fraud and sentenced to 12 years in prison by the Federal High Court sitting in Lagos.

But in May, 2020, there was a reprieve for Kalu when the Supreme Court voided the judgment that convicted and sentenced him to 12 years imprisonment. The apex court, in a unanimous decision by a seven-man panel of justices led by Justice Amina Augie, held that the Federal High Court in Lagos acted without jurisdiction when it convicted the former Governor of Abia State.

It held that trial Justice Mohammed Liman was no longer a judge of the Federal High Court as at the time he sat and delivered the judgment. According to the Supreme Court, Justice Liman, having been elevated to the Court of Appeal before then, lacked the powers to return to sit as a High Court Judge.

It held that the Fiat that was issued to him by the Court of Appeal President pursuant to section 396(7) of the Administration of Criminal Justice Act was unconstitutional. Consequently, the apex court vacated the judgment that convicted the Kalu and ordered a fresh trial.

In reaction to the verdict, Dele Oyewale, Head, Media & Publicity of the EFCC described it as “quite unfortunate” and promised that the Commission was prepared for a fresh trial of the case. He said:

“The EFCC considers the judgment of the apex court as quite unfortunate. It is a technical ambush against the trial of the former governor. The Commission is prepared for a fresh and immediate trial of the case because its evidences against Kalu and others are overwhelming. The corruption charges against Kalu still subsist because the Supreme Court did not acquit him of them. The entire prosecutorial machinery of the EFCC would be launched in a fresh trial where justice is bound to be served in due course.”

As part of the Buhari administration's commitment to tackling corruption, several officials of previous administrations, accused of mismanaging public funds, were charged to court. Prominent among such persons is the former National Security Adviser, Colonel Sambo Dasuki (rtd). Dasuki is facing multiple charges for alleged mismanagement/diversion of \$2.1 billion meant for the purchase of arms, and many others (EFCC, 2019).

The judiciary also liaises with the EFCC on the recovery of stolen assets and reducing incidents of money laundering (Target 16.4). The Supreme Court's radical verdict in the case of an ex-Kogi lawmaker, based on the provisions of the Money Laundering (Prohibition) Act of 2002 (Shittu, 2018; EFCC, 2019), was another significant effort by the judiciary towards realising Goal 16.

The Nigerian Judiciary is also in partnership with the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) to control human trafficking (Target 16.2). This partnership recorded relative

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success in the arrest and conviction of human traffickers. Between 2016 and 2018, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) received 2,383 cases for investigation, completed 684 investigations, and secured the conviction of 83 traffickers. Judges sentenced most traffickers under the 2015 Trafficking in Persons (Prohibition) Enforcement and Administration Act, although some judges also convicted traffickers under its 2003 precursor. Prison sentences upon conviction ranged from six months to fifteen years imprisonment (NAPTIP, 2018: 7).

### **Federal Ministry of Justice and intervention in the recovery of stolen assets**

The Federal Ministry of Justice (FMOJ) is essentially a service ministry established to provide legal support services to other Ministries, Departments and Agencies (MDAs) of government to enable them to discharge their statutory functions in line with the overall policy thrust of any administration and to oversee state legal services. Specifically, the FMOJ is the primary institution responsible for the administration of justice, and for the articulation, promotion and defence of constitutional values and principles in the governance of the country.

In line with the anti-corruption stance of the Buhari administration, the FMOJ has developed a constructive protocol for collaboration with anti-corruption agencies, law enforcement and security agencies, as well as the Whistle Blowers' office on the recovery of stolen public funds. Additionally, there has been increased international cooperation and collaboration with countries such as United Kingdom, United States of America, Switzerland, France, and Italy, Island of Jersey, and United Arab Emirates to ensure that all assets identified as stolen from Nigeria are recovered.

### **Recovery of monies recovered through repatriation**

On November 1, 2017, the Federal Government of Nigeria gave the Attorney General of the Federation and Minister of Justice, Abubakar Malami authority to sign a Tripartite Agreement with the Swiss Federal Council and the World Bank for the repatriation of

\$322 million looted by the late General Sani Abacha, the country's former military Head of State. The signing then took place in December 2017, during the maiden Global Forum on Asset Recovery in Washington DC, USA. The funds have since been received by the Nigerian government.

In May 2020, the Nigerian government received another \$311 of Abacha loot repatriated from the United States and the Bailiwick of Jersey. According to Malami, Minister of Justice, the litigation process for the return of the asset titled "Abacha III" commenced in 2014, while the diplomatic process that culminated in the signing of the Asset Return Agreement on February 3, 2020, by the governments of Nigeria, the United States and the Bailiwick of Jersey commenced in 2018.

The agreement was based on international law and cooperation measures that set out the procedures for the repatriation, transfer, disposition and management of the assets.

Apart from the recovery of Abacha loot, the Commercial Court in the United Kingdom recently ordered the payment of the sum of over \$73million, plus interest, to the Nigerian government, this was part of the proceeds from the sale of OPL 245 by Malabu Oil and Gas Company to ENI/SHELL. The sum has also been received and deposited with the Central Bank of Nigeria (CBN).

In addition, the Office of the Attorney General of the Federation has recovered sums totalling N 59, 163,029,949.46 and US\$385, 495, 900.00 locally.

To combat tax evasion and illicit financial flows, the Nigerian government is partnering with organisations abroad. The Mutual Assistance in Criminal Matters Act, assented to by President Buhari in June 2018, provides a domestic legal framework for getting international assistance in criminal matters. This has strengthened the hand of the law enforcement agencies in obtaining evidence, investigating suspects and facilitating the recovery, forfeiture and confiscation of property proven to be proceeds of crime.

**The Global Peace Index 2019 (GPI) ranked Nigeria 148th out of 163 independent states and territories, according to their level of peacefulness.**

### Challenges facing the Nigerian Judiciary in attaining SDG 16

**(i) Corruption:** The perception of many Nigerians – despite the common belief that “the judiciary is the last hope of the common man” – is that the judiciary is corrupt. The belief is widespread that litigants or those who appear before the courts can obtain judgment in their favour if they grease the palms of judicial officers. Though this negative view of the judiciary is shared by many, few Nigerians would be able to substantiate it if put to task, yet it continues to be propagated. Chekwes Okorie, national chairman of the United Progressives Party (UPP) opines that:

“The greatest tragedy of modern Nigeria is the rot that has occurred in the judiciary. ... the travesty of justice at all levels of (Nigeria's) judicial system has been elevated to a culture. Judicial officers brazenly and unscrupulously live above their means and display their ostentatious lifestyle with impunity...Lawyers engage in negotiating bribe with judges. They also compromise cases brought to them by innocent clients if induced by their opponents in a litigation.”

Many Nigerian lawyers stand accused along with the judiciary, as it is alleged that they deliberately obstruct justice by coming up with all manner of stratagems to postpone cases involving their clients, particularly those who are wealthy, to secure their freedom. Such allegations imply a belief that judicial officers are either motivated more by pecuniary gain than by the impartial administration of the law, or that they have sympathy for or are as corrupt as the people facing trial.

On October 7, 2016, a melodrama of sorts played out in Abuja, Port Harcourt, Kaduna and Gombe when the homes of some superior court judges, including justices of the Supreme Court and High Court, were invaded by the Department of State Security Services (DSS), ostensibly to collect evidence linking them to corruption. At the end of the exercise, a large amount of cash in local and foreign currencies totalling over N360 million was said to have been recovered from the homes of three judges: Justices Adeniyi F.A. Ademola, Nwali Sylvester Ngwuta and John Inyang Okoro. The DSS claimed that the sums recovered would have been higher by US\$2 million if the Governor of Rivers State, Nyesom Wike, had not prevented their efforts to raid the home of a fourth judge in Port Harcourt.

However, the Federal Government was unable to secure conviction of any of the judges who had been raided and arrested in such a blaze of publicity. In fact, they didn't even file charges against Justice Okoro.

Despite the failure of the Federal Government to secure conviction in respect of any of the three judges, the perception persists that corruption in the Nigerian judiciary has passed the alarming and crossed over to the fatal stage; the judiciary will be impotent as long as it is regarded as slightly indisposed (Oko, 2005).

A recent survey by Transparency International (TI) titled: “*Global Corruption Barometer Africa 2019: Citizens Views and Experience on Corruption*” supports this view. The survey listed the police, the parliament and the judiciary among the most corrupt institutions in Nigeria. According to the survey, about 69 per cent of those who participated in the survey ticked the police as the most corrupt institution, 60 per cent went for members of the parliament, 51 per cent went for judges and magistrates, while 43 per cent chose the executive arm of government.

The 2019 Corruption Perception Index (Transparency International, 2019) also ranked Nigeria as 146 out of 180 countries surveyed. The country slipped down two places in the global rating, scoring 26 out of 100 points, a drop from the 27 points it had maintained since 2017. In the 2018 index, Nigeria had risen by four places on the index from 148 to 144.

Reacting to the damning report of TI, the ECC described the poor rating as baseless and appalling. The Commission dubbed what it called “the bogus and ambiguous criteria” used by TI to arrive at its warped verdict as jaundiced. The EFCC stated:

“We insist that the rating is a far cry from the evident strides and achievements so far accomplished by the anti-graft agency in the fight against corruption, particularly under the administration of President Buhari.”

With particular reference with what the EFCC termed the success recorded in terms of its collaboration with the judiciary, the Commission stated that 2019 – the year under review by TI – was particularly remarkable as it secured an unprecedented record of 1,268, convictions, including that of a former state governor who was convicted for defrauding his state to the tune of N7.65 billion.

But the Socio-Economic Right and Accountability Project (SERAP), a group that promotes human rights, transparency and accountability in governance, said “Nigeria's score on TI's Corruption Perception Index 2018 is hardly surprising.” According to the group, the poor rating is a clear indication that the fight against corruption in the country has not improved, and in fact remains at the level of the 2015 rating in which Nigeria also scored 26.

Internally, the integrity of the judiciary is questioned following numerous corruption charges against senior judicial officers; this in turn hinders the anti-corruption efforts of this institution and ultimately the implementation of Goal 16 (Civil Society Legislative Agency Centre, 2017:39). The fight against corruption is gradually being perceived as politicised as many high profile cases, including the trial of a former Senate President and other political figures opposed to the government in power were made to corruption-related charges, although many of such charges have been dismissed for procedural errors or lack of evidence. This *laissez-faire* approach may not be sustainable in the nearest future as the tolerance of the public for corruption is

## The Nigerian judiciary continues to uphold the rule of law by promoting equality before the law.

likely to wane amid the prevalence insecurity and economic recession (Shittu, 2018).

**(ii) Delay in Administration of Justice:** Another issue that circumscribes the judiciary's efforts in achieving the SDG 16 is delay in the administration of justice. Although, the constitution guarantees the right to fair trial for all Nigerians, unfortunately, these trials are rarely speedy or heard within an appropriate time. This has proved to be one of the obstacles to access justice, based on the world Justice Peace Project Index Report 2018 (WJPR, 2018). For instance, a non-governmental organisation based in Nigeria, Hurilaws reports that delay in litigation in Nigerian courts is pervasive. On the average, a court hearing can take as long as five years or more and linger for another four or more years in appellate proceedings. Frynas, (2010) validates this assertion as he observes that the deferment of cases is one of the major problems facing access to courts in the country; which is a result of congestion in the courts and manifests in the high number of pending cases. Cases in Nigerian courts may take over ten years before reaching a final judgment. Sometimes, the original litigant may have been deceased by the time a verdict is given.

**(iii) Lack of Judicial Independence:** The Nigerian judiciary's efforts in implementing SDG 16 are also frustrated by several constitutional provisions; more specifically those provisions which undermine the independence of the judiciary. The concept of judicial independence states that the judicial arm should in no way be subjected to undue influence by other arms of government, individuals or parochial interests so as to dispense justice without fear or favour (FRN, 1999). On the issue of undue interference by the executive in the affairs of the judiciary, the commitment of the judiciary in upholding the rule of law is undermined by other arms of government, and corrupt judicial officers and complicit legal practitioners. It is essential that the judiciary is independent. The independence of the judiciary entails having no interference from other arms of government. Unfortunately, that is not the case in Nigeria. Rather, there have been cases where the executive arm interfered heavily with the judicial arm. One example is the recent case involving the immediate

past Chief Justice of Nigeria, Justice Walter Onnoghen who was humiliated out of office by the executive arm of government over allegations of impropriety.

It was a clear case of executive interference and colossal aberration of the rule of law. The actions of the executive arm were not merely unusual, they were also unlawful. According to Ibietan and Okafor (2019) such an act of executive lawlessness “is not hygienic for the judicial arm. Situations as that expose the judiciary to vulnerability. And when the judiciary is vulnerable, there is no way the wheel of justice can be smooth.” Sections 231(1); 238(1) and 250 (1) of the Nigerian Constitution (FRN, 1999) empowers the executive to appoint judicial officers based on the recommendation of the National Judicial Council followed by confirmation of the legislature. This provision notwithstanding, the appointment and removal of judicial officers are politicised. Judges are constantly coerced and in several cases blackmailed into complying with the whims and caprices of the executive; intrusion in the judicial process is becoming a Nigerian political culture whereby politicians continue to sway court proceedings for selfish ends (Oko, 2005).

The double strategy of intimidation and manipulation is choking the judicial process and making it difficult to get a fair trial in court. Court hearings often turn into a caricature where influential litigants, aided by disreputable lawyers, steer the judicial process to achieve inordinately delayed outcomes. The distorted view of the judiciary as an extension of the executive arm coupled with the dependence of judicial officers on the executive for benefits such as good housing and job security makes it difficult for the judiciary to discharge its role as a watchdog ensuring transparency and accountability on the part of other arms of government. Judges temper justice with self-preservation, thereby threatening the realisation of SDG 16 (Obutte, 2012).

**As part of the Buhari administration's commitment to tackling corruption, several officials of previous administrations, accused of mismanaging public funds, were charged to court.**

**The perception of many Nigerians – despite the common belief that “the judiciary is the last hope of the common man” – is that the judiciary is corrupt.**

**(iv) Infrastructural deficits:** Infrastructural deficits such as ageing, deteriorating and poorly equipped physical facilities tend to hamper the judiciary's determination to implement the SDGs. This often culminates in the lack of access to justice in several ways. First, it breeds corruption; the absence of modern court facilities creates an environment where tampering, distortion and destruction of evidence and court records by corrupt and unethical court officials fester (Partners West Africa, 2018). Uwaleke, Onyekwere, Dunia and Ahovi (2016) corroborate this assertion as they describe the general state of courts in Nigeria as appalling, characterised by state courts which lack electricity, good furniture and proper ventilation systems. Courtrooms are often overcrowded during hearings such that lawyers have no place to sit; manual typewriters are still in use; judges record in long hand; and courtroom are rotated among different judges. These inadequacies result in a backlog of pending cases which take years to resolve. Second and most importantly, the lack of adequate facilities affect the litigation process as lawyers are limited to the analogue technologies that are available in the courtroom. Many courtrooms with the exception of the Federal High Court in Lagos and Abuja and the National Industrial Court of Nigeria in Lagos are not equipped with audio and visual tools to help the plaintiff argue his case effectively. This often hinders the court's ability to reach a just decision.

**(v) Public Mistrust:** The foregoing challenges inevitably result in a general mistrust of the judicial arm in the public eye. In Nigeria, there is growing cynicism about the judiciary's reliability and its ability to protect civil rights and constrain the excesses of elected officials. For most Nigerians, the judicial process is likened to an auction situation whereby justice goes to the highest bidder (Orban and Aver, 2014). This perception of the judiciary stands as an impediment to guaranteeing equal access to justice, protecting human rights and ensuring transparency and accountability at all levels of governance in the country. Ibietan and Okafor (2019) posit that to achieve the SDGs, especially Goal 16, the judiciary must devise means to rid itself of these limitations.

## The challenges of policing

Like the judiciary, the police is among the institutions entrusted with ensuring a just and peaceful society in various countries all over the world. However, in Nigeria, this critical institution is also tainted corruption. An April 2015 report by NOIPolls, a leading country-specific polling services organization, had rated the Nigeria Police Force as the most corrupt agency in Nigeria. It found that among other factors, Nigerians blame:

“...weak public institutions (24 per cent), poor pay incentive (6 per cent), ineffective anti-corruption agencies (5 per cent), absence of key Anti-Corruption tools (2 per cent) as “responsible for the prevalence of corruption in Nigeria.”

The NOIPolls report, which sought to find out the experience of Nigerians on corruption, found that:

“...regardless of gender, age and geo-political zones, majority of Nigerians (63 per cent) claimed they have experienced cases of corruption, either in the form of bribery, illegal business practices, irregular payments etc.”

One of the questions asked was: “In what sector did you experience challenges related to corruption such as illegal business practices, irregular payments, bribery etc.?” To this, a total of 61 per cent of Nigerians reported that they had faced challenges relating to corruption in the public sector and of this percentage, 22 per cent indicated that these challenges were experienced with the Nigerian Police Force, while 25 per cent indicated Ministries Departments and Agencies (MDAs) and other areas.”

Part of the reason why the Nigeria Police is deemed corrupt is the remuneration of the average policeman and dismal work incentive. The salary of low to middle rank policemen has been poor compared to that of their counterparts in other security agencies. In a *Premium Times* report titled: *Inside Nigeria Police Shocking Work Conditions where Officers are Left Homeless, Paid Peanuts*, Ibanga Isine reported that “The Nigeria police, especially the rank and file, are the least paid among corresponding security agencies in Nigeria, a failing that fuels corruption.” The writer went on to state that:

“Tens of thousands of officers of the Nigerian police receive some of the poorest pay even in the West African sub-region, and the worst hit are the rank and file - the force's foot soldiers who spend decades in the line of duty but are hardly promoted, accommodated or paid well.”

The ranks analysed by Isine are the ones who typically man checkpoints on Nigerian roads, conduct patrols and have direct encounters with the general public. They and other policemen claim that they resort to bribery - not only as a way of making up for their poor income - but for meeting other exigencies such as fuelling their patrol vehicles since some policemen on patrol duty complain that they are expected or directed by their superiors to fuel their patrol vehicles themselves, and it is left to them to get

**The independence of the judiciary entails having no interference from other arms of government. Unfortunately, that is not the case in Nigeria. Rather, there have been cases where the executive arm interfered heavily with the judicial arm.**

the money to do so however they can. Policemen posted to 'lucrative duty' posts are said to be required to make regular returns to their superiors as a condition for continuing to enjoy such postings.

Generally, poor salary and abysmal work conditions, which include poor accommodation, (many police barracks are an eyesore), inability to access transfer duty allowances or other incentives, hamper the productivity of police officers and makes them vent their frustration on ordinary Nigerians.

Apart from these challenges, top police officers are of the view that the Nigeria Police Force is understaffed and needs to employ more police to effectively checkmate crime in a country of approximately 180 million.

In March 2016, a *Daily Trust* report put the total number of police personnel in the country at 370,000 which approximates to one policeman to 459 Nigerians.

To address the challenges of policing in Nigeria, the Buhari administration had approved in 2018 an enhanced salary structure for the Police. Government also resuscitated the Ministry of Police Affairs to oversee the development and implementation of strategies to enhance internal security. The Nigerian leader recently assented to the Nigerian Police Trust Fund (Establishment) Act to create a legal framework to support the Police with increased fiscal resources to enhance their law enforcement capabilities. He also approved the recruitment of 10,000 constables into the Nigeria Police Force as a demonstration of government's commitment use them to effectively arrest the incidents of armed robbery, kidnapping and other violent crimes.

Despite the efforts of the Buhari administration to address the challenge of policing through improvements in their condition of service, the 2019 survey by the Socio-Economic Rights and Accountability Project (SERAP) showed that among the five major public institutions surveyed, the police still emerged as the most corrupt. The survey showed that the level of corruption among the police officers has not changed in the last five years.

### The 2019 survey by the Socio-Economic Rights and Accountability Project (SERAP) showed that among the five major public institutions surveyed, the police still emerged as the most corrupt.

According to the survey, “a bribe is paid in 54 per cent of interactions with the police. In fact, there is a 63 per cent probability that an average Nigerian would be asked to pay a bribe each time he or she interacted with the police. That is almost two out of three.”

#### The Nigerian Army and its challenges

Like the Police, the Army is not free of challenges. Funding for the Nigerian Armed Forces, of which the Army is a part, like the police, has been poor for decades and this was reflected in the weapons available for soldiers to quell the *Boko Haram* insurgency in the North East. One of the reasons the Nigerian military was unable to defeat *Boko Haram* in the early years of the insurgency was the largely outdated equipment used by the soldiers. As recent investigations from the probe of the budget for arms in Nigeria have shown, some of the monies voted for arms procurement were diverted by officials of government. However, poor or inadequate weapons are not the only challenge confronting the Nigerian military. Since the fight against the *Boko Haram* insurgency began in Nigeria in 2009, some observers have accused it of arbitrariness and extra-judicial killing. A June 2015 report by Amnesty International titled “*Nigeria: Stars On Their Shoulders: Blood on Their Hands: War Crimes Committed by the Nigerian Military*” alleges that:

“In the course of security operations against *Boko Haram* in North East Nigeria, Nigerian military forces have extra judicially executed more than 1,200 people; they have arbitrarily arrested at least 20,000 people, mostly young men and boys; and have committed countless acts of torture. Hundreds, if not thousands, of Nigerians have become victims of enforced disappearance; and at least 7,000 people have died in military detention as a result of starvation, extreme overcrowding and denial of medical assistance.”

Long before this report, the United States of America had refused to sell arms to the Nigerian government due to the poor human rights record of the Nigerian military. Although Nigerian military authorities denied or described such reports as exaggerated, the allegation of excessive use of force by

the military is one some of their countrymen may not consider unfounded as the civilian-military relationship has not been cordial since the days of military rule in Nigeria. There have been cases of soldiers whipping civilians, meting out degrading punishment to them at the slightest provocation, and allegations of the use of excessive force in dealing with the *Boko Haram* insurgency (or any insurrection for that matter) are viewed by pessimists as an extension of that aggression. This breeds resentment among the populace, brings about a lack of trust and alienates the people from the military which needs their support to succeed.

#### State of the prisons

Another arm of the criminal justice system is the Nigerian Prison Service, now known as the Nigerian Correctional Service (NCoS). One of its functions set out in the Prisons Act is to “take into lawful custody all those certified to be kept by courts of competent jurisdiction.” Prisons are expected to serve as reformatories that allow for introspection and make the inmates better individuals upon release, but with the awful condition of many Nigerian prisons, this hardly occurs. In his report on *Prison Reforms System and Inmate's Welfare in Nigeria* published in March 2016, Z.O. Opafunso of the of the School of Management Technology, Federal University of Technology, Akure, states that: “Nigerian prisons are characterized by overcrowding, widespread disease, poor ventilation, poor feeding and poor medical attention.”

A November 2016 report by the British Home Office on prison conditions in Nigeria found that:

“Prison conditions, including unofficial detention centres operated by the security forces, are generally extremely poor. Many prisons have severe overcrowding, shortages of food and water, inadequate sanitary conditions and an absence of, or inadequate, medical treatment. There is also reportedly a high incidence of deaths in detention, as well as reports of torture, extra-judicial executions and extortion by guards. Around 70 per cent of prisoners are awaiting trial, some of whom have spent long periods in detention”

The Home Office report refers to research undertaken by the National Human Rights Commission (NHRC) at 173 prisons in 2012 as evidence of the poor state of Nigerian prisons.

The 199 page NHRC report focused on the following matters: the facilities at the prisons, access to justice, welfare of detainees, welfare of officers and general information. It reveals shocking statistics about Nigerian prisons.

In terms of capacity, the research revealed that most of the prisons were overcrowded.

“Congestion was as a result of the number of detainees that were awaiting trial. Comparatively, in all the 173 prisons audited across the Country, the lockup was 50,645 compared to a capacity of



**Table 3: Nigerian Prisons in terms of Capacity**

S/N	Zone	Capacity	Lockup
1	South South	7,298	10,232
2	North East	9,011	6,677
3	North Central	7,722	6,816
4	South West	7,722	11,078
5	North West	9,754	8,087
6	South East	4,467	7,664
TOTAL		46,024	50,645

Source: National Human Rights Commission report 2012

46,024. For instance, in Bauchi prison, the lockup was 820 as against a capacity of 500; Onitsha prison has a capacity of 326 but the lock up was 755, Enugu Prison had 1,625 lockups as against 638 capacity and Owerri prison had 1,745 lockups, compared to a capacity of 548. Ikoyi prison in Lagos State with a capacity of 1,700 had 2,439 lockups, while Abeokuta New and Akure prisons with a capacity of 510 and 160 had 733 and 707 lockups respectively at the time of the audit exercise. So also Port Harcourt with a capacity of 804 but had a lockup of 2,902, while MSP Oko in Edo State with a capacity of 608 had a lockup of 1,089. Similarly, the MSP Keffi, Nasarawa State, has a capacity of 160 but the lockup was 571."

The analysis by zones revealed the following results:

The report also showed the number of detainees with legal or no legal representation:

"In the 168 prisons audited throughout the country, it was discovered that most of the prisons had no record of detainees with legal representation. In the North-east zone, only 797 out of a total of 6677 detainees had legal representation, while in the South-south Zone,

5570 had legal representations. Furthermore, in the North-west Zone, the ratio of detainees with legal representation was 3:2 and 4719 out of 11078 had legal representation in the South-west zone. Similarly, 1,716 detainees had legal representation in the North-central and 1,716 in the South-east zone. In some prisons, there were no records on the number of detainees with legal representation."

In the North-east zone, about 2,453 detainees, with Bauchi recording the highest with 400 detainees had no legal representation. Others are

Gombe and Mubi prisons with 286 and 242 respectively, Yola prison had 228 and 130 detainees in Ganye prison were without legal representations. Also, 556 detainees in the North-central had no legal representation, while 556 detainees in the South-west had no legal representation and 671 in the South South zone. This is despite the fact that legal representation for any one accused of having committed an offence is an important safeguard against the violation of the accused right to fair hearing."

With reports like this, Sylvester Odion-Akhaine, a lecturer in the Department of Political Science, Lagos State University, may be right in his assessment that "the prison system in Nigeria is dehumanizing."

### Prison Reform and Decongestion

Over the years, Nigerian Prisons have been a source of concern due to overcrowding, under staffing, lack of adequate medical care, inadequate conditions for female and juvenile detainees, poor administration long detention of those awaiting trial and limited access to legal advice and representation. These have frequently led to poor health conditions and frequent jailbreaks.

**Table 4: Nigerian Prisons in terms of access to justice**

S/N	Zone	Number of detainees with Legal representation	Number of detainees without Legal representation
1	South South	5,570	671
2	North East	797	2,453
3	North Central	1,716	556
4	South West	4,719	556
5	North West	4,719	---
6	South East	1,716	228
TOTAL		19,237	4,464

Source: National Human Rights Commission report 2012

It is against this background that the Buhari administration decided to accord priority to Prison Reform and decongestion. In consideration of Memorandum EC (2017) 131 by the Minister of Interior, the Federal Executive Council directed the Federal Ministry of Justice (FMOJ) to - among other things - carry out Prison Reform and Decongestion as follows:

- Review the legal regime of the prisons service
- Establish a Case Management System Nationwide to integrate with the existing Prison Information Management System covering Lagos, Enugu and the Federal Capital Territory.

### Nigerian prisons are characterized by overcrowding, widespread disease, poor ventilation, poor feeding and poor medical attention.

- Undertake sustainable prison de-congestion initiatives.

In implementing the resolution of Council, the Attorney General of the Federation and Minister of Justice constituted a National Stakeholders Committee on Prisons Reform and Decongestion. The Committee chaired by the Chief Judge of the High Court of FCT was directed to oversee the implementation of the directive. In undertaking its assignment, the Committee commenced a series of Prisons Visits/Jail Delivery across Nigeria.

A major challenge presently being faced in efforts to de-congest the Prisons is the reluctance of State Governors to sign death warrants of condemned inmates who have exhausted their appeals, thereby contributing to overcrowding.

In a bid to decongest the prisons and control the spread of coronavirus (COVID-19) in Nigeria in April 2020, President Buhari granted pardon and clemency to 2,600 prison inmates of the Nigerian Correctional Service.

Buhari urged the Chief Justice of Nigeria (CJN) to free the prisoners to reduce the number since 42 per cent of them are awaiting trial, especially as “physical distancing and self-isolation in such conditions are practically impossible.”

#### Towards attaining SDG 16

Peace, justice and strong institutions are all important for the attainment of sustainable development in Nigeria. However, for the country to achieve lasting peace, justice and strong institutions by 2030, scholars insist that all the critical institutions need to be revamped, and the welfare of officials in the crime and justice departments improved.

Kumar and Roy recommend that all stakeholders need to demonstrate a strong commitment to the implementation of SDG 16.

In their own submission, Ibietan and Okafor (2019) advocate that:

“Government and other stakeholders should make deliberate efforts in building strong institutions by addressing unprofessional acts and attitudes that plague the public bureaucracies as well as the

unaccountability and non-transparent practices that characterise state institutions.”

They also suggest that civil society organisations (CSOs) should partner with government to build capacity in order to fully implement Goal 16:

“It is necessary to strengthen capacity in important areas such as sensitisation and mobilisation of public interests and increasing capability to make demands for policies that address vulnerable groups in the society; delivery on campaign promises and commitment to democratic principles such as accountability, transparency, human rights and rule of law which reflect the targets of Goal 16.”

To build a judicial system where the rule of law takes pre-eminence over and above the rule of man, Ibietan and Okafor recommend that the judiciary should work towards ridding itself of vices such as corruption through appropriate sanctions on immoral and unethical practices. In addition, they canvass for financial independence of the judiciary; greater liaison between the bench and the bar; the police and the bar; the rebirth of a more robust NBA and the appointment of judges based on merit and devoid of other subjective criteria or prejudices.

Akeredolu (2019) believes that another factor which could inhibit the actualisation of SDG 16 in Nigeria by 2030 is that the institutions of state – the executive, the legislature, the judiciary and political parties are still very weak. To make the executive arm of government alive to its responsibilities, he advocates that political office holders must uphold the tenets of the rule of law in all their dealings. He emphasizes that:

“There should not be any instance when the interests of these ephemeral office holders should stand against those of the generality of the people. They hold their offices in trust. Sovereignty belongs to the people and resides with them at all times. The periodic surrender of power to any elected representative is not absolute. Until the Executive arm of government is made to observe these basic principles, there will be no peace.”

Akeredolu notes that the legislative arm of government is also a very important institution because its members are direct representatives of the people. He contends that since they are drawn from constituencies and, are consequently, closest to the people, they should know the challenges encountered by their constituents and must be willing to present these at the parliament:

“They must subordinate their personal preferences for the general will. A weak legislature is dangerous to the health of the society. In the same vein, a needlessly combative parliament is disruptive.

The people's interests are best served by an assembly of representatives guided by discernible ideologies and manifestos. It is only a strong legislature which possesses the capacity to rein in the excesses of the Executive.”

## Although the Nigerian government is committed to the domestication of SDG 16, implementation has not been quite smooth-sailing.

To ensure that the judicial arm serves as the veritable check on the Executive and the Legislature in Nigeria, Akeredolu insists that it must be independent of the other two arms of government save for the constitutional provisions guaranteeing control. He says:

“Judges must not dance to the whims and caprices of politicians. They must be above board in all their dealings. A weak judiciary will spell doom for any country.”

With regard to political parties, he endorses the current multi-party system in the country, as it avails the people the benefit and liberty of choices. He, however, recommends that the political parties must present their manifestos to the people based on perceived challenges:

“They must suggest ways to ameliorate the living conditions of the people. Their ideologies must be

known to the people. The fluidity of movement from one political platform to another just contest for an elective post will be difficult. Members of a political party must enjoy equal rights and not be denied access to express their intents based on extraneous factors unknown to the law of the land and the party's constitution. Party functionaries must be accountable to the party and not some individuals.”

### Conclusion

There is strong evidence that SDG 16 is not just a goal in itself, but also an essential enabler for the achievement of all other SDGs. Indeed, it has strong intrinsic value because the elements of peace, justice and strong institutions embedded in it are all vital for the attainment of sustainable development in Nigeria and globally.

Although the Nigerian government is committed to the domestication of SDG 16, implementation has not been quite smooth-sailing. Certain factors such as the high level of insecurity in the country, weak judicial system, corruption and lack of strong institutions appear to be impediments to the actualisation of this overarching goal in Nigeria by 2030. To change the dynamic and put Nigeria on the path towards attaining SDG 16, government should work relentlessly to significantly reduce all forms of violence so as to bring about lasting peace, the judiciary must be truly independent devoid of undue executive muzzling, and all the critical institutions such as the Police, the Army, the Prison Service and the political parties should be strengthened. ■

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# The Challenge of Promoting Peaceful Coexistence and Inclusive Governance in Nigeria

A Review of the Implementation of Goal 16 of the Sustainable Development Goals (SDGs): Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

## Introduction

IN keeping up with the core values associated with the Millennium Development Goals (MDGs), the United Nations Summit for the adoption of the post-2015 development agenda was held from 25 - 27 September 2015 in New York and convened a high-level plenary congregation of the United Nations' General Assembly. In attendance were all countries and stakeholders, acting in a collaborative synergy directed at implementing the Sustainable Development Goals (SDGs). Nigeria was part of the momentous occasion (McDickson, 2016). The objective was to broaden perspectives and create conditions for a truly transformative agenda based on a new set of development goals that would improve the lives of all people. The 17 goals that emerged set out to take more than one billion people out of poverty, save the lives of hundreds of thousands of women who die each year during pregnancy and childbirth, and ensure that all children have access to quality education. Other objectives include addressing youth unemployment and increasing armed conflict which have become drivers of poverty and underdevelopment in the world. The 17 sustainable development goals (SDGs) that were agreed, with 169 targets (Odogwu, 2018), cover the same broad themes as the MDGs - ending poverty and hunger, and improving health, education and gender equality - but also include specific goals to reduce inequality, make cities safe, address climate change and promote peaceful societies. What was even more important was that the goals are universal, which means that all countries are required to incorporate them in crafting and implementing their national policies and budgets.

Among these SDGs, Goal 16 particularly places focus on the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building effective, accountable institutions at all levels. The goal is germane because no sensible state can hope for sustainable development without peace, stability, human rights and effective governance, based on the rule of law. Yet our world is increasingly divided.



Some regions enjoy peace, security and prosperity, while others fall into seemingly endless cycles of conflict and violence. This is not inevitable and must be addressed. Armed violence and insecurity have a destructive impact on a country's development, adversely affecting economic growth, and often resulting in grievances that last for generations. Sexual violence, crime, exploitation and torture are also prevalent where there is conflict, or no rule of law, and countries must take measures to protect those who are most at risk (UNDP, 2018).

Since the adoption of the SDGs in September 2015, and the beginning of their implementation in January 2016, several concrete global plans and sector-specific strategies to achieve the set goals have been developed. It is recognised that successful attainment of the SDGs, which replaced the 2000-2015 Millennium Development Goals, would mean successful realisation of citizens' aspirations for prosperity,

### Goal 16 particularly places focus on the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building effective, accountable institutions at all levels.

peace and wellbeing, as well as the preservation of the Earth's biodiversity and equitable distribution of natural resources. In other words, the general objective of the SDGs is to end poverty, fight inequality and injustice, and tackle climate change in the 15 years between 2015 and 2030. The goals are broad and somewhat interdependent objectives yet each has a separate list of targets to achieve. We present below our assessment of the efforts of the Nigerian State towards their implementation.

#### **Sub-Goal 1: Significantly reduce all forms of violence and related death rates everywhere**

There has been a significant growth of wanton violence and death in Nigeria in recent years. The country has witnessed the expansion of terrorism, ethnic militia and rural-based violence that are grouped as *Boko Haram* terrorism and the Farmer-Herders clashes. The Global Terrorism Index (GTI) placed Nigeria's Fulani herdsmen as the world's fourth deadliest militant group accounting for about 1,229 deaths in 2014. While *Boko Haram* was associated with about 330 casualties in the first quarter of 2016, militants often referred to as Fulani herdsmen accounted for nearly 500 deaths and have shown no sign of slowing down (Oli, Ibekwe & Nwankwo, 2018). Since then, the activities associated with the conflicts between herdsmen and farmers have degenerated into rural gangs engaged in armed banditry where it is difficult to establish the ethnic category of many of the perpetrators. Effectively, this violent conflict has surpassed the *Boko Haram* conflict in national spread and maybe in terms of impact.

For many Nigerians, the dreams of independence, increased welfare and security for the people were never realised. The Nigerian elite which took power at independence simply took over the roles of the colonial masters. The key objective of reversing the injustice ordinary Nigerians suffered from the operations of the Nigerian State did not materialise. In fact, many Nigerians believe that the scale of injustice has increased over the period. The criminal justice system in the country has been particularly

problematic because it is characterised by lack of respect for the rule of law and frequent abuse of the rights of Nigerians, failings which are the direct result of the corrupt nature of the police, the prisons and the courts. The situation where no major prison reform has taken place, and no new development or refurbishment has been undertaken to accommodate the needs of prisoners or to improve the already overstretched facilities leaves much to be desired.

#### **Sub-Goal 2: End abuse, exploitation, trafficking and all forms of violence against and torture of children**

Nigeria has a young population but many of its youth suffer different types of abuse. An important indication of this is reflected in the fact that the country has a large number of out-of-school-children, many of whom are exploited. According to the United Nations Children's Fund (UNICEF) Nigeria has between 10.5 million and 13.2 million children of school age who are not attending school. Many are economic actors in our cities while others are supposedly attending religious schools while in reality; much of their time is spent begging on the streets. Some of them have become recruits for Boko Haram terrorism in the northeast. Both Federal and State governments in Nigeria have been consistent in their claims of commitment to getting all children of school going age enrolled in schools, but it has still not happened. Essentially, Nigeria's budgetary spending on education is not enough to reduce the widening gap — only 7% of Nigeria's \$24 billion 2018 federal budget was earmarked for education (Obiezu, 2018).

According to UNICEF (2015) forty per cent of Nigerian children aged 6-11 do not attend any primary school. The Northern states record the lowest school attendance rates in the country, particularly for girls. Despite a significant increase in net enrolment rates in recent years, it is estimated that about 4.7 million children of primary school age are still not in school. Increased enrolment rates have also created challenges in ensuring quality education and satisfactory learning achievement as resources are spread more thinly across a growing number of students. It is not rare to see cases of 100 pupils per teacher or students sitting under trees outside school buildings because of the lack of classrooms. This situation is being addressed by the Nigerian Government's current efforts with the implementation of its Basic Education scheme. The compulsory, free Universal Basic Education (UBE) Act was passed into law in 2004, and represents the Government's strategy to fight illiteracy and extend basic education, i.e. six-years of primary and three years of junior secondary education, to all children in the country. The policy on compulsory primary school education for all Nigerian children came into effect as far back as 1976, and the fact that 44 years later, access to primary school is still very poor, especially in Northern Nigeria, is a statement about inadequate financial resources and half-hearted advocacy efforts with which the issue has been addressed in the past.

Since the adoption of the SDGs however, more effort has been made to address the problem. For example, there is more of an effort to prevent street hawking by children, as most State governments now make more reasonable efforts to enforce anti-street hawking measures where children of school age are involved, both as a means to prevent child-labour and to prevent torture and trafficking in children. Imo, Kano, and Lagos States are just three of several states which have deployed policy measures to ensure that parents of school age are arrested whenever they send out their wards for hawking during school hours.

As has been pointed out by Akintunde (2015:1) with its estimated population of 183 million, of whom about 50% are below the age of 18, the International Labour Organisation estimates that in Nigeria about 14 million children between the ages of five and fourteen are involved in a form of economic activity. Globally there are 168 million children involved in child labour. Of these, 59 million are in sub-Saharan Africa. Child Street hawking is one of the main forms of child labour. Others include children working at building sites or on farms.

The government must make adequate provision for the education, care and protection of its children if the nation is to progress. In 2008, the Lagos State Government banned child street hawking during school hours, but the lack of serious enforcement since then suggests that addressing child street hawking has not remained an priority on the government's agenda. Street hawking has huge implications for children's physical and emotional well-being. It exposes them to sexual abuse, physical exhaustion, vehicle accidents, malnourishment and drug and substance abuse, prostitution and untimely death. Research shows that among the young girls who hawk on the streets, there is a low awareness of the risks of pregnancy or sexually transmitted infections (Akintunde, 2015).

There are growing implications for children in the herders-farmers clashes on the one hand, and the *Boko Haram* insurgency on the other. These twin seemingly intractable crises racked up well over 4000 violent clashes between 2010 and 2019. Although the festering clashes are generally attributed to conflicts of interest and competition for scarce resources such as land and water, the government's ambiguous policies and inaction are perceived as exacerbating the crises. Again, the cumulative effects of *Boko Haram* and herders' attacks have led to huge internal displacements, estimated at two million internally displaced persons (IDPs) (Oli, Ibekwe & Nwankwo, 2018). A significant number of the victims of these conflicts are children who suffer death, injury, or being unable to attend school for a record number of years.

### **Sub-Goal 3: Promote the rule of law at the national and international levels and ensure equal access to justice for all**

The 1999 Constitution of the Federal Republic of Nigeria upholds the rule of law and recognizes various constitutional principles in that regard

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(Amana, 2017). Be that as it may, several incidents in Nigeria have warranted questioning the scope of the application of the rule of law. For example, the function of legislative oversight entrenched in the Constitution should ordinarily provide checks and balances, and encourage financial discipline, good governance, accountability and transparency in public office, through the review of executive actions by the legislature in keeping with their legislative mandate, thereby entrenching the rule of law.

However, this function has been subject to abuse by the legislature. One instance was the House of Representative' probe of the Capital Market and Institution collapse, where the committee chairman and the other members were alleged to have demanded gratification to subvert the probe. But when the head of the Capital Market refused to cooperate, the National Assembly refused to consider the Agency's budget for that year (Ejikeme, 2014).

Many such other instances abound; in the heat of the political struggle to control power in Rivers State between the wife of the former President, Patience Jonathan and the then governor of the State, Chibuike Rotimi Amaechi, the incumbent governor was prevented from accessing his office by the State Commissioner of Police on the "instruction of order from above" (Lawal, 2013); also in 2013, in order to overreach a pending court judgment of the legality of imposing tolls on roads in Lagos, the Lagos State government commenced the collection of tolls on a bridge it had built before the date fixed for the judgment (Adegboruwa, 2013). These actions have clear implications for the rule of law and its application in Nigeria.

The worst hit is the Judiciary. Due to judicial corruption, Nigerians are increasingly moving away from the idea of courts as impartial dispensers of justice, to the model of "cash and carry" justice where judges ignore precedent and even the law, to subvert justice. Anyone who pays money or has the power to advance a judge's career can dictate the judgment and sway court rulings and orders in his favour. Nigerians

## The criminal justice system in the country has been particularly problematic because it is characterised by lack of respect for the rule of law and frequent abuse of the rights of Nigerians.

are instinctively suspicious of judges, and perhaps for good reason.

In a newspaper opinion piece, Isah Ahuraka asserts: “Whoever says there is no corruption in the judiciary is strange to truth. Perhaps, overwhelmed by deluge of accusations levelled against the Judicial Officers in the country, ex-CJN Justice Mahmud Mohammed had on June 24, 2015 decided to use the opportunity offered by a seminar that was organised by the anti-corruption commission of the Nigerian Bar Association (NBA) to “fire back” at some unintended targets. He said contrary to the much talked about corruption in the Nigerian judiciary, only 64 out of the whole lots of 1,020 judges serving in the superior courts have so far been punished by NJC for various offences especially bordering on corruption between 2009 and 2014. Besides, the Bench cannot be clean if the Bar that gives birth to it is filthy. “Unless we work in synergy to ensure that only fit and proper persons remain in our midst, it will be impossible to expect a different Bench when its origin remains the same. I hereby call on the leadership of the Bar to expunge from its ranks such persons whose conduct may be unfit, improper, dishonest or unethical”, the ex-CJN thundered out.” (Isah, 2019:2)

Despite mounting public criticism, the Judiciary repeatedly demonstrates a tendency, especially in high profile and election cases, to lend its process to the service of the powerful, well-connected and wealthy Nigerians. The point should however, be made that not all judges are corrupt and not all hope in the judiciary is lost.

**Sub-Goal 4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime**

According to the Partnership for African Governance and Social Research (2018), available evidence for the period 1970 to 2008 shows that Nigeria is a major source country for illicit financial

transfers out of Africa. In like manner, the Global Financial Integrity Report (2010) was the first to draw global attention to the volume of Illicit Financial Flows (IFF) out of Nigeria. The report indicates that Africa was a net creditor to the world with net resource transfers of between \$597 billion - \$1.4 trillion leaving Africa over this period. IFFs were the main drivers of net resource transfers. In terms of volume, Nigeria, Egypt and South Africa led the regional outflows. Studies by Ndikumana and Boyce (2008, 2010, and 2014) demonstrate this trend. These outflows were US\$1.4 trillion higher than the continent's foreign liabilities making Sub-Saharan Africa a “net creditor” to the rest of the world (Ndikumana and Boyce, 2008, 2015 & 2017). The implication is that massive resources that could have been channelled for African development are lost due to high levels of corruption and the relocation of the said resources to advanced economies.

It is also a widely held view that the proliferation of Small Arms and Light Weapons (SALW) in Nigeria dates back to the 1967-1970 civil war in the eastern part of the country (Vines, 2005). At the end of the civil war, there was no proper comprehensive disarmament and demobilisation programme (Onuoha, 2012; Oche, 2005). Consequently, the post-civil war period was marked the spread of illicit weapons in Nigeria. The proliferation of SALW cannot be blamed on the civil war alone however, as locally fabricated arms, smuggling, theft from security agencies' armouries, insurgencies and armed militias, and dishonest accredited importers also contribute to their widespread circulation in Nigeria (Onuoha, 2011; Ifijeh, 2006; Oche, 2005). Suffice to say that over 70% of the 10 million illegal SALW in the West Africa sub-region were found in Nigeria as at 2010 (Abdullahi, 2010). A substantial proportion of the illicit SALW in Nigeria are found in the Niger Delta where they are used to provide protection for illegal oil bunkering (Vines, 2005). During the amnesty programme in the Niger Delta in 2009 alone, over 15,000 militants handed over a massive number of weapons, although the number was still considered relatively small due to doubts about the amnesty programme (Onuoha, 2011). These SALW are being bought both in “Warri and Bonny towns where they are being offloaded from the boats, and the prices range from \$850 for an AK-47 rifle to \$2 150 for a Bazooka” (Onuoha, 2010:112). Accordingly, Ehiane & Uwizeyimana (2018) hold the opinion that poor management of porous borders, proliferation of armed and militant groups, inter-ethnic rivalry and hostilities, increased poverty and lack and corruption and leakage of military armouries are the most dominant explanation for the continuous spread of SALW across Nigeria.

Lastly, this sub-goal reflects on the return and management of assets that have been stolen in Nigeria by past leaders chief amongst who is Late Gen. Sani Abacha. A February 3, 2020 publication by the United States' Department of State, reported that a ceremony



for the signing of an agreement between the U.S. Government, the Bailiwick of Jersey, and the Government of the Federal Republic of Nigeria for the return of more than \$308 million to the Nigerian people had been held. The report stated that the assets had been stolen by former military dictator Sani Abacha and stashed abroad in the 1990s. The agreement provides not only the process for the return but also established a monitoring mechanism for the responsible usage of the monies being returned to the Nigerian people after more than 20 years:

“...the funds will be used by the Nigeria Sovereign Investment Authority for three infrastructure projects in strategic economic zones across Nigeria. To ensure that the funds are used responsibly and for the good of the nation, the agreement includes mechanisms for monitoring the implementation of these projects as well as external oversight, and it requires Nigeria to repay any funds lost as a result of any new corruption or fraud to the account established to hold the returned assets. This return reflects the growing international consensus that countries must work together to ensure stolen assets are returned in a transparent and accountable manner. It is also consistent with the commitments both the United States and Nigeria made under the principles agreed to at the 2017 Global Forum on Asset Recovery co-hosted by the United States and the United Kingdom.” (US State Department, 2020:1).

Given the very high level of corruption in Nigeria, it might well be that reports on the management and return of stolen assets in Nigeria by official sources are paltry. The major issue that recurs in the mass media are suspicions that some of the loot stolen by the late military dictator Sani Abacha were returned to the country and spent in a manner that demonstrated insufficient transparency and accountability. There has also been, outside the well-known 'Abacha loot' reports, little visible evidence of efforts to recover financial assets stolen by other perpetrators.

**Sub-Goal 5: Substantially reduce corruption and bribery in all their forms**

And

**Sub-Goal 6: Develop effective, accountable and transparent institutions at all levels**

Nigeria has established a number of public institutions to combat unethical behaviour and corrupt practices in the country. These include the Office of the Auditor General, Office of Accountant General, Code of Conduct Bureau (CCB) and Code of Conduct Tribunal (CCT), Independent Corrupt Practices and Other Related Offences Commission (ICPC), Economic and Financial Crimes Commission (EFCC), and the Nigeria Extractive Industries Transparency Initiative (NEITI). Section 85 of the 1999 Constitution creates the office of Auditor General to ensure that public officers adhere to all the financial guidelines, government budgetary regulations and

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practices put in place to strengthen accountability in the public sector. In addition, Nigeria's public service has internal and external audit systems.

The basic mandate of the Code of Conduct Bureau is to provide ethical guidelines, and to reduce unethical behaviour in the public sector. The Code of Conduct Tribunal tries public officials who fall foul of the Code of Conduct's requirements. For example, section 15 of the Code of Conduct Tribunal Act of 1990 requires public officials to declare their assets on assumption of office and on departure from office.

The Corrupt Practices and Other Related Offences Act 2000 established the ICPC which is charged with the major functions of investigating and prosecuting cases of corrupt practices and other related offences covered in the ICPC Act. The Economic and Financial Crimes Commission Act 2002 (amended in 2004) established the EFCC that is saddled with the statutory responsibilities of preventing, detecting, investigating and prosecuting all cases of economic and financial crimes in Nigeria. There is also the Nigeria Extractive Industries Transparency Initiative (NEITI) Act of 2007 which provides the organisation the mandate to eliminate all forms of corrupt practices in the determination of payments, receipts and posting of revenue accruing to the government from extractive sector companies, and in the process ensure

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transparency and accountability by government in the application of resources from the payments so received. These agencies are to reinforce accountable public governance and institutional sanity in the country.

#### **Sub-Goal 7: Ensure responsive, inclusive, participatory and representative decision-making at all levels**

The position of the Nigerian government is that constitutional rule provides mechanisms and instruments for responsive and inclusive rule, such as regular elections, the non-discrimination clause in the Constitution and the right to recall non-performing legislators. To actualize these constitutionally grounded principles, concerted effort has to be dedicated to integrating the most neglected segment of the Nigerian demography into the decision-making process. Specifically, it is considered that women remain marginalized despite the successes of the Millennium Development Goals. Despite past efforts of government to mainstream gender issues into the development agenda, gender inequalities remain pervasive within most Nigerian spaces. Hence the current push for a different approach which would not only ensure women's empowerment, but sustainable development for the country through gender equality policy initiatives which would help balance power relations between men and women, and transform the institutions which continue to perpetrate gender injustice, poverty and underdevelopment.

Other challenges in defining a gender policy that will have direct effect on overall development goals as well as gender justice, are re-conceptualizing gender ideologies - especially gender equality - not only from the context of legal equality and human or women's rights, but within a broad development context. Meeting this challenge has led to the retooling of development frameworks in which the expression of gender equality and gender equity can be realised. This has placed gender relations within macro-economic policy concerns, reflecting the realization

that power relations between women and men are critical to economic growth outcomes.

#### **Sub-Goal 8: Broaden and strengthen the participation of developing countries in the institutions of global governance**

Since Independence, the Nigerian State has declared that its foreign policy is characterised by a focus on Africa and attachment to certain basic principles, including:

- i. African unity and independence;
- ii. peaceful settlement of disputes;
- iii. non-alignment and non-intentional interference in the internal affairs of other nations; and
- iv. regional economic cooperation and development.

In pursuing the goal of cooperation and maintenance of global governance, Nigeria has established itself as a member of the following international organizations: United Nations and many of its special and related agencies; World Trade Organization (WTO); International Monetary Fund (IMF); World Bank/International Bank for Reconstruction and Development (WB/IBRD); African Development Bank (AfDB); International Criminal Police Organisation (INTERPOL); Organization of Petroleum Exporting Countries (OPEC); Economic Community of West African States (ECOWAS); African Union (AU); Maritime Organization of West and Central Africa (MOWCA) and several other West African bodies; Commonwealth of Nations; Nonaligned Movement (NAM); and Organization of Islamic Cooperation (OIC) among others (<https://www.globalsecurity.org/military/world/nigeria/forrel.htm>).

In keeping faith with the objectives of these organizations, Nigeria has chosen to participate in peace-keeping operations, especially in conflict-ridden zones of countries such as Liberia, Congo, Mali among many others. Nigeria has also sought to abide by decisions reached at global summits on the environment, security concerns and development issues, and has made a conscious effort towards acting in conformity with global best practices. As a result, Nigeria has not been found wanting in keeping up with established global protocols and standards.

#### **Sub-Goal 9: By 2030, provide legal identity for all, including birth registration**

The Nigerian government had initiated processes to provide a legal identity to all citizens several years before the promulgation of Sustainable Development Goals including birth registration. However, the reality is that a significant percentage of the population, especially those born in rural areas, are born in communities where the coverage of the National Population Commission (the government agency responsible for birth registration) has not yet reached. Furthermore, most Nigerians do not realise the importance of a legal civil status as a right, but simply see the registration of births as a means of obtaining

personal identity whenever required by various organizations.

Nigeria established the National Identity Management Commission in 2007 to issue a national identity number and identity card to each Nigerian. However, the process is extremely slow, and most eligible Nigerians have not yet been registered.

**Sub-Goal 10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements**

The Freedom of Information Act (FOIA) was enacted in May, 2011. Prior to the passage of the FOIA, Nigeria had an entrenched colonial tradition of "Official Secrets" that has made public servants consider all government information as secrets that citizens must be prevented from accessing. As a result, numerous requests for information by civil society organisations and others have been rejected, and despite court orders in many cases, officials simply refuse to abide by the orders giving the excuse of security considerations. Many Nigerians outside the media and civil society organisations are not aware that they have the right to demand and be provided with information by public servants on how they are governed. Another challenge is that since Nigeria is a Federation, the FOIA is seen as being only applicable to Federal Government Institutions and not to State institutions, because most State governments have not established equivalent access to information laws.

**Sub-Goal 11: Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime**

Since the 1990s, Nigeria has suffered from numerous violent conflicts which it has been unable to resolve. They include the long-running militant movement in the Niger Delta over oil extraction by multinational corporations, and the decade-long *Boko Haram* insurgency in the northeast. Other disputes

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include the Igbo secessionist movements, clashes between authorities and the Shiite Islamic Movement in Nigeria, and confrontations between farmers and herders. Growing criminality, banditry and cattle rustling compound the violence, and kidnapping for ransom has become widespread. These conflicts have stretched the capacity of national institutions to resolve them.

The *Boko Haram* insurgency has been the most serious, and affects the four Lake Chad countries: Nigeria, Niger, Cameroon, and Chad. The four countries have a cooperation mechanism – the Lake Chad Basin Commission (LCBC). Factions of the *Boko Haram* insurgency have affiliated with the Middle East's Islamist and jihadist extremist movements. As a result, they are involved in international terrorist groups which have connections with their counterparts in other West African countries, such as Al-Qaeda in the Islamic Maghreb (AQIM), which originally operated mainly in Algeria but has spread tentacles into Sub-Saharan Africa and the 'Islamic' State West Africa Province (ISWAP). Today, the ongoing eleven-year *Boko Haram* insurgency has become one of the most destructive elements in the country's political culture. The Nigerian Government has been working in coordination with neighbouring countries through the Multinational Joint Task Force (MNJTF), originally established in 1994 to check cross border crime and banditry. The MNJTF was reconstituted in 2015 under the auspices of the African Union and the four governments of the LCBC to meet the challenge of the *Boko Haram*/ISWAP insurgency. Nigeria is also deeply engaged efforts by the various United Nations agencies to eradicate violent crime and terrorism.

**Sub-Goal 12: Promote and enforce non-discriminatory laws and policies for sustainable development**

One of the most serious obstacles to Nigeria's development has been the strong perception among citizens that they suffer

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from group discrimination. Indeed, Nigeria's constitutional history has been characterized by questions relating to citizenship and issues between individual rights and group rights. The notion of 'indigeneity' entrenched in the 1999 Constitution is at variance with the Nigerian public law tradition. It has seriously compromised the definition of citizenship in the Independence Constitution, which conferred citizenship on all those whose communities had been in the Nigerian territory as at October 1, 1960. Current trends show that significant numbers of Nigerians are excluded from access to certain rights and privileges conferred by public institutions, such as employment in the public service, government contracts, admission to educational establishments, access to privileges such as scholarships, training opportunities, health facilities and even access to vital resources such as land and water (for farming, grazing and fishing). This citizenship crisis has produced widespread communal conflicts and ethno-religious violence in the country. Categories such as 'native' and 'settler' are socially and politically constructed to legitimize claims to power and resources within local political communities, and in many cases, so-called 'natives' and 'indigenes' are pitched against 'settlers' in deadly confrontations over access to local power and resources and questions of identity.

At the heart of the discriminatory practices in the application of citizens' rights is the question of ethnicity and its political mobilization by political elites. This brings to fore that despite constitutional provisions and several attempts by successive administrations to mitigate the tragedy of ethno-nationalism and promote national citizenship, discrimination and exclusion are still suffered by people on the basis of their identity. The dilemma of ethnicity has often been that settlers who have sojourned in a place for centuries are marginalized and unable to lay claim to rights and entitlements such as the right to own landed property, education, or to be appointed to certain public offices, mainly because

they do not share a common ancestral history with the original inhabitants: the so-called natives. The expressions 'son of the soil', 'indigene', and 'native' are often used to describe those who claim to be attached to what they see as their ancestral lands. In some cases where non-indigenes are perceived to have overwhelming control over economic power, violent action has been instigated by the so-called 'natives' with the aim of limiting the control and rights over resources of the so-called 'settlers'.

Also important in the discourse of citizenship crisis in Nigeria is the marginalization of women. The promotion of gender equality marked by commitment of countries in the world in the 1990s was a welcome development because it provided a framework that - if implemented - would guarantee the extension to women of the rights and privileges that men take for granted. It was expected that Nigeria, as a signatory to several international legal instruments on the issue, would reshape the country's existing patriarchal orientation at the level of the people's attitudinal disposition to women rights, and its legal structures. Nonetheless, gender issues are increasingly prominent in its public sphere. It is ironical that there are clauses in the 1999 Constitution that are wrongly interpreted to perpetuate discrimination against women. As shown below, it has become an accepted norm in certain parts of the country that women married to men from states other than their own are losers at both ends: being denied the status of 'indigene' in their place of birth and in the state of their husbands.

The framers of the 1999 Constitution; like those of the previous constitutions of the country, had the intention of using the provisions in Chapters III and IV to promote national citizenship. The former spells out the conditions under which one becomes a Nigerian citizen, while the latter provides a detailed checklist of fundamental rights. In addition, Chapter II aims to promote the national political objectives of building a united and free society for all Nigerians, and to establish reciprocal obligations between the state and citizens. Its purpose is to keep Nigeria attached to the vision of the country's founding fathers and their anti-colonial struggle which eventually led to Independence in 1960. These objectives were re-echoed in important national documents such as the Second National Development Plan as well as the country's various Constitutions, including the current 1999 Constitution. In particular, the Second National Development Plan defined its goal as being "to build a strong and buoyant economy, a free, democratic and egalitarian society in which no one is oppressed on the basis of sex, ethnic and religious differences."

Nigeria needs to have a deep and serious conversation about how to address the widespread perception and indeed practice of group discrimination before it can successfully address the development challenges that has bugged it over the decades since Independence.

### Concluding remarks

Akinloye (2018) argues that despite the considerable efforts that may have been made by the implementing actors to sensitize the public about the objectives of the SDGs, it appears that the level of awareness and knowledge of Nigerians about the goals and the programme for their attainment is still very low. For instance, in discussing research conducted among senior secondary school students in Rivers State, Njoku observes as follows: “78% of the respondents have not heard of the concept 'sustainable development' before and do not understand what it means and how they could contribute”(Njoku 2016:36; Ifegbesan et al 2017). Akinloye posited further that in comparison with other emerging economies such as South Africa, one of the limits that were observed about the MDGs programme in Nigeria was that despite being a people-oriented programme, it failed to reach the targeted groups. There was evidence of many, particularly women and youths, left behind in the MDGs programme (African Development Report 2015). For instance, according to the report of the National Bureau of Statistics (NBS), the literacy rate of 15–24 year olds witnessed only slow progress. It went from 64.1% in 2000 to 80% in 2008; bounced to 65.6% in 2011, but only stepped up to 66.7% in 2014, whereas the MDGs aimed to reach the 100% target by 2015 (NBS 2015, Durokifa and Abdul-wasi 2016:666).

The high rate of unemployment among the youths is still prevalent. For instance, in 2015, it was reported that more than 500,000 young Nigerians responded to an advertisement by the Nigerian Immigration Service (Ogunniyi, 2015:73, Abdulalaziz 2017). The situation regarding the involvement of women in politics also saw very little progress towards the stated target. Seats held by women in parliament improved from 3.1% in 2000 to 7% in 2008, but that was the high point, as it dropped to

**The SDGs provide broad guidelines for lifting a majority of Nigerians out of poverty, improving health and education, preventing violence, improving equity and above all providing a road map to harmonious development. Goal 16 is central to achieving this objective.**

5.1% in 2015, against the 35% MDGs target for 2015 (NBS 2009, Federal Ministry of Women Affairs and Social Development 2015, Durokifa and Abdul-wasi 2016, Ajiye 2014). Although, Nigeria has made progress in reducing maternal deaths, the number of women who die during pregnancy or from complications associated with childbirth remains appallingly high. Nigeria continues to experience one of the highest rates of maternal deaths and maternal mortality ratio in the world (USAID Report 2012, Ajiye 2014).

What the SDGs have offered Nigeria is a broad framework that can help it address numerous challenges faced by its citizens, and to do so in ways that work positively for the majority of its people. The SDGs provide broad guidelines for lifting a majority of Nigerians out of poverty, improving health and education, preventing violence, improving equity and above all providing a road map to harmonious development. Goal 16 is central to achieving this objective. ■

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# Transitioning to Peace, Justice and Strong Institutions

**Title:** Transitioning to Peace, Justice and Strong Institutions

**Editor:** Laurent Goetschel

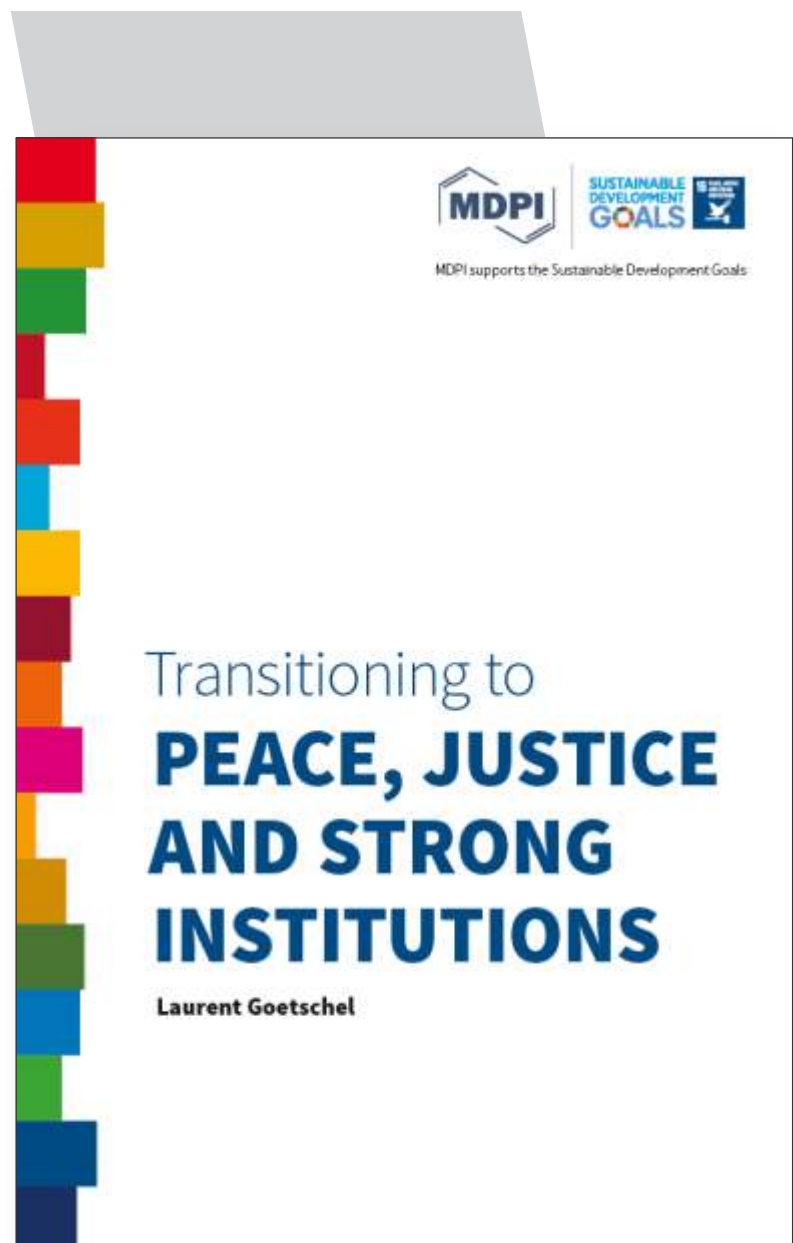
**Publisher:** MDPI Books

**S**DG 16 stands for the contribution of peace, justice, and the quality of institutions to sustainable development. It brings core political issues into the development agenda. Thereby, it stipulates an impact of political issues on development and vice versa. Without any doubt, this is one of the major differences and achievements of the Agenda 2030 compared to former development policy endeavours. After having introduced SDG 16 and its interpretations, *Transitioning to Peace, Justice and Strong Institutions* focuses on a selected number of fields such as human security, corruption, or inclusivity, to illustrate the challenges and opportunities emerging from this particular component of the global development agenda.

Furthermore, this volume also looks at the types of actors involved with SDG 16, including the role of business, and at the processes it triggers within national administrations and international organizations.

Finally, *Transitioning to Peace, Justice and Strong Institutions* concludes with an outlook on the impact of SDG 16 on international development.

*Transitioning to Peace, Justice and Strong Institutions* is part of MDPI's new Open Access book series *Transitioning to Sustainability*. With this series, MDPI pursues environmentally and socially relevant research which contributes to efforts toward a sustainable world. *Transitioning to Sustainability* aims to add to the conversation about regional and global sustainable development according to the 17 SDGs.





Set to be published in spring 2020, and coinciding with the SDGs' five-year anniversary, the book series is intended to reach beyond disciplinary, even academic boundaries. Furthermore, *Transitioning to Sustainability* will be presented and serve as a basis for discussions at the World Sustainability Week, to be held from 14-19 September 2020 in Geneva.

### About the Editor

Laurent Goetschel, editor of *Transitioning to Peace, Justice and Strong Institutions* is director of swisspeace and professor of political science at the University of Basel.

He studied international relations and political science at the Graduate Institute of International and Development Studies and at the University of Geneva where he obtained his PhD in 1993.

Goetschel conducted research and lectured at the Universities of Lausanne and Bern. He was a visiting scholar at the Centre for European Studies (Harvard University, Cambridge MA), at the Centre for international Conflict Resolution (Columbia University, New York), and a senior fellow at the European Institute of Peace in Brussels. He directed a Swiss National Science Foundation's research programme on Swiss foreign policy from 1997 to 2000

*Transitioning to Peace, Justice and Strong Institutions* focuses on a selected number of fields such as human security, corruption, or inclusivity, to illustrate the challenges and opportunities emerging from this particular component of the global development agenda

and a research module on governance and conflict of the North-South National Centre of Competence in Research from 2001 to 2013. Outside of academia, he worked as a journalist with the Associated Press from 1989 to 1991 and served as the political advisor of Swiss Minister for Foreign Affairs Micheline Calmy-Rey from 2003 to 2004.



# SDG16 - Peace and Justice: Challenges, Actions and the Way Forward

**Title:** SDG16 - Peace and Justice: Challenges, Actions and the Way Forward

**Author:** Vesela Radović

**Publisher:** Emerald Publishing Limited



**S**DG 16 recognises the need to respond to challenges to build a peaceful and just world. In the context of a transforming global community that is increasingly faced with conflict, the threat of terrorism and political instability, this goal has become more important than ever.

Peace and justice are recognized as important drivers in creating a sustainable society by bridging the Global North/South divide, the gap between rich and poor, the gap between developed and developing countries, and erasing the increased possibility of isolating marginalized groups such as migrants, woman, and disabled people.

In her book: *SDG16 - Peace and Justice: Challenges, Actions and the Way Forward*, Radovic details how interested parties can, must and are getting ahead of the curve to promote peace, provide access to justice and build accountable institutions for all.

The title of this book appears to be three topics interconnected by the fabric of human survival (peace, justice, and an inclusive society). SDG Goal 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels) can be defined as the most ambitious of all the SDGs.

Therefore, the author presents in three chapters the basic elements included in Agenda 2030, followed by previous and recent research on the idea of a peaceful global community in the 21st century.

Chapter 1 provides insights into the importance of the inclusion of peace as a priority in the post 2015 agenda. Here, SDG 16 in Agenda

2030 is presented along with an explanation of its targets and indicators interlinked with other SDGs and highlighting the need for mainstreaming SDG 16 in the future.

Chapter 2 describes how an international commitment to the creation of a just society can be implemented in a globalised, unstable world and put at the forefront of public debate. This issue is explored with reference to previous experience and the suggestions of numerous actors, which are useful for future planning and implementing strategies for achieving the just society as part of SDG16. A particular part of this chapter concerns environmental justice, which is an urgent need in eradicating the gaps between the global north/south, rich and poor, and developed and developing countries.

Chapter 3 is devoted to the inclusive society and all the efforts and obstacles which come with the target of Agenda 2030 of ensuring that, “no one is left behind.” It refers to the need to include every member of vulnerable and marginalised groups in societal processes and conveys the notion that people should not only be allowed to thrive but should also have a chance to participate and shape the course of development.

Short sub-chapters are devoted to migrants, women and disabled people who are valuable for building a more inclusive society in general and, of course, in achieving the declared SDG16 targets in this area.

The book concludes with the statement that almost five years since the UN Agenda 2030 was adopted, there are still many issues to be solved on the path to achieving its SDGs.

Clearly, Radovic through this scholarly work presents the basic elements in Agenda 2030

**SDG 16 in Agenda 2030 is presented along with an explanation of its targets and indicators interlinked with other SDGs and highlighting the need for mainstreaming SDG 16 in the future.**

regarding the United Nations Sustainable Development Goal 16, which she characterizes as the most ambitious of all the Goals. She provides insights into the importance of including peace as a priority in the post-2015 agenda, describes how an international commitment to the creation of a just society can be implemented in an unstable globalized world and put at the forefront of public debate, and surveys efforts and obstacles that come with the Agenda 2030 target of creating an inclusive society to ensure that no one is left behind.

Radovic envisions a hopeful future in which the impacts of SDG16 are likely to be far more positive and transformational, and visible much more quickly, than many people might have imagined.

#### About the Author

Vesela Radović is a Senior Researcher at the Institute for Multidisciplinary Research, Belgrade University, Serbia. She has a long record of experience as an Expert in environmental protection and disaster management gained in the area of civil defence. As a Professor and Acting Dean at the Faculty of Applied Security, EDUCONS University, she established specific courses related to crisis management and conflict solution in the Republic of Serbia. She has conducted transdisciplinary research that measures the interactive effects of economic, social and economic determinants of emergencies on sustainable development in Serbia and works as a Regional Expert in sustainable development. She has published three books and more than 150 scientific papers in Serbia and abroad.

**In her book: SDG16 - Peace and Justice: Challenges, Actions and the Way Forward, Radovic details how interested parties can, must and are getting ahead of the curve to promote peace, provide access to justice and build accountable institutions for all.**

# Culture of Peace Inseparable from Human Rights, says UN Secretary-General

**T**HE Secretary-General of the United Nations, António Guterres says a culture of peace is inseparable from human rights, respect for diversity, and fairer societies. In his remarks at the High-Level Forum on the Culture of Peace under the theme “*Twentieth Anniversary of Culture of Peace: Empowering and Transforming Humanity*”, held in New York, he said the world body recognizes the importance of peace hence it is “at the United Nations Charter and all that we do.”

According to him, the concept of a culture of peace provides an intellectual frame and political impulse for action as embedded in Goal 16 of the Sustainable Development Goals - Peace, Justice and Strong Institutions. “It is a concept that embodies the yearning to make peace a way of life. It is grounded in the understanding that peace is fragile and that the pursuit of peace must be a constant process. Peace is something we must work hard to secure every day and everywhere,” Guterres said.

The UN Secretary-General noted that over the decades, the idea has expanded from traditional notions of security to accommodate new challenges to forging peaceful societies. These include increased social injustice, the exponential speed of communications, violations of human rights, the normalization of hate speech, the climate crisis, the threat of terrorism, and the potential disruptive influence of artificial intelligence.

He said that the modern world must remain determined to address age-old challenges to peace, including violence against women. “Indeed, whether it is



António Guterres, Secretary-General of the United Nations

brutal crimes in one part of the world or violent extremism in another, quite often one of the strongest common denominators is hostility towards women,” Guterres said.

Conflict, exacerbates poverty, erodes institutions and depletes millions of security, resources, rights and opportunities. According to him, civilians always pay the highest price while crises fuel fragmentation and allow impunity to thrive.

To him, the hopeful news is that demographic and technological transformations not only generate new challenges and risks; they also create new opportunities for building and sustaining peace. “We need to be creative, shift our mindsets and strengthen the defences of peace in the minds of women and men.”

Guterres believes that one main challenge as member states of the United Nations strive to achieve the SDGs is to build more preventive and inclusive approaches that ensure the participation of women, young people and vulnerable, marginalized and non-represented groups. “Leaving No One Behind” must be a priority for peace,” he added.

He emphasized that as societies become more multicultural, multi-ethnic and multi-religious, there is need to invest more in social cohesion, recognizing that diversity is richness, not a threat. He enjoined all members of the United Nations to strengthen their shared resolve to build and sustain a ‘Culture of Peace’.



# Nigeria requires additional \$350billion to achieve SDGs — UNDP

**T**HE United Nations Development Programme (UNDP) says Nigeria will require additional 350 billion dollars to achieve the Sustainable Development Goals (SDGs), which will end in 10 years' time.

The Resident Representative of UNDP in Nigeria, Mr Mohamed Yahya made this known recently while hosting the House of Representatives Committee on SDGs led by its Chairman, Rotimi Agunsoye in Abuja. He noted that Nigeria is an extremely important country and that if Nigeria does not meet the SDGs, Africa will not meet the SDGs as most Africans live there. He said: "We looked at the financial status and there is a total gap of 350 billion dollars to meet the SDGs in addition to what the country has now. Out of the amount, the public sector has to provide 100 billion dollars, which is 10 billion dollars a year; the idea of expanding the nation's fiscal space is extremely important. Still on the gap, 15 billion dollars has to come from the private sector yearly like foreign direct investments, business climate, small enterprises etc to make a difference."

He observed that Nigeria was either stagnant or retrogressive on most of the 17 SDGs, especially in goal one which is poverty. The UNDP resident representative said that in the last five years, there were more people in poverty mainly as a result of the population increase without subsequent economic growth. Yahya said that Nigeria was stagnant in goals like Zero Hunger, Good Health among others. According to him, the area where the country made some improvement is Life on Land and Climate Action. According to him, Nigeria is doing well in combating climate change and that the government had been very aggressive in pushing the agenda of climate change.

Yahya said that the challenge was to inspire the legislators to see where the country currently is and where it needs to go in the next 10 years. He said that the parliament controls the purse and that there was need to increase revenue generation, saying that with the current budget level, the SDGs cannot be achieved. He noted that a cursory look at the best-performing countries in the SDGs index 2019 showed that Nigeria is fourth from the bottom. According to him, each year, the UN spends about 750 million dollars in Nigeria and most of it is spent on quality and equitable services. He said a small portion goes to governance and human rights and another small portion to issues on inclusive growth. Yahya pointed out that the goals will not be achieved by money only, saying that there was need for political, structural and socio-cultural changes, particularly



Mohamed Yahya, Resident Representative of UNDP in Nigeria

gender. He said that the UNDP was willing to meet quarterly with the lawmakers for monitoring, to review and brainstorm on achieving the SDGs.

Earlier, Ogunsoye said that the House of Representatives Committee on the SDGs acknowledges the contributions of the UNDP and was prepared to forge a strong partnership with it in order to achieve the SDGs in Nigeria. He said that members of the committee were carefully selected and are people of integrity, passionate and determined to achieve the SDGs in Nigeria. The legislator said that the committee' programme was anchored on four strategic pillars aimed at achieving the SDGs. "They include strengthening parliamentary capacity and engagement with the SDGs, effective monitoring and SDGs reportage, inter-parliamentary partnerships and networking, and to leave no one behind," he said.

Ogunsoye commended the UNDP for its continued support to the people and the government of Nigeria in implementing the SDGs. He promised to take the data presented by the UNDP to the parliament for further legislative action on the implementation of the SDGs in the country.



# 'Impact investment, key to attaining SDGs in Nigeria'

**I**Mpact investing and funding will be crucial to attainment of the Sustainable Development Goals (SDGs) in Nigeria by 2030.

Globally, countries are expected to try as much as possible to attain the SDGs by 2030. The SDGs are 17 in number, including, no poverty, zero hunger, good health and wellbeing, quality education, gender equality, clean water and sanitation, affordable and clean energy.

Others are decent work and economic growth, industry, innovation, and infrastructure; reduced inequality; sustainable cities and communities; responsible consumption and production; climate action; life below water; among others.

Already, a study conducted by Impact Investors Foundation (IIF), with support from Ford Foundation and Dalberg, found that Nigeria recorded \$4.7 billion inflow of impact investment from 2015 to 2019. The report, which was contained in the study titled: "Impact Investing and Policy Landscape Analysis: Nigeria and Ghana," indicated that Nigeria's impact investment market of \$4.7 billion was 3.9 times the size of Ghana's \$1.2 billion since 2015. According to the study the number of impact investors active in the two countries increased markedly with 50 additional players since 2015.

Impact investing refers to investments into companies, organisations and funds with the intention to generate beneficial social or environmental impact alongside a financial return.

As at 2015, Nigeria and Ghana represented more than half (54 per cent) of impact investing capital in the region, with Nigeria receiving 29 per cent and Ghana receiving 25 per cent of the capital deployed.

According to the report, Development Finance Institutions (DFI) continue to dominate the impact investment space, representing 97 per cent of the market and an average transaction size of \$56.9 million, while non-DFI transaction sizes increased moderately from \$2.2 million to \$2.6 million.

The Chairman of IFF, Mr. Afolabi Oladele, said the report was written to address the lack of information on the impact investing sector. "It will also provide a much needed up-to-date regarding the funding of impact capital," he said.

Director of Ford Foundation in West Africa, Mr. Innocent Chukwuma, said that the whole idea of investing was to impact on the people and the environment while delivering goods that will contribute in the overall development of the society. "We need more studies to convince investors of the



potential inherent and that is the idea behind this study," he said.

Among the challenges of impact investing identified in the study were scarcity of investment-ready businesses, raising funds from local funding sources as well as poor data availability hindering ability to make investment decisions.

Others are difficulty realising exits given shallow nature of secondary markets, scarcity of qualified business leaders able to lead portfolio companies and a lack of regional integration hindering the growth opportunities for portfolio companies.

Overall, the research found that the policy environment for impact investing remained underdeveloped but that not all constraints are binding.

Similarly, panellists at a session hosted by BusinessDay Media with the theme: "Impact Investing and Funding of SDGs in Nigeria," in Lagos, said private sector involvement is central to achieving any meaningful impact in that regard. However, the Special Adviser to President Muhammadu Buhari on Social Investment, Maryam Uwais, decried that getting the private sector to participate in government's social programmes has remained a challenge. "The private sector wants to see an immediate return on investments, but social enterprise takes time. We need to develop the economic value chain of these enterprises before bringing in the private sector," Uwais said.

From her perspective, Academic Director, Lagos Business School, Prof. Olayinka David-West, noted that broadening the scope of impact investing and de-emphasising the concept as mere charity would go a long way to meeting the targets. In this case, she said the emphasis should be on what impact is the investment going to create. "To achieve the SDGs, we need interventions. Interventions cost money. And these interventions must be sustainable even after the funding stops," David-West said.



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