

APPRAISAL OF THE LEGAL ISSUES IN THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION IN NIGERIA

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Abstract

The recent resurgence of secessionist and autonomy-seeking movements such as the Biafra and Yoruba Nation agitations in Nigeria has raised hydra-headed challenges in several areas – political, economic and social, and continues to threaten national unity and security. As a nation with fragmented politics, religious diversity and multi-ethnic composition, this resurgence has only heightened. Hence, this study explores the evolving discuss on the legal issues surrounding the application of the principle of self-determination under international law with the Nigerian legal and political landscape. The study adopts a doctrinal method of legal research, analysing primary and secondary sources of law and data such as statutes, journal articles, surveys, case laws. This study finds, inter alia, that although Nigeria is party to major international human rights instruments that recognise the right to self-determination, its domestic framework lacks sufficient provisions and mechanisms to truly actualise such claims. Furthermore, there are inadequacies in judicial interpretations and lack of political will in addressing the root causes in the application of this right. The study concludes that the current legal framework in Nigeria is inefficacious to manage self-determination claims, in a peaceful and just manner. Thus, it recommends amongst others, strategic constitutional and legislative reforms and an inclusive governance system that creates an atmosphere of peace and acceptance as a pathway to attaining national unity.

Keywords: Autonomy, National Unity, People, Secession, Self-determination

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1.0 Introduction

Agitations and the struggles for self-determination have been a recurring phenomenon globally¹, shaping political landscapes. At its core, self-determination reflects the desire of peoples to govern their existence and pursue collective well-being without external interference. While the principle may manifest through independence, autonomy, federalism, or self-rule,² it is fundamentally rooted in the historical and cultural identity of a people.³ Needless to say, the recent sentence of IPOB separatist leader Nnamdi Kanu for terrorism, treason amongst others following a decade-long legal battle by Justice James Omotosho influenced a fortiori, this paper on the legal issues on the application of self-determination in Nigeria.⁴

Nigeria is a multi-ethnic federal state with over 250 ethnic groups and thus, recent movements, including the resurgence of Biafra and Yoruba nation separatist calls.⁵ This has highlighted persistent ethnic, economic, and political divisions, posing challenges to national unity and stability.⁶ These agitations reflect broader demands for equitable resource distribution, representation, and autonomy within the federation. This study does not seek to endorse or validate these claims. Rather, it aims to explore Nigeria's legal framework on self-determination and critically examine the legal issues arising from its application amidst current agitations.

¹ Eboh Patrick Chinedu, 'The Right to Self-determination; The Constitutional Issues in Nigeria: The Case of Indigenous People of Biafra' *UNIZIK LAW JOURNAL* (2017) (13)

² Freddy Mnyongani, 'Between a Rock and a Hard Place: The Right to Self-Determination versus Uti Possidetis in Africa' (2008) (41) (3) *The Comparative and International Law Journal of Southern Africa* pp. 463-479 at 473.

³ 'Human Rights Violation Marginalisation Justifying calls for South East Self-determination' *Vanguard* (Lagos, October 2024) <<https://www.vanguardngr.com/2024/10/human-rights-violation-marginalization-justifying-calls-for-south-east-self-determination/>> accessed 6 December 2024

⁴ Mansur Abubakar, 'Nigerian Separatist leader sentenced to life for terrorism' *BBC* (Abuja, November 2025) <<https://www.bbc.com/news/articles/cj3z38e6v45o>> accessed 22 January 2026

⁵ Anthony Aladekomo, 'Nigerian Separatist Movements, Growing Secession Agitations and the Stand of International Human Rights Law', *Social Science Research Network* (2021) <<https://ssrn.com/abstract=3869141>> accessed 19 December 2024.

⁶ Igboke Shedrack, 'Agitations for Regime Change and Political Restructuring: Implications on National Integration and Development in Nigeria' *UJAH* (2020) (21) (3) <<https://dx.doi.org/10.4314/ujah.v2li3.1>> accessed 21 October 2024

Despite Nigeria's commitment to international instruments such as the International Covenant on Civil and Political Rights 1966 and the International Covenant on Economic, Social and Cultural Rights, its domestic law lacks clear mechanisms to address self-determination claims, creating ambiguities and tension with constitutional provisions and principles of territorial integrity. Furthermore, the judiciary's role in interpreting these issues remains contested, complicating legal clarity and effective resolution. By assessing these legal challenges, this research seeks to provide a foundation for addressing self-determination claims in Nigeria, aiming to tackle the issue at its root rather than merely responding to its manifestations.

2.0 Self-determination: Meaning and Types

Self-determination under international law is a right granted to peoples or groups to determine their political, economic, social, and cultural rights, exercised in various ways within a state entity with the option of secession in more exceptional cases of egregious rights violations.⁷ Given this internationally recognised concept of law, Article 1 of the ICCPR and the ICESCR express that "All peoples have the right of self-determination. By that right, they freely determine their political status and pursue economic, social, and cultural development." This speaks to the idea that self-determination is both collective and progressive and denotes a legal right of a people to decide their destiny in an international order.⁸

Hence, self-determination can be categorised into two forms – internal and external self-determination. Internal self-determination refers to the actual freedom of a people to pursue their social, economic, political, and cultural rights and development, free from any external control and the right to conduct public affairs at any level within an existing state. In the words of Antonio Cassese, it is a right to authentic self-government, that is, the right of a people to freely choose their own political and economic regime.⁹ This aspect is a

⁷ Sunday Lugard, Matthias Zachariah, Tobias Ngufwan, 'Self Determination as a Right of the Marginalised in Nigeria: A Mirage or Reality' *Journal of International Human Rights Law* (2015) (1) (1) 127-158

⁸ Montserrat Guibernau, 'Self-determination in the Twenty-First Century: Self-determination – A Double-edged Principle' *Ethnopolitics* (2015) (14) (5) <<https://doi.org/10.1080/17449057.2015.1051814>> accessed 21 October 2024.

⁹ Antonio Cassese, Political Self-determination Old Concepts and New Developments in Cassese (Ed) pp. 137-165.

natural right and does not necessarily affect territorial integrity, as it connotes self-government and autonomy within a state.

External self-determination on the other hand, External self-determination as the right of a people to determine freely their political status and their place in the international community based upon the principle of equal rights and exemplified by the liberation of peoples from colonialism and by the prohibition to subject peoples to alien subjugation domination, and exploitation.¹⁰ This form of self-determination is usually invoked in extreme cases and under defined circumstances and considered as remedial on the condition that the subject concerned is a people that constitute a territorially concentrated and marginalised or numerical minority group in a state from which they want to secede, the existence of a bond territorially between the people to wish to migrate to or they want to take along with them is vitally important and, they need to have a solid claim to a territory they intend to separate from the parent state.

3.0 Legal Framework in the Application of Self-determination in Nigeria

3.1 United Nations Charter 1945

The United Nations Charter is the first international instrument with binding legal force to proclaim the principle of self-determination of peoples. The inclusion of this principle in the Charter was proposed by the Soviet Union¹¹, and the Charter was signed on 26 June 1945 at the San Francisco Conference, entering into force on 24 October 1945¹². Comprising nineteen chapters and 111 articles, the Charter establishes the legal framework governing relations among UN member states. It emerged following the failure of the League of Nations, which, despite its 1919 mandate to preserve international peace, was unable to prevent the outbreak of the Second World War.¹³

¹⁰ Amanda Cats-Baril, 'Self-determination' International Institute for Democracy and Electoral Assistance. UN Committee on the Elimination of Racial Discrimination (CERD) General Recommendation No. 21 1996.

¹¹ Karan Gulati, 'Self Determination in International Law' *International Journal for Legal Developments & Allied Issues* (2019) (1) (2) pp. 180-187

¹² United Nations, United Nations Charter <<https://www.un.org/en/about-us/un-charter>> accessed 13 March 2025

¹³ Temitope Peter Ola, 'United Nations' Provisions for Pacific Settlement of International Disputes' *AUDRI* (2021) (14) (2) pp. 84-95 <<https://dj.univ-danubius.ro/index.php/AUDRI/article/view/1343/2038>> accessed 13 March 2025

Prior to 1945, although self-determination claims had begun to surface—most notably in the *Åland Islands Case*¹⁴ the Covenant of the League of Nations made no reference to the principle. As such, self-determination lacked formal recognition at the international institutional level. The UN Charter therefore represents the foundational legal basis for the subsequent development of international norms on self-determination. As a constituent treaty, its provisions are binding on all member states, and by virtue of Article 103, the Charter prevails over all other treaty obligations, functioning as a constitutional framework for the international legal order.

The principle of self-determination is expressly reflected in two key provisions of the Charter: Articles 1(2) and 55. Article 1(2), located in Chapter I, identifies self-determination as one of the core purposes of the United Nations, linking it to the development of friendly relations among nations and the maintenance of international peace. In this sense, self-determination is framed primarily as a political principle aimed at fostering peaceful international relations rather than as an enforceable legal right.¹⁵ At the same time, the Charter strongly affirms state sovereignty and territorial integrity. Article 2(4) prohibits the threat or use of force against the political independence or territorial integrity of states, thereby limiting the ability of self-determination movements to pursue unilateral secession through force. The principle of non-intervention in domestic affairs further constrains external involvement in internal self-determination claims, creating an inherent tension between aspirations for secession and the preservation of existing state boundaries.¹⁶

Article 55, situated in Chapter IX, represents the second ambit of self-determination and focuses on its economic, social, and human rights dimensions. It mandates the promotion of higher standards of living, solutions to global socio-economic challenges, and universal respect for human rights, all based on equal rights and self-determination of peoples. While the Charter lacks a detailed enforcement mechanism or a precise definition of —peoples, it underscores the centrality of peace in addressing self-determination claims, many of which

¹⁴ Oliver Diggelmann, 'The Åland Case and the Sociological Approach to International Law', *The European Journal of International Law* (2007) (18) (1) pp. 135-143 <<http://www.ejil.org/pdfs/18/1/213.pdf>> accessed 13 March 2025

¹⁵ United Nations, Interactive Handbook of the Working Methods of the Security Council <<https://main.un.org/securitycouncil/en/content/interactive-handbook>> accessed 7 March 2025

¹⁶ Article 2(7) UN Charter 1945

arise in conflict contexts. Chapter VI of the Charter provides mechanisms for the peaceful settlement of disputes¹⁷, including diplomatic methods such as negotiation, mediation, and conciliation, as well as judicial means like arbitration and adjudication. The General Assembly, Security Council, International Court of Justice, and Secretariat play key roles in this process, alongside regional arrangements consistent with UN principles.¹⁸

As a signatory to the UN Charter, Nigeria is bound by its provisions, including those relating to self-determination. However, scholars such as H. Wilson observe that the Charter does not explicitly recognise self-determination as a legal right, nor does it clarify the identity of the —peoples‖ entitled to invoke it.¹⁹ Consequently, the Charter articulates self-determination primarily as a guiding political principle rather than a clearly defined, justiciable right under international law.

3.2 United Nations Declaration on Granting Independence to Colonial Countries and Peoples 1960

The Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by UN General Assembly Resolution 1514 (XV) on 14 December 1960, marked a decisive turning point in the recognition of self-determination as a legal right. Adopted overwhelmingly with no votes against, the Declaration affirmed the right of all peoples to freedom from colonial domination and elevated self-determination from a political principle to a normative legal entitlement in the context of decolonisation.

Resolution 1514 (XV) generated a series of subsequent General Assembly instruments that reinforced its legal and ideological foundations. These include²⁰ Resolution 1515 (XV) on permanent sovereignty over natural resources, Resolution 1803 (XVII) on states' control over their wealth, and later economic instruments such as the Declaration on the Establishment of a New International Economic Order and the Charter of Economic Rights

¹⁷ Article 2(3) UN Charter 1945

¹⁸ Gukiina Patrick Musoke, 'Pacific Settlement of Disputes under International Law', *ResearchGate* (2024) <https://www.researchgate.net/publication/379669539_PACIFIC_SETTLEMENT_OF_DISPUTES_IN_INTERNATIONAL_LAW> accessed 13 March 2025

¹⁹ Heather A. Wilson, *International Law and the Use of Force by National Liberation Movements* (Oxford University Press, 1988) 59

²⁰ Edward McWhinney, 'Declaration on The Granting of Independence to Colonial Countries and Peoples' United Nations Audiovisual Library of International Law (2008) Pg.3 <<https://legal.un.org/avl/pdf/ha/dicc/dicce.pdf>> accessed 13 March 2025.

and Duties of States. Together, these instruments established a clear legal linkage between self-determination, decolonisation, and economic sovereignty, expanding the concept to include economic self-determination.²¹

The Declaration builds upon the principles of the UN Charter to reaffirm faith in fundamental human rights and emphasising the necessity of creating conditions for peaceful and friendly relations based on equal rights and self-determination.²² It reflects the historical realities of colonial oppression and recognises that the continued denial of independence to dependent peoples posed a threat to international peace, hindered global economic cooperation, and obstructed social and cultural development. Importantly, the Declaration unequivocally proclaims that all peoples have the right to self-determination, enabling them to freely determine their political status and pursue their economic, social, and cultural development. It further stipulates that a lack of political, economic, or educational preparedness cannot justify delaying or denying this right.²³ The Declaration also condemns all forms of armed or repressive action against dependent peoples and calls for their cessation to allow the free exercise of independence while respecting the territorial integrity of emerging states.²⁴

3.3 The Covenants (International Covenant on Civil and Political Rights 1966 and International Covenant on Economic, Social, and Cultural Rights 1966)

The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) were adopted on 16 December 1966 by UN General Assembly Resolution 2200A (XXI) and entered into force in 1976. Together with the Universal Declaration of Human Rights, they constitute the International Bill of Human Rights, supplementing the UN Charter and transforming its principles into binding human rights obligations.²⁵ Both Covenants elevate self-

²¹Preamble UN Declaration on Granting Independence to Colonial Countries and Peoples 1960

²² *ibid*, Declaration 1 UN Declaration on Granting Independence to Colonial Countries and Peoples 1960

²³ Declaration 3 UN Declaration on Granting Independence to Colonial Countries and Peoples 1960

²⁴ Declaration 4, UN Declaration on Granting Independence to Colonial Countries and Peoples 1960

²⁵ United Nations Human Right Office of the High Commissioner, Background to the International Covenant on Civil and Political Rights and Optional Protocols

<<https://www.ohchr.org/en/treaty-bodies/ccpr/background-international-covenant-civil-and-political-rights-and-optional-protocols#:~:text=The%20ICCPR%20aims%20to%20ensure,Right%20to%20life>> accessed 12 March 2025

determination into a legally enforceable human right through their identical Article 1. Article 1(1) affirms that all peoples have the right to self-determination, enabling them to freely determine their political status and pursue their economic, social, and cultural development. This provision extends self-determination beyond political independence to encompass control over governance systems, economic management, cultural identity, and social development.²⁶

Article 1(2) further entrenches economic self-determination by recognising the right of peoples to freely dispose of their natural wealth and resources and by prohibiting deprivation of their means of subsistence. While this right must be exercised in conformity with international economic obligations, it reflects the position of post-colonial states that political independence is meaningless without economic sovereignty, a concern famously articulated by Léopold Sédar Senghor during the Covenant negotiations.²⁷

Article 1(3) imposes a positive obligation on State Parties to respect and promote the realisation of self-determination in accordance with the UN Charter, including in relation to non-self-governing and trust territories. This provision underscores that self-determination is not a discretionary concession by states but a binding international obligation. Nonetheless, the Covenants remain subject to the UN Charter, as reinforced by Article 46 of the ICCPR.

3.4 African Charter on Human and Peoples' Rights (ACHPR) 1981

The African Charter on Human and Peoples' Rights, adopted in 1981 and in force since 1986, represents a regional articulation of self-determination grounded in Africa's historical experience of colonialism. Nigeria ratified the Charter in 1983, and it was initially administered under the Organisation of African Unity, now the African Union.²⁸ The Charter establishes a binding obligation on State Parties to recognise and implement the rights it guarantees. It affirms the equality of all peoples and prohibits domination by one people over another.²⁹ Crucially, it recognises the right to existence and proclaims self-

²⁶ Article 47 ICCPR 1966 Official documents of the General Assembly, Plenary Meetings, 1961, Vol. II, p. 540

²⁷ Official documents of the General Assembly, Plenary Meetings, 1961, Vol. II, p. 540

²⁸ African Union, <<https://au.int/en/treaties/african-charter-human-and-peoples-rights>> accessed 13 March 2025

²⁹ Article 19 ACHPR 1981

determination as an inalienable and unquestionable right, enabling peoples to determine their political status and pursue economic and social development in accordance with their chosen policies.³⁰

Reflecting Africa's decolonisation context, the Charter expressly affirms the right of colonised or oppressed peoples to free themselves from domination by means recognised under international law.³¹ It also places a duty on State Parties to support oppressed peoples in their struggle for political, economic, and cultural liberation, while anchoring such efforts within lawful and internationally recognised mechanisms.³²

The ACHPR also protects economic self-determination. Hence, Article 21 guarantees the right of peoples to freely dispose of their wealth and natural resources and provides for restitution and compensation where deprivation occurs³³, subject to principles of international cooperation and international law. Articles 22 and 23 further link self-determination to the right to development, peace, and security, assigning states the responsibility to ensure these conditions.³⁴ In Nigeria, the African Charter has been domesticated through the African Charter (Ratification and Enforcement) Act 1983 and enjoys full legal force. This position was affirmed by the Supreme Court in *General Sani Abacha v. Gani Fawehinmi*³⁵, which held that ratified treaties form part of Nigeria's corpus juris and are enforceable by Nigerian courts.

3.5 The Constitution of the Federal Republic of Nigeria 1999

The Constitution of every territory is the organic law governing the rights, duties, obligations, privileges and principles guiding the administration of that territory.³⁶ The Constitution of the Federal Republic of Nigeria 1999 is preceded by various pre-

³⁰ Article 20(1) (2) ACHPR 1981

³¹ Shannonbrooke Murphy, 'Unique in International Human Rights Law: Article 20(2) and the right to resist in the African Charter on Human and Peoples' Rights' *African Human Rights Law Journal* (2011) (11) (2) <<https://www.ahrlj.up.ac.za/murphy-s>> accessed 19 March 2025

³² Article 20(3) All peoples shall have the right to the assistance of the States parties to the present Charter in their liberation struggle against foreign domination, be it political, economic or cultural.

³³ Article 21(2) (3) ACHPR 1981

³⁴ Article 22(2) 1981

³⁵ (S.C. 45/1997)

³⁶ Elliot Bulmer, 'What is a Constitution? Principles and Concepts' (International Institute for Democracy and Electoral Assistance, 2017) <<https://www.idea.int/sites/default/files/publications/what-is-a-constitution-primer.pdf>> accessed 14 March 2025

independence constitutions, such as the 1960 independence constitution, the 1963 Republican Constitution, the 1979 Constitution, the 1983 Constitution, and finally, the 1999 Constitution.³⁷ In Nigeria, the fundamental document that establishes the people's rights, obligations, and privileges is the 1999 Constitution, which must always be respected.³⁸ In the case of *Attorney General of Federation v Abubakar*,³⁹ the apex court posited, amongst other things, that the 1999 Constitution remains the foundation of the Nigerian democracy where the rule of law is upheld. Most importantly, the Constitution is the grundnorm and from it, all other laws of the land subsist. Hence, Section 1(1)⁴⁰ provides that the Constitution is supreme, and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria.

However, from the foregoing, the phrase from the Preamble, '...to live in unity and harmony as one indivisible and indissoluble sovereign nation...' is a direct and clear pointer that self-determination, at least by way of secession, is contrary to the spirit of the Constitution because secession is known to alter and divide the country, thus challenging the indivisibility and indissolubility status of the country. In addition, it is suggestive that any struggle that tends to occasion the breakaway of any part of the country challenges the territorial integrity of the country and is unconstitutional.⁴¹ It describes the nation Nigeria in Section 2(1) as one indivisible and indissoluble sovereign State, reinforcing the opening statement of the Preamble.⁴²

³⁷MY Zakari, 'The History of the Constitutional Developments in Nigeria' Nasarawa State University Repository <<https://keffi.nsuk.edu.ng/server/api/core/bitstreams/7680af4f-c49d-4a55-9c71-c0b9dceac1fb/content>> accessed 14 March 2025

³⁸ Ogugua Ikpeze, 'Constitutionalism and Development in Nigeria: The 1999 Constitution and Role of Lawyers' *Nnamdi Azikiwe Journal of International Law and Jurisprudence* (2010) (1) pp. 228 <<https://www.ajol.info/index.php/naujilj/article/view/138210>> accessed 14 March 2025

³⁹ (2007) ALL FWLR (Pt. 37) 1264

⁴⁰ CFRN 1999

⁴¹ CE Okeke, 'Implementation of Self-Determination in Africa through Secession: An Appraisal of the Legal Hurdles' *African Journal of Criminal Law and Jurisprudence* (2021) (6) 175

⁴² Section 2(2) Constitution of the Federal Republic of Nigeria, 1999 (as amended)

3.6 Criminal Code Act LFN⁴³ 2004

The Criminal Code Act seeks to safeguard Nigeria's sovereignty by criminalising acts threatening the State's political stability. Hence, the inclusion of offences of treason and treasonable felonies reinforces the State's authority to suppress insurrection, rebellion, or secessionist activities that endanger national security. However, these provisions can undermine legitimate self-determination claims if peaceful advocacy or political agitation is construed as criminal conduct.

Section 37 of the Act criminalises attempts to unlawfully overthrow the President or a State Governor. Specifically, it defines treason as the act of levying war against the State, conspiring to depose the President or Governor or engaging in acts intended to compel the government through violence, which is punishable by death and committed by a citizen. In addition, a treasonable felony is marked by any attempt or conspiracy by a person or persons to depose the President or a Governor, to levy war against Nigeria to compel the President to change his measures or to intimidate legislative authority and efforts, inciting rebellion or promoting civil unrest.⁴⁴ Furthermore, the Act criminalises acts that promote conflict between Nigeria's ethnic or regional groups, imposing harsh penalties for individuals or groups who incite violence or attempt to create discord between communities.⁴⁵ The Criminal Code Act's provisions on treason and treasonable felonies reflect Nigeria's commitment to safeguarding national security. However, their broad scope and severe penalties create potential misuse, particularly against peaceful self-determination groups.

3.7 The Terrorism (Prevention and Prohibition) Act 2022

The Terrorism (Prevention and Prohibition) Act 2022 was enacted to provide a comprehensive framework for preventing, prohibiting, and punishing terrorist activities in Nigeria.⁴⁶ Therefore, it facilitates the implementation of Nigeria's obligations under international counterterrorism conventions, reinforcing its commitment to global security cooperation. Section 2(3) of the Act describes acts of terrorism that is deliberately done

⁴³ Laws of Federation

⁴⁴ Section 41 Criminal Code Act LFN 2004

⁴⁵ Section 42 Criminal Code Act LFN 2004

⁴⁶ Explanatory Memorandum Terrorism (Prevention and Prohibition) Act, 2022

with malice, aforethought which may seriously harm or damage a country or an international organisation and can reasonably be regarded as having been intended to unduly compel a government to act or refrain from acting, intimidate a population or destabilise the social, political, or economic structure of the country, otherwise influence such government or international organisation by intimidation or coercion.

This broad language presents a risk of classifying organised self-determination efforts and claims as terrorism, especially where groups employ aggressive advocacy or civil disobedience. Furthermore, the Act empowers the President, upon the recommendation of the Attorney General or the National Security Adviser, to declare any group a proscribed organisation if it is believed to promote acts of terrorism.⁴⁷ Thus, groups advocating self-determination that employ confrontational strategies may risk proscription, regardless of whether they pose an actual threat to public safety. Also, the Act criminalises both direct and indirect support for terrorist organisations, including moral assistance, financial aid, and public endorsement. However, the absence of clear safeguards to distinguish between violent extremism and peaceful political advocacy amplifies concerns about human rights abuses and suppression of lawful agitation. The Act is also silent on the mode of prosecution.⁴⁸

4.0 Legal issues and Challenges in the application of the principle of self-determination in Nigeria

The right to self-determination remains a cardinal principle of international law, yet its application in Nigeria portrays significant legal, political, and social complexities.⁴⁹ While international instruments recognise self-determination as a fundamental right, its enforcement in Nigeria faces unique challenges and peculiarities.⁵⁰ Hence, this section

⁴⁷ Section 3(1)(c) Terrorism Prevention and Prohibition Act 2022

⁴⁸ Nasiru Tijani, 'The Effective Prosecution of the Crime of Terrorism and Terrorism Related Offences in Nigeria: Challenges and Prospects' *Beijing Law Review* (2023) (14) pp.300-323 <<http://www.scrip.org/journal/paperinformation?paperid=123865>> accessed 24 March 2025

⁴⁹ Paul Nwala, 'An Appraisal of the Right of Indigenous People on Self-Determination within the Context of International Law: A Study of Nigeria' *Escae Journal of Management and Security Studies* (2021) (1) (2)

⁵⁰ Mike Omilusi, Isaac Oladeji, Ade-Johnson Shade, 'Freedom of Expression as Threat to National Security: Self-Determination, Radio Biafra and the Political Space in Nigeria' *Journal of Science, Humanities and Arts* (2020) (7) (1)

examines the core challenges inhibiting the practical application of the principles of self-determination in Nigeria under three key sub-themes.

4.1 Constitutional Ambiguity and Legal Gaps

The Nigerian domestic framework presents significant ambiguity in deciphering the application of the principles of self-determination. The grundnorm legal order – The 1999 Constitution of the Federal Republic of Nigeria in its Section 2(1) firmly asserts Nigeria as one indivisible and indissoluble sovereign state, thus restricting any attempts at secession or external self-determination. This constitutional rigidity has stood as a significant obstacle to groups seeking to assert their right to self-determination protected under international law, as no clear domestic framework explicitly provides or denies the right to self-determination, creating confusion as to then Practical application of this right.⁵¹

Although Nigeria is a party and signatory to international frameworks such as the United Nations Charter, the ICCPR, ICESCR, etc and key regulatory bodies like the United Nations, African Union, that provide and advocate for the legal right to self-determination of all peoples, Nigeria has yet to ratify and domesticate them creating legal gaps and fuelling agitations. Generally, treaties cannot ordinarily confer enforceable rights and obligations on individual citizens, except positive actions have been taken by the state Parties to domesticate such laws.⁵² Thus, these ratified treaties have had limited influence in domestic courts due to the absence of enabling legislation. In this wise, only the ACHPR has been ratified and domesticated in compliance with the provisions of section 12 of the 1999 CFRN.

However, even with its domestication as the ACHPR (Ratification and Enforcement) Act Cap. A9, LFN 2004, conflicts have arisen as to its legality in view of the extent provisions of the Constitution. For instance, in *Risqat Badmus & 3 Ors v Federal Republic of Nigeria*⁵³, the applicant has, on behalf of the Yoruba people, sought to enforce their right to self-determination under Article 20 of the African Charter. They alleged the inadequacy of the 1999 Constitution to administer the territory of the Yoruba people. Thus, they prayed

⁵¹ Odinakachukwu Okeke, ‘The Indivisibility and Indissolubility of Nigeria Vis-À-Vis the Right of Self-Determination’ *IJOCLLEP* (2020) (2) (2)

⁵² M O Alabi, ‘UN Reforms: Withdrawal of Membership as an Option?’ *African Journal of International Affairs and Development* (2008) (13) (1&2) 66-93

⁵³ CW/CCJ/APP/08/22 (Unreported)

the court to rule over the self-determination of the Yoruba people and persuade the respondent to organise a referendum for its exit. The court held that the applicant failed to prove that they can act as bearers of the right to self-determination as it is a collective right rather than an individual one. By the court's decision, the ACHPR cannot be interpreted as superior to the 1999 Constitution by section 1(3).

More prominent under this issue are debates surrounding the legitimacy of the grundnorm since its emergence in 1999. The Constitution has been ascribed as an illegitimate byproduct of the military on the Nigerian polity as a final parting gift before complete transition into civilian governance.⁵⁴ Out of 120 million Nigerians, just 450 people, mostly politicians, were purportedly involved in the 1999 Constitution's creation, contributing written comments to the Constitution Debate Committee (CDC).⁵⁵ With military additions to the text that the Committee had previously submitted, the 1999 Constitution was enacted. It portrays the realisation that the Constitution was not passed to demonstrate the free will of the people which it governs but the dictates of a select few.⁵⁶ And so, the Preamble phrase ‘We the People.....’ is deemed as grossly inappropriate in representing the general interests of the people of Nigeria.

Consequently, Nigeria's legal framework lacks a structured constitutional mechanism that balances self-determination rights with territorial integrity, creating tension between its international obligations and domestic legal realities. Ultimately, these constitutional ambiguities and legal lacunas leave self-determination groups voiceless with limited legal recourse, often forcing them to resort to political agitation or confrontational tactics. The absence of a clear legal pathway to assert self-determination continues to fuel discontent, contributing to instability and strained relations between the government and aggrieved ethnic groups compared to the situation in the United Kingdom, where the conduct of referendum in Scotland was an outcome of the Edinburg Agreement.⁵⁷

⁵⁴ Oluwaseye Ikubanni, Mojeed Alabi, ‘A Critique of the Constitutionality and Constitutionalisation of the Right to Self-determination under the Nigerian Constitution’ *UCC Law Journal* (2024) (4) (1) pp.117-157

⁵⁵ FT Abioye, ‘Constitution Making, Legitimacy and Rule of Law: A Comparative Analysis’ *The Comparative and International Law Journal of Southern African* (2011) 4491, 59-79, 72

⁵⁶ TI Ogowewo ‘Why the Judicial Annulment of the Constitution of 1999 is Imperative for the Survival of Nigeria's Democracy’ *Journal of African Law* (2000) (44) (2) 135

⁵⁷ Iain Halliday, ‘The Road to the Referendum on Scottish Independence: The Role of Law and Politics’ (2014) *Aberdeen Student Law Review* (5) (26).

Furthermore, international law has yet to propose a definition of the term, which has brought about numerous meanings propounded by varying scholars. Over time, this has created judicial confusion and passivity in interpretations and has expanded legal gaps. Furthermore, the law makes provision for treason and terrorism under the Criminal Code and the Terrorism (Prevention and Prohibition) Act 2022, but in the absence of clear safeguards to distinguish between violent extremism, peaceful advocacy and self-determination, concerns are amplified about human rights abuses and suppression of lawful agitation. The Independent People of Biafra emerged in 2012, and for the first time since foremost agitations for self-determination began in the 1960s, the group was declared a terrorist organisation in 2017.⁵⁸ This compelled the group to join the Unrepresented Nations and Peoples Organisation as a form of shield to express its interests and claims internationally.⁵⁹

4.2 Federalism Structure and Governance Imbalance

Federalism, according to Kenneth C. Wheare, is a constitutional system that divides governmental powers between levels of government in a manner that ensures autonomy and coordination within their respective spheres.⁶⁰ In Nigeria, federalism arose from plural colonial administrative structures introduced by the British, but the expectations of unity, autonomy, and development that informed its adoption have largely not been realised.⁶¹ Although Nigeria operates a three-tier federal structure comprising the federal, state, and local governments, the system is heavily centralised. The dominance of the federal government undermines the autonomy of states and local governments, contrary to the core principles of true federalism such as non-subordination, interdependence, democracy, and

⁵⁸ <https://nigsac.gov.ng/IndSancDetails?id=27> accessed 26 March 2025.

⁵⁹ Chidi Nwkoopara, 'UN has admitted Biafra as 46th member of UNPO – Uwazurike' *Vanguard* (Lagos, May 2020) <<http://www.vanguardngr.com/2020/05/un-has-admitted-biafra-as-46th-member-of-unpo-uwazurike/>> accessed 26 March 2025.

⁶⁰ Aderonke Majekodunmi, 'Federalism in Nigeria: The Past, Current Peril and Future Hopes' *Journal of Policy and Development Studies* (2015) (9) (2) <http://www.arabianjbmr.com/JPDS_index.php> accessed 23 March 2025

⁶¹ Vitus Achu Amadi, 'Nigerian Federalism and Agitations for Self-Determination' *International Journal of Social Sciences and Conflict Management* (2022) (7) (3) pp. 57-93 <<http://www.casirmediapublishing.com/>> accessed 23 March 2025.

constitutionalism.⁶² This distorted structure has fostered dependency, corruption, marginalisation, and inefficiency, rather than development. As a result, Nigeria's federal system has contributed to persistent governance failures and agitations for self-determination. Despite the 176 local government reforms⁶³ and recent judicial affirmations of local government financial autonomy, subnational governments remain fiscally dependent, with states often resisting implementation, thereby weakening grassroots governance and sustainability.⁶⁴

In addition, over the years, there has been a significant imbalance in power distribution and underrepresentation in governance. For this cause, the Federal Character Principle was incorporated into the 1999 Constitution to address these concerns.⁶⁵ It provides that the composition of the government of the federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria, in accordance with the need to promote national unity and command national loyalty. Nevertheless, this provision of law and this principle are not reflected in governance, spurring agitations from affected quarters. Since the 1999, 2003, 2007, 2011, 2015, 2019, and 2023 elections, the Nigeria electoral and political landscape though has progressed significantly, yet it has fallen below some certain standards, with issues such as insecurity, corruption, political interference and Nigerian elites' manipulations impeding Nigeria's Federalism.⁶⁶ For instance, one significant consideration during the concluded 2023 presidential elections was the fact that the South-East had never gotten a feel of the presidential helm of affairs, putting two major aspirants – President Bola Ahmed Tinubu and Peter Obi against each other.⁶⁷ On this wise, tribalism, ethnicity, and religion have had

⁶² MF Othman, N Osman, IS Mohammed, 'Nigerian Federalism: An Overview of its Imperatives and Impediments' *Journal of International Studies* (2021) (17) pp. 183-209 <<https://e-journal.uum.edu.my/index.php/jis/article/view/12286/3382>> accessed 23 March 2025

⁶³ Abdul-Aziz Sani Zango, Isah Shehu Mohammed, 'An Assessment of Challenges to Local Governments and their Autonomy in Nigeria' *Kashere Journal of Politics and International Relations* (2025) (3) (1)

⁶⁴ Unwana James, 'The Supreme Court Grants Local Government Autonomy: Where to Go from Here' *SSRN* 28 August 2025 <https://papers.ssrn.com/sol3/paper.cfm?abstract_id=5397205> accessed 22 January 2026

⁶⁵ Section 14(3) of the 1999 CFRN

⁶⁶ Awofeso Olu, Obah-Akpowoghaha, Nelson Goldpin, 'The Challenge of Federalism and its Implications for The Nigerian State' *International Journal of Politics and Good Governance* (2017) (8) (8.3)

⁶⁷ Abdulrasheed Muhammad, 'Under the Shadow of the Siamese Twin: Ethnicity, Religion, and Nigeria's 2023 Presidential Election' *Hasanuddin Journal of Strategic and International Studies* (2023) (2) (1) pp. 21-31 <<https://journal.unhas.ac.id/index.php/hjsis/>> accessed 26 March 2025

a significant impact on how the federal government functions, benefitting one faction as opposed to the other which does not reflect true federalism. The Tinubu-led administration has continuously been criticised for negating the federal character principle over its ministerial appointees.⁶⁸ In the Buhari-led administration 2015- 2023, similar concerns was raised as to the lopsided political appointment, unequal representation, nepotism and corruption, all undermining national integration.⁶⁹

The reality is that even the actualisation of the Federal character principle as an oversight for dominance is impeded by the non-justiciability clause in section 6(6)(c).⁷⁰ In addition, the continual insecurity concerns within the federation necessitates a loss of public confidence and trust in the central government in ensuring the security and welfare of the citizens.⁷¹ From the Boko-Haram terrorist group which has led to the loss of millions of lives and properties with the past years to the farmer-herders conflict between the South and the North, it shows. To combat the herder's conflict, the South-West governors had under the aegis of the South-West Governor's Forum established the Western Nigeria Security Network known as 'Amotekun' on January 9, 2020 to function as the region's indigenous security in a bid to address growing concerns and assuage the people confidence that they are cared and looked after by the people they elected into office despite resistance of the federal government.⁷²

In March 2021, Sunday Igboho and his secessionist group made a declaration for an independent Yoruba Nation in Ibadan, Oyo State, driven by the need to liberate the Yoruba people from Fulani domination and enslavement, debauched national leadership and

⁶⁸ Michael Ovat, 'Appoint two more ministers from South-East, APC youth' *Nigerian Tribune* (Lagos, 25 September, 2025) <<https://tribuneonlineng.com/appoint-two-more-ministers-from-south-east-apc-youths-urge-tinubu/>> accessed 25 March 2025

⁶⁹ Celestine Udeh, Obinna Augustine, Ogu Chris-Sanctus, 'The Lopsided Appointments of Buhari's Administration; Federal Character Principle and National Integration in Nigeria' *International Journal of Innovative Legal & Political Studies* (2023) (11) (2) pp. 59-72 <https://www.researchgate.net/publication/371965773_The_Lopsided_Appointments_of_Buhari's_Administration_Federal_Character_Principle_and_National_Integration_in_Nigeria> accessed 24 March 2024.

⁷⁰ Ogugua Ikepeze, 'Non-Justiciability of Chapter II of the Nigerian Constitution as an Impediment to Economic Rights and Development' *IISTE* (2015) (5) (18) <<https://www.iiste.org/Journals/index.php/DCS/article/view/25478/26416>> accessed 24 March 2025

⁷¹ Section 14(2) of the 1999 CFRN

⁷² Editorial, 'Upgrade Amotekun, save South-West again' *The Punch* (Ogun, 14 January, 2025) <<http://punchng.com/upgrade-amotekun-save-south-west-again/>> accessed 24 March 2025

insecurity, among others.⁷³ Ultimately, these imbalances have portrayed the nation in a unitarist light instead of a federal one, further amplifying separatist calls and weakening the will for national unity.⁷⁴ Over and over again, clamours for restructuring and autonomy to attain true federalism have remained loud.⁷⁵ The imbalance in Nigeria's federal structure has, in turn, deepened ethnic divisions as marginalised groups grow disillusioned with the system; ethnic nationalism has become a prominent tool for mobilising separatist movements.

4.3 Ethnic Division and Separatist Call for Independence

Before colonialism, all the ethnic groups that comprise present-day Nigeria were autonomous entities that enjoyed free control of their political will, social and cultural will and economic resources without interference from other existing groups. Thus, these pluralistic societies had different overlapping religious and ethnic divisions. Thus, the 1914 amalgamation of the Northern and Southern protectorates without consent unified the territories under one umbrella called Nigeria, altering the initial peaceful autonomous arrangement.⁷⁶ As a forced marriage and breach of initial conditions, it is unsurprising that separatist agitations have existed even before formal independence in 1960. As Awolowo observed, Nigeria is not a nation but a mere geographical expression, and it would be a mistake to designate ethnic groups as tribes, as each of them is a nation by itself.⁷⁷

The Richards Constitution of 1951 fundamentally instituted the nation into Eastern, Western and Northern regions. Separatist agitation is not new, as seen in these current times, as each of these regions has, at one time or the other, wanted to separate. The motion

⁷³ John Nwachukwu, 'Sunday Igboho declares independence, says Yoruba land no longer part of Nigeria' *Daily Post*, (Lagos, March 18, 2021) <<https://dailypost.ng/2021/03/18/sunday-igboho-declares-independence-says-yoruba-land-no-longer-part-of-nigeria-video/>> accessed 26 March 2025

⁷⁴ Boris Happy Odalonu, 'Federalism and The Renewed Clamour for Restructuring in Nigeria' in Godwin Onu & Chukwuma Okoli (eds) *Federalism and Separatist Agitations in Nigeria* Cambridge Scholars Publishing, United Kingdom, 2024

⁷⁵ Moses Adagbabiri, Ugo Chuks Okolie, 'Federalism and Political Restructuring in Nigeria: The Panacea for Mutual Coexistence and Management of Nation's Resources' *The Journal of International Social Research* (2018) (11) (59) pp. 304-319

⁷⁶ Chukwu, Hamuel Oti and Okoji, Ugochukwu Anokwuru (2024) *The Amalgamation of 1914 and the Lingering Challenge of Nation-Building in Nigeria*. NIGERIAN JOURNAL OF AFRICAN STUDIES (NJAS), 6 (1). pp. 1-6. ISSN 2734-3146

⁷⁷ Obafemi Awolowo, *Path to Nigerian Freedom* (Faber and Faber: London, 1947), 47-48

was moved in the House of Representatives in 1953 by Anthony Enahoro, calling for self-government in 1956. The Northern region also threatened secession. The claim that finally broke the camel's back was the Eastern government in 1967 through Biafra. Before independence, even political parties in the early years were a faction of ethnic division due to the fear of dominance.⁷⁸ For instance, in the 1960 elections, the NCNC was highly Eastern, represented by Nnamdi Azikwe; the NPC was highly Northern, represented by Ahmadu Bello and Tafawa Balewa, who became the first Indigenous Prime Minister; and finally, the AG (Egbe Omo Oduduwa) was highly Western and Mid-Western, represented by Obafemi Awolowo.⁷⁹

Undoubtedly, it can safely be said that the fear of dominance remains a continuous struggle leading to ethnic nationalism, segregating a people who ought to be driven by national unity. Realistically, no individual ever wants to feel as though they will be dominated by the other and, in retaliation, will fight back to ensure he dominates instead. These inequalities have caused mistrust among ethnic groups, affecting the governance of the central government, which sits at the helm of authority. To this end, the Movement for the Actualisation of the Sovereign State of Biafra (MASSOB) was established in 1999 to fight for the actualisation of the emancipation of Ndigbo and the reestablishment of the Republic of Biafra (ROB).⁸⁰ The Movement for the Emancipation of the Niger Delta (MEND) began in 2006 as an offshoot of the Niger Delta Volunteer Force. It was established to redress the problems in the Niger Delta region, as well as to bring the deplorable living conditions of the people in the region to the attention of the federal government and so many other ethnic nationalism groups like the IPOB, the O'odua People's Nation (OPC), Yoruba Nation, Egbesu Boys of Africa (EBA), the Niger Delta Volunteer Force (NDPVF), the Movement

⁷⁸ Samuel Uwaifo, 'Ethnicity and Development of Political Parties in Nigeria' *Journal of Poverty, Investment and Development* (2016) (28) <<https://core.ac.uk/download/pdf/234695678.pdf>> accessed 27 March 2025

⁷⁹ Peter Kertyo, Thaddeus Ityonzughul, 'Religion and Politics in Nigeria: Analysis of the 2023 Presidential Election' *Nigeria Journal of African Studies* (2024) (6) (2) <https://www.researchgate.net/publication/387788413_Religion_and_Politics_in_Nigeria_Analysis_of_the_2023_Presidential_Election> accessed 26 March 2025.

⁸⁰ Agence France Presse (AFP). 2 December 2000. "Several Dead in Raid on southeast Nigerian Town." (NEXIS)

for the Emancipation of Niger Delta (MEND), the Arewa Peoples' Congress (APC), Biafra Zionist Movement (BZM), the Niger Delta Avengers (NDA) etc.⁸¹

Arguably, the 2014 National conference tagged CONFAB was held under the leadership of Former President Goodluck Jonathan to address socio-economic and political challenges besetting the country, such as resource control, fiscal federalism, devolution of power, creation of states, forms of government, revenue allocation, ethnic nationalities and minority question, and resolution of the herders and farmers crises.⁸² It also offered some recommendations on how Nigeria can be restructured to achieve more tremendous success as a nation. However, these recommendations have, for the past 10 years, remained unfulfilled. These ethnic agitations and nationalism are not just political issues but often overlap with economic grievances.

In another perspective, the National Youth Service Corp scheme was initiated to ensure national integration, reconstruct, reconcile and rebuild the country from the ashes of ethnicity followed by the events of the civil war. However, this sense of service has in recent years been marred by indignation and kidnapping. According to reports from the Foundation for Investigative Journalism⁸³, kidnappers have made at least 46.1 million from the abduction of Corp members alone in 2023-2025 and at least 83 Corp members kidnapped across the country.

5.0 Impact and Effect Arising from Challenges Raised

For clarity, the impact and consequences will be viewed from two critical areas, which are the economic perspective and the judiciary's inertia.

The economic impact of these prolonged agitations has significantly disrupted economic activities and increased insecurity, particularly in regions like the Southeast. For instance, the IPOB sit-at-home orders, enforced every Monday in the five states of Eastern Nigeria since Nnamdi Kanu's detention in 2021, have paralysed commerce, leading to financial

⁸¹ <https://www.ecoi.net/de/dokument/1256720.html> accessed 26 March 2025.

⁸² Clifford Ndujihe. Henry Umoru, 'How 2014 Confab delegates want Nigeria restructured' *Vanguard* (Lagos, May 13, 2017) <<https://www.vanguardngr.com/2017/05/2014-confab-delegates-want-nigeria-restructured/>> accessed 27 March 2025

⁸³ Opeyemi Lawal, 'Kidnappers Make ₦46.1m From Abducting NYSC Members in 2 Years' (*Foundation of Investigative Journalism*, 2 March 2025) <<https://fij.ng/article/kidnappers-make-n46-1m-from-abducting-nysc-members-in-2-years/>> accessed 22 April 2025

losses for businesses and daily wage earners.⁸⁴ For Governor Charles Soludo of Anambra state, the state's loss estimates are 19.6 billion, and for former Governor of Ebonyi, Dave Umahi, the figure is about 10 billion due to the sit-at-home.⁸⁵ Similarly, the instability in the Niger Delta has impacted oil production, weakening Nigeria's economic stability. In addition, continued agitations and violent crackdowns have caused social fragmentation and fostered distrust among ethnic groups. Marginalised communities increasingly view the government as biased, worsening feelings of exclusion, and this has weakened the drive towards national identity, promoting ethnic loyalty over collective unity.

Undoubtedly, the judiciary's reluctance and inertia to provide clear legal interpretations on self-determination has left unresolved tensions festering. For instance, in the unreported case of *Chief Sunday Adeyemo v Attorney General of the Federation & 2 Ors*⁸⁶, the trial court granted the reliefs of the applicant, which included his right to self-determination. However, on appeal in the case of *Attorney General of Federation & 2 Ors. V. Chief Sunday Adeyemo*⁸⁷, the court ruled that the right to self-determination is against the spirit of the Constitution of Nigeria. The subsequent appeals reversed these gains, reinforcing ambiguity.

6.0 Conclusion

The concept of self-determination remains contentious in Nigeria due to the absence of explicit legal provisions and the reluctance of the judiciary to define its legal scope. While international law recognises the right to self-determination, its domestic application remains constrained by Nigeria's constitutional structure. Current international and national legal frameworks are not efficacious to the Nigerian polity and have, over time, not sponsored the people's feeling of belongingness and choice. The tensions between

⁸⁴ Obilor Mary, Osita-Njoku Agnes, Awogu Olisa, 'Socio-Economic Implications of IPOB Sit-at-home in South-East, Nigeria' *Multidisciplinary Research and Development Journal Int'l* (2024) (5) (1) <https://www.researchgate.net/publication/381194179_SOCIO-ECONOMIC_IMPLICATIONS_OF_IPOB_SIT-AT-HOME_SOUTH_EAST_NIGERIA> accessed 26 March 2025

⁸⁵ Felix Asogwa, Malachy Ochie, 'Assessment of the Impact of IPOB'S Sit-at-home order on the Economy of South-East Region in Nigeria, 2021-2023' *South East Political Science Review* (2023) (8) (1) <<https://journals.npsa-se.org.ng/index.php/SEPSR/article/view/31/30>> accessed 26 March 2025

⁸⁶ Suit number M/345/2021 87

⁸⁷ Suit number CA/IB/373/2021 (Unreported)

recognising self-determination and preserving territorial integrity have given rise to significant legal issues and challenges in Nigeria. Indeed, these issues disallow the full manifestation of the principles of self-determination as they ought to be for the people. The more these issues brew, the deeper it drives a wedge into national unity. Hence, unless Nigeria undertakes significant legal and policy reforms, self-determination agitations may persist, potentially threatening its national unity and stability. Thus, a balance must be struck between maintaining territorial integrity and addressing legitimate claims of marginalised groups in the federation.

7.0 Recommendations

In proffering solutions to these prevailing issues baffling Nigeria's landscape in exercising the right of self-determination, the study recommends targeted legal and constitutional reforms. The Nigerian Constitution should recognise internal self-determination rights within a clearly defined framework to avoid fuelling ethnic divisions. Although section 42 of the 1999 Constitution offers a broad application in advocating against discrimination against persons in terms of ethnic group, targeted laws concerning ethnicity and resource control must be enacted and implemented. In addition, the umbrella structure of these reforms must create Nigeria into a more decentralised system of governance, not just on paper but in practical application and promote ethnic tolerance.

Secondly, the paper recommends the creation of an ecosystem in the country that champions a sustainable conflict resolution system across all boards. Rather than force, which largely impeded the fundamental human rights of the populace, the government should take intentional steps to engage separatist groups in structured dialogue. The Nigerian government should adopt an inclusive governance structure such that where a part of the polity is aggrieved, they can freely express their concerns without fear of violence and incursion and be heard. In addition, more than ever before, opposition political associations should be given liberty to walk in its role of checks and balances as a moral compass to the governing political party.

Finally, dialogue must remain ongoing and frequent and not be sought as an afterthought, piled up until final sparks disrupt like the 2014 CONFAB. Although this event presented a positive attempt at dialogue, it was delayed, and there was no consensus, leading to the non-implementation of all agreements reached. Thus, structured models that promote

longevity, such as mediation and arbitration, bearing semblance to what is operative in Chapter VII of the United Nations Charter is of vital implementation. Above all, the Nigerian government must consistently uphold its international human rights obligations in compliance with relevant treaties to which it is a party and signatory.