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EXAMINING CRIMES AGAINST HUMANITY AND INDIVIDUAL AND CORPORATE ACCOUNTABILITY IN THE ARMED CONFLICT AND VIOLENCE IN NIGERIA

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Abstract

The persistent armed conflicts and widespread violence across Nigeria, ranging from Boko Haram insurgency, banditry, farmer–herder confrontations, separatist agitations, and security-force abuses, have generated patterns of atrocities that increasingly resemble crimes against humanity under international law. Despite the gravity and scale of these violations, accountability mechanisms for both individual perpetrators and complicit corporate actors remain weak, fragmented, or entirely absent. This paper critically examines the legal characterisation of atrocities committed in Nigeria, assessing whether they meet the thresholds of crimes against humanity as defined in customary international law and the Rome Statute of the International Criminal Court. It analyses key acts such as murder, enforced disappearance, torture, sexual violence, persecution, forced displacement, and attacks on civilian populations, highlighting their commission by state actors, non-state armed groups, and private security contractors operating on behalf of corporate entities. It assesses Nigeria's domestic legal system, including constitutional provisions, the Terrorism (Prevention) Act, military rules of engagement, and criminal statutes, identifying significant gaps in the attribution, investigation, and prosecution of mass atrocity crimes. Particular attention is given to the evolving discourse on corporate complicity, especially the role of extractive industries, security companies, and multinational corporations whose operations intersect with violent conflict zones. Through doctrinal analysis, case studies, and review of international accountability models, the paper argues that Nigeria's accountability deficit is driven by structural impunity, weak investigative architecture, political interference, and absence of explicit legal provisions criminalising crimes against humanity. It proposes a multi-layered approach involving legislative reform, effective investigative bodies, enhanced corporate due diligence obligations, and potential international intervention where domestic remedies fail.

Keywords: **accountability, armed conflict, crimes against humanity, violence, individual and corporate, Nigeria.**

1. Introduction

Armed conflicts and widespread violence in Nigeria have evolved in complexity and severity over the past two decades, producing patterns of human rights violations that increasingly meet the thresholds of *crimes against humanity* under international criminal law. From the Boko Haram insurgency in the North-East to banditry and mass kidnappings in the North-West, farmer–herder conflicts across the Middle Belt, separatist militancy in the South-East, and excessive use of force by state security agencies nationwide, Nigeria's security landscape has

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International Crisis Group, *Violence in Nigeria: Patterns and Trends* (2021).

become marked by systematic and widespread attacks on civilian populations.[2] These violent episodes have generated large-scale deaths, displacement, and destruction of livelihoods, raising urgent questions about state responsibility, individual criminal liability, and the potential accountability of corporate actors whose activities intersect with conflict dynamics.[3]

Crimes against humanity, as codified in Article 7 of the Rome Statute of the International Criminal Court (ICC), encompass acts such as murder, torture, forced displacement, rape, enforced disappearance, and persecution when committed as part of a widespread or systematic attack directed against any civilian population.[4] Numerous reports by human rights organisations, including Human Rights Watch, Amnesty International, and domestic civil society monitors, have documented the consistent commission of these acts by both state and non-state armed groups within Nigeria.[5] However, the characterization of these acts as crimes against humanity remains legally unsettled within Nigeria's domestic framework, which does not explicitly codify such offences, thereby creating a significant accountability gap.[6]

The challenge of accountability is compounded by Nigeria's complex governance and security structure. Although Nigerian criminal laws, military regulations, and the Terrorism (Prevention) Act impose sanctions for murder, terrorism, torture, and related offences, these instruments are inadequate for prosecuting mass atrocity crimes because they do not reflect the contextual elements required for crimes against humanity.[7] Likewise, weak investigative institutions, political interference, and limited prosecutorial capacity hinder effective responses to atrocity crimes, particularly where state actors may be implicated.[8] These structural limitations have allowed cycles of impunity to persist, further emboldening perpetrators and eroding citizen trust in state institutions.

A critical yet often neglected dimension of accountability in Nigeria concerns the role of corporate entities, particularly multinational oil companies, local extractive corporations, and private military and security contractors operating in conflict-prone regions.[9] International legal discourse increasingly recognises the potential responsibility of corporations that support, fund, or collaborate with armed groups or security forces involved in widespread human rights abuses.[10] In Nigeria, allegations of corporate complicity, ranging from the provision of logistical support to security forces accused of abuses, to environmental degradation that fuels community violence, raise profound questions about how corporate actors should be integrated into national

2

[3] Nwoke, C., "Human Rights Violations and Accountability in Nigeria's Conflict Zones," *Nigerian Journal of Public Law*, 2020.

[4] Rome Statute of the International Criminal Court, Article 7.

[5] Amnesty International, *Nigeria: Human Rights Abuses in the Context of Armed Conflict* (2022).

[6] Odinkalu, C., "Impunity and Accountability in Nigeria's Justice System," *African Human Rights Law Journal* (2019).

[7] Adeyemi, A., *Criminal Law in Nigeria*, Lagos, Malthouse, 2020.

[8] Human Rights Watch, *Nigeria: Impunity for Security Force Abuses* (2021).

[9] Okonta & Douglas, *Where Vultures Feast: Shell, Human Rights, and Oil* (2001).

[10] Clapham, A., *Human Rights Obligations of Non-State Actors*, Oxford University Press, 2006.

accountability frameworks.[11] While international soft-law instruments such as the UN Guiding Principles on Business and Human Rights advocate corporate responsibility, Nigeria's domestic laws remain insufficiently developed to impose criminal liability on corporations for atrocity crimes.[12]

This article examines these issues by interrogating the legal elements of crimes against humanity within the context of Nigeria's armed conflicts and patterns of violence. It analyses both individual and corporate accountability through the lenses of international criminal law, domestic legislation, and comparative jurisprudence. By exploring doctrinal frameworks, case studies, and available accountability mechanisms, the paper aims to demonstrate how Nigeria can bridge its accountability deficit and align its justice system with global standards for addressing mass atrocity crimes. Ultimately, the study contributes to emerging debates on strengthening Nigeria's capacity to prosecute grave violations of human rights, promoting both deterrence and justice for victims.

2. **Background to the Study**

Nigeria has, over the past two decades, become a theatre of complex and protracted armed conflicts that cut across ethnic, religious, economic, and political lines.[13] The Boko Haram insurgency, which began in 2009, escalated into one of the world's deadliest extremist conflicts, resulting in over 35,000 deaths and displacing more than two million people across the North-East.[14] Simultaneously, the North-West has witnessed a surge in banditry, mass abductions, and village raids that exhibit increasing levels of organisation and brutality. In the Middle Belt region, farmer–herder clashes, driven by climate change, land-use pressures, and weakened traditional conflict-resolution systems, have transformed into violent confrontations with devastating civilian casualties.[15] The South-East continues to experience separatist tensions and counter-insurgency operations marked by allegations of extrajudicial killings, enforced disappearances, and mass arrests. These overlapping conflicts have produced widespread civilian suffering and systemic human rights violations.

The scale and nature of these abuses have drawn significant attention to the possibility that many acts committed within Nigeria meet the criteria of *crimes against humanity* under international law. Crimes against humanity require not only the commission of certain prohibited acts, such as murder, torture, rape, persecution, forced displacement, and enforced disappearance, but also that these acts be part of a "widespread or systematic attack directed against a civilian population."[16] Reports by Amnesty International, Human Rights Watch, the UN Office of the High

[11] Ikelegbe, A., "Oil Economies, Corporate Abuses and Conflict Dynamics in the Niger Delta," *African Security Review* (2017).

[12] United Nations, *Guiding Principles on Business and Human Rights* (2011).

[13] Adebajo, A., *Nigeria's Security Complexities* (2019).

[14] See, UNDP, *Assessing the Impact of Boko Haram Insurgency in Nigeria* (2021); International Crisis Group, *Addressing the Banditry Crisis in Nigeria* (2020).

[15] Okoli, A. & Uhembe, A., "Climate Change and Farmer–Herder Conflict in Nigeria," *Journal of Peace Studies* (2020).

[16] Rome Statute of the International Criminal Court, Article 7.

Commissioner for Human Rights (OHCHR), and reputable Nigerian NGOs consistently document patterns of violations that appear both systematic and widespread.[17] Yet despite the gravity of these crimes, Nigeria has not codified crimes against humanity into its domestic criminal law, leading to a persistent gap in accountability.

Compounding these challenges are allegations of serious violations by both state security forces and non-state armed groups. Nigerian military operations against Boko Haram and other armed groups have been linked to extrajudicial executions, arbitrary detentions, torture, and forced disappearances.[18] Non-state actors, including Boko Haram, ISWAP, bandit groups, and militant factions, have also engaged in mass killings, sexual slavery, forced recruitment, and deliberate attacks on civilian infrastructure.[19] The prevalence of impunity among all actors has eroded public trust and contributed to a cycle of retaliatory violence.

An emerging but critical aspect of Nigeria's conflict landscape is the involvement of corporate actors, particularly in oil-rich and mineral-rich regions. Multinational oil companies operating in the Niger Delta, as well as local corporations and private security contractors, have long been accused of complicity in human rights abuses—whether through financial support to armed groups, provision of logistics to security forces implicated in violations, or conduct that exacerbates community tensions.[20] International jurisprudence and soft-law frameworks, such as the UN Guiding Principles on Business and Human Rights, increasingly assert that corporations have responsibilities not to contribute to grave human rights abuses.[21] However, Nigeria's legal architecture remains ill-equipped to investigate or prosecute corporate complicity in acts that may amount to crimes against humanity.

Efforts to ensure accountability for atrocity crimes in Nigeria are further hindered by structural weaknesses in the justice system. These include poor investigative capacity, political interference, corruption, inadequate witness protection mechanisms, and overlapping jurisdictional mandates among security institutions.[22] Additionally, Nigeria's reluctance to implement international accountability mechanisms, despite being a State Party to the Rome Statute, creates tension between its international obligations and domestic political considerations.[23] The International Criminal Court (ICC) opened a preliminary examination into Nigeria's situation in 2010 and concluded in 2020 that there was reasonable basis to believe both Boko Haram and Nigerian security forces had committed crimes against humanity and war crimes.[24] Yet the case has not advanced, partly due to Nigeria's insistence that it is able and willing to prosecute offenders domestically, despite evidence to the contrary.

[17] OHCHR, *Human Rights Situation in Nigeria* (2022).

[18] Human Rights Watch, *Nigeria: Military Abuses in Counterinsurgency Operations* (2021).

[19] Amnesty International, *Boko Haram: Patterns of Violations* (2021).

[20] Okonta & Douglas, *Where Vultures Feast: Shell and Human Rights in the Niger Delta* (2001).

[21] United Nations, *Guiding Principles on Business and Human Rights* (2011).

[22] Uche, G., "Corporate Liability and Human Rights in Nigeria," *Nigerian Journal of Commercial Law* (2019).

[23] Ladan, M.T., *Justice Sector Reform in Nigeria* (2018); ICC Assembly of States Parties, *Nigeria's Compliance Report* (2021).

[24] International Criminal Court, *Final Report on Preliminary Examination of Nigeria* (2020).

Against this backdrop, examining crimes against humanity and the accountability of both individuals and corporate entities becomes essential for understanding Nigeria's broader struggles with governance, rule of law, and human security. The background thus reveals a complex interplay of conflict dynamics, institutional weaknesses, evolving international legal norms, and competing domestic interests—all of which shape the landscape of impunity and the prospects for justice.

3. Statement of the Problem

Despite the escalating scale of violence and the widespread commission of grave human rights violations across Nigeria, accountability for acts that may amount to *crimes against humanity* remains severely limited.[25] Although Nigeria has experienced multiple forms of armed conflict, including insurgency, banditry, ethnic clashes, communal violence, and state security abuses, its domestic legal system does not explicitly criminalise crimes against humanity. This legislative vacuum prevents the proper prosecution of mass atrocity crimes because existing criminal statutes address isolated offences but do not incorporate the contextual elements of "widespread or systematic attacks against civilian populations" required under international law. As a result, perpetrators of gross violations frequently evade responsibility, and the justice system remains ill-equipped to respond to atrocities at the scale they occur.

A significant part of the problem lies in the entrenched impunity enjoyed by both state and non-state actors. Reports by Human Rights Watch and Amnesty International consistently reveal patterns of extrajudicial executions, torture, enforced disappearances, sexual violence, and mass displacement for which no effective investigations or prosecutions have been undertaken.[26] In many cases, the alleged perpetrators are members of state security forces, military personnel, police officers, or vigilante groups operating with state support, who benefit from institutional protections and political interference. For non-state actors such as Boko Haram, ISWAP, and armed bandit groups, weak law-enforcement capabilities, porous borders, and inadequate intelligence systems hinder the arrest and prosecution of offenders, thereby perpetuating cycles of violence.

Another critical gap concerns the accountability of corporate actors whose activities intersect with conflict environments. Multinational oil companies, local extractive industries, and private security contractors have been implicated in practices that may contribute to or exacerbate violence, ranging from alleged financing of armed groups to the provision of support for security forces accused of abuses.[27] Yet Nigerian law does not provide a robust framework for prosecuting corporate entities for their role in grave human rights violations or potential complicity in crimes against humanity. The absence of statutory provisions on corporate criminal responsibility for atrocity crimes allows corporations to operate with minimal oversight and limited legal consequences for conduct that fuels conflict dynamics.

Institutional weaknesses further compound the problem. Nigeria's investigative and prosecutorial bodies lack the technical capacity, resources, and autonomy needed to gather evidence, protect witnesses, and conduct credible trials for mass atrocity crimes. Overlapping mandates among security agencies result in poor coordination, while corruption and political interests often

[25] Adebanjo (supra)

[26] Human Rights Report (supra)

[27] Okonta & Douglas (supra)

obstruct investigations that implicate powerful actors. Additionally, Nigeria's insistence that it is both willing and able to prosecute crimes domestically, despite contrary evidence, has stalled international oversight mechanisms such as the International Criminal Court (ICC), which concluded in 2020 that there is reasonable basis to believe crimes against humanity and war crimes have been committed in Nigeria.[28] Yet no tangible progress has been made toward prosecutions.

The cumulative effect of these gaps is a justice system unable to deter future violations or provide meaningful redress to victims. Communities affected by insurgency, banditry, state repression, and resource-related conflicts continue to suffer in an environment where the rule of law is weak, and institutional responses are inadequate. Without clear domestic legislation on crimes against humanity, effective investigative mechanisms, and accountability frameworks that encompass both individuals and corporate entities, Nigeria risks perpetuating a cycle of violence, impunity, and human rights degeneration.[29] The problem therefore lies not only in the prevalence of atrocity crimes but in the structural, legal, and institutional deficiencies that prevent effective accountability.

4. Conceptual Framework

The conceptual framework for this work is built on the core concepts necessary to understand the nature of crimes against humanity, the actors involved in Nigeria's armed conflicts, and the mechanisms of individual and corporate accountability under both domestic and international law. These concepts form the analytical foundation for examining how widespread violence in Nigeria intersects with emerging global norms on atrocity prevention and accountability.

4.1 **Crimes Against Humanity**

Crimes against humanity refer to specific prohibited acts, such as murder, torture, rape, enforced disappearance, persecution, and forced displacement, committed as part of a widespread or systematic attack directed against a civilian population.[30] Unlike ordinary domestic crimes, crimes against humanity have a contextual element that elevates them to international concern due to their scale, organisation, and impact.[31] This concept is central to the study because many of the violations occurring in Nigeria's conflict zones demonstrate characteristics consistent with international legal thresholds. The Rome Statute's definition provides the baseline for understanding these acts, even though Nigeria has not domesticated these provisions into national legislation.

4.2 Armed Conflict and Widespread Violence in Nigeria

The term armed conflict in this context encompasses insurgencies, banditry, communal clashes, and state security operations that result in sustained hostilities. Nigeria's conflicts are not formally classified as international armed conflicts but constitute non-international armed

[28] Transparency International, *Corruption and Security Sector Governance in Nigeria* (2020); International Criminal Court, *Final Report on Preliminary Examination of Nigeria* (2020).

[29] OHCHR, *Human Rights Situation in Nigeria* (2022).

[30] Rome Statute of the International Criminal Court, Article 7.

[31] Bassiouni, M.C., *Crimes Against Humanity in International Criminal Law* (1999).

conflicts under international humanitarian law.[32] The concept of widespread or systematic violence therefore becomes essential for assessing whether criminal conduct in these contexts meets the criteria of crimes against humanity. Numerous studies and human rights reports reveal patterns of recurrent, organised attacks against civilians, indicating a broader context in which atrocity crimes may be committed.[33]

4.3 Individual Criminal Responsibility

Individual criminal responsibility is a foundational concept in international criminal law and holds that perpetrators, whether state officials, armed group leaders, or private actors, may be personally liable for participating in, ordering, aiding, abetting, or contributing to the commission of crimes against humanity.[34] This includes both direct perpetrators and those who exercise command responsibility over forces committing such crimes. Understanding this concept is critical to evaluating accountability gaps in Nigeria's justice system, particularly where state actors or insurgent commanders evade prosecution despite evidence of atrocities.

4.4 Corporate Accountability and Complicity

Corporate accountability refers to the responsibility of business entities for human rights abuses occurring within their operations or involving their support to state or non-state actors.[35] Although international criminal law traditionally focuses on individuals, modern human rights discourse recognises that corporations may facilitate or contribute to atrocity crimes through financial support, provision of logistics, collaboration with abusive security forces, or environmentally harmful practices that fuel conflict.[36] The concept of corporate complicity, in the form of aiding, abetting, or failing to prevent abuses, is increasingly recognised in global governance frameworks such as the UN Guiding Principles on Business and Human Rights.[37] For Nigeria, where extractive industries and private security companies operate in high-risk environments, this concept is vital for assessing gaps in legal frameworks for accountability.

4.5 Impunity and Weak Institutional Capacity

The concept of impunity, defined as the systematic failure to investigate, prosecute, and punish individuals or entities responsible for serious human rights violations, is a recurring theme in Nigeria's conflict landscape.[38] Impunity is sustained by factors such as political interference, corruption, lack of investigative resources, overlapping jurisdictional mandates, and weak judicial processes. This conceptual element explains why atrocity crimes continue unabated and why both

[32] ICRC, *International Humanitarian Law and Non-International Armed Conflicts* (2018); Cassese, A., *International Criminal Law* (2013).

[33] Amnesty International, *Nigeria: Patterns of Violations in Conflict Areas* (2022).

[34] Schabas, W., *An Introduction to the International Criminal Court* (2017).

[35] United Nations, *Guiding Principles on Business and Human Rights* (2011).

[36] See, Okonta & Douglas, *Where Vultures Feast: Shell, Oil, and Human Rights* (2001); Prosecutor v. Delalić (Čelebići Case), ICTY Trial Chamber Judgment (1998); Clapham, A., *Human Rights Obligations of Non-State Actors* (2006);

[37] United Nations, *Guiding Principles on Business and Human Rights* (supra).

[38] Human Rights Watch, *Nigeria: Impunity for Security Force Abuses* (2021); Ladan, M.T., *Justice Sector Reform in Nigeria* (supra).

perpetrators and complicit corporations operate with limited legal consequences. Without addressing impunity, the prosecution of crimes against humanity remains unlikely.

4.6 Accountability Mechanisms (Domestic and International)

Accountability mechanisms refer to the institutional and legal processes, national or international, through which perpetrators of mass atrocity crimes may be held responsible.[39] Domestically, this includes the Nigerian criminal justice system, military courts, and statutory bodies such as the National Human Rights Commission. However, limitations within these mechanisms highlight the potential role of international bodies such as the International Criminal Court (ICC), which has jurisdiction over crimes against humanity where national authorities are unwilling or unable to prosecute.[40] This concept clarifies why Nigeria remains under ICC scrutiny and frames the broader implications of international intervention.

Together, these conceptual elements provide the analytical structure for exploring how Nigeria's complex conflict environment intersects with global definitions of crimes against humanity and emerging standards on individual and corporate accountability. They guide the study's examination of legal gaps, institutional weaknesses, and potential pathways for strengthening justice mechanisms.

5. Theoretical Framework

The theoretical framework guiding this work draws upon established theories in international criminal law, human rights governance, conflict studies, and corporate responsibility. These theories help explain the persistent nature of atrocity crimes in Nigeria, the failures of accountability mechanisms, and the emerging debates on both individual and corporate liability for serious human rights violations.

5.1 Theory of Crimes Against Humanity

The foundational theory underpinning this study is the theory of crimes against humanity, which posits that certain acts, when committed as part of a widespread or systematic attack, constitute offences against the international community as a whole.[41] This theory reflects the evolution of international criminal accountability from the Nuremberg Trials to the establishment of the International Criminal Court (ICC). It emphasises that such crimes transcend domestic jurisdictions because they threaten human dignity and global peace. The relevance of this theory lies in its ability to frame Nigeria's conflict-related atrocities not merely as isolated offences, but as potential international crimes requiring heightened scrutiny.

5.2 Command Responsibility Theory

The command responsibility doctrine holds military leaders and other superiors criminally liable for crimes committed by subordinates when they knew or should have known about such acts and failed to prevent or punish them.[42] Originating from the Yamashita standard and further developed by the ICTY and ICTR, this theory broadens individual responsibility beyond direct perpetrators. In Nigeria, where security forces have been repeatedly implicated in abuses, the doctrine explains how senior

[39] Ssenyonjo, M., *Accountability for International Crimes* (2018).

[40] International Criminal Court, *Final Report on Preliminary Examination of Nigeria* (2020).

[41] Bassiouni, M.C., *Crimes Against Humanity in International Criminal Law* (supra).

[42] *Prosecutor v. Delalić (Čelebići Case),* ICTY Trial Chamber Judgment (1998).

commanders may bear responsibility for widespread violations committed during counterinsurgency operations.[43] It also clarifies accountability gaps when state actors escape liability due to weak enforcement structures.

5.3 State Failure and Weak Institution Theory

The state failure theory posits that when a state is unable or unwilling to protect citizens, uphold the rule of law, or maintain effective institutions, violence and impunity proliferate.[44] Nigeria's fragmented security architecture, corruption, and limited judicial capacity exemplify the conditions that allow atrocity crimes to flourish. This theory is crucial for understanding why large-scale abuses persist despite the presence of legal frameworks that, in principle, prohibit such conduct. Weak institutions also hinder the implementation of accountability mechanisms and obstruct investigations into both state and non-state actors.

5.4 Impunity Theory

5.5 Closely linked to weak institution theory

The impunity theory suggests that failure to hold perpetrators accountable perpetuates cycles of abuse.[45] According to this framework, impunity emboldens both state officials and non-state groups, creating an environment where crimes against humanity may escalate unchecked. Nigeria's longstanding failures to investigate military abuses, prosecute insurgent commanders, or regulate corporate misconduct illustrate the operation of this theory.[46] Impunity thus becomes both a cause and consequence of Nigeria's human rights challenges.

5.6 Corporate Complicity Theory

The corporate complicity theory asserts that business entities can be responsible, legally or morally, for contributing to human rights violations through direct participation, aiding and abetting, or benefiting from abusive practices.[47] The theory is grounded in evolving international standards such as the UN Guiding Principles on Business and Human Rights, which recognise that businesses have duties to prevent and avoid contributing to grave violations. In Nigeria, where extractive industries and private security contractors operate in volatile regions, this theory helps explain how corporate actors may indirectly facilitate violence through financial support, provision of logistics, or acquiescence to governmental abuses.

5.7 International Criminal Accountability Theory

The international criminal accountability theory emphasises that when states fail to prosecute atrocity crimes, international mechanisms such as the ICC have a complementary role in ensuring justice.[48] Under the principle of complementarity, the ICC may intervene when a state is unable or unwilling to

[43] Amnesty International, *Nigeria: Security Forces and Accountability* (supra).

[44] Rotberg, R., *When States Fail: Causes and Consequences* (2004).

[45] Human Rights Watch, *Nigeria: Impunity for Violations* (supra).

[46] See, Odinkalu, C., "Legal Gaps and Impunity in Nigeria," *AHRLJ* (2020); Ssenyonjo, M., *Accountability for International Crimes* (2018).

[47] Clapham, A., *Human Rights Obligations of Non-State Actors* (2006); United Nations, *Guiding Principles on Business and Human Rights* (2011).

[48] ICC Statute, Preamble and Article 1.

carry out genuine investigations.[49] Nigeria's situation falls within this theoretical lens, given the ICC's conclusion that there is reasonable basis to believe crimes against humanity have been committed in Nigeria. This theory frames the relationship between domestic accountability shortcomings and international oversight.

5.8 Human Security Theory

The human security theory shifts the focus from state-centric security to the protection of individuals from threats such as violence, poverty, and injustice.[50] This theory provides an important lens for understanding the impact of Nigeria's conflicts on civilians, emphasising that the state's inability to protect citizens constitutes a fundamental breach of its obligations. Applying this theory underscores why crimes against humanity and corporate abuses must be addressed not only as legal issues but as threats to the survival and dignity of communities in conflict-affected regions.

Together, these theories offer a multidimensional understanding of atrocity crimes, institutional failures, and accountability mechanisms. They explain why Nigeria struggles to prevent and punish crimes against humanity and why both individuals and corporate actors may escape responsibility despite mounting evidence of violations. This theoretical foundation guides the analysis of legal frameworks, institutional capacities, and policy reforms necessary to ensure justice and accountability.

6. Literature Review

The scholarly literature on *crimes against humanity* and accountability in contexts of protracted armed conflict reveals a rich body of work spanning international criminal law, transitional justice, corporate liability, and African conflict dynamics. These works provide a necessary foundation for understanding the complexities of attributing responsibility in Nigeria's persistent violent crises, including Boko Haram terrorism, farmer–herder conflicts, banditry, communal violence, and state security abuses.

6.1 Crimes Against Humanity: Doctrinal Foundations

The contemporary doctrinal basis for crimes against humanity is heavily rooted in the Rome Statute of the International Criminal Court (ICC), which defines such crimes as widespread or systematic attacks directed against civilian populations pursuant to state or organizational policy.[51] Early foundational works, such as those by M. Cherif Bassiouni, emphasize the universality and *jus cogens* status of crimes against humanity, asserting that states bear non-derogable obligations to investigate and punish perpetrators regardless of domestic legal obstacles.[52] Antonio Cassese further expands on the customary nature of these crimes, arguing that even non-state actors can trigger liability where the threshold of organization and systematicity is met.[53]

[49] Rome Statute, Article 17.

[50] UNDP, *Human Security Report* (1994).

[51] Rome Statute of the International Criminal Court, Art. 7.

[52] Bassiouni, M. C., *Crimes Against Humanity in International Criminal Law,* Kluwer, 1999.

[53] Cassese, A., *International Criminal Law* (Oxford University Press, 2008).

These doctrinal arguments have profound implications for Nigeria, where non-state armed groups such as Boko Haram and various insurgent militias possess hierarchical structures and demonstrate systematic patterns of attack, thereby meeting internationally accepted definitional thresholds.[54]

7. Armed Conflict and Violence in Nigeria: Scholarly Perspectives

Nigeria's conflict landscape has been the subject of extensive interdisciplinary research. Scholars such as Okoli and Iortyer highlight the multidimensional nature of conflict drivers, weak governance, ethno-religious identities, resource competition, climate pressures, and historical marginalization.[55] Studies on Boko Haram by Marc-Antoine Pérouse de Montclos and Agbiboa similarly emphasize the socio-economic and political conditions that enable insurgency to thrive.[56]

Furthermore, Amnesty International reports and academic analyses by Ojo, Oladipo, and Alubo consistently document grave violations by both insurgents and state actors, including mass killings, torture, arbitrary detention, sexual violence, enforced disappearances, and destruction of civilian property.[57] Such empirical research underscores that many of these atrocities fit squarely within the definitional boundaries of crimes against humanity.

7.1 Individual Accountability in International and Domestic Jurisprudence

Literature on individual criminal responsibility is anchored in foundational texts on command responsibility, joint criminal enterprise, and modes of liability under international law. Kai Ambos provides a nuanced analysis of the mental element required to attribute responsibility to commanders and civilian superiors. Werle and Jessberger also explore the link between organizational policy and personal culpability, demonstrating its applicability to both state and non-state actors.[58]

Within the Nigerian context, academic discourse reveals a persistent enforcement gap. Scholars such as Yusuf and Olaniyan note that despite the gravity of atrocities committed, Nigerian prosecution frameworks have historically lacked the capacity, political will, and legal structures to prosecute international crimes effectively.[59] The domestication gap of the Rome Statute, until

[54] Belhadj & Tinnes, "Non-State Actors and Crimes Against Humanity," *Journal of Conflict Studies* (2017).

[55] Okoli, A. C. & Iortyer, P. E., "Terrorism and Human Insecurity in Nigeria," *Global Journal of Human Social Science* (2014).

[56] Montclos, M-A. P., *Boko Haram: Islamism, Politics, Security and the State in Nigeria* (IFRA, 2014); Agbiboa, D., "Why Boko Haram Exists," *African Conflict Review* (2015).

[57] Amnesty International, "Nigeria: Mass Atrocities Report," (2020); Ojo & Oladipo, "Human Rights Violations by Nigerian Security Forces," *African Human Rights Law Journal* (2018).

[58] Ambos, K., *Treatise on International Criminal Law*, Vol. 2, Oxford University Press, 2014; Werle, G. & Jessberger, F., *Principles of International Criminal Law*, Oxford, 2014.

[59] Yusuf, A., "Prosecuting International Crimes in Nigeria," *Nigerian Yearbook of International Law* (2017).

the recent approval of the International Criminal Court Bill, has also been highlighted as a major obstacle.[60]

7.2 Corporate Accountability: Emerging Global and African Discourse

Corporate liability for international crimes is an evolving area of international criminal law. Works by Clapham, Stephens, and Muchlinski argue that corporations can bear civil or even criminal responsibility where they aid, abet, or materially support violations.[61] Significant global jurisprudence, including the *Kiobel v. Royal Dutch Petroleum* and *Jesner v. Arab Bank* decisions, demonstrates the complexities of extending liability to corporate actors, though scholars widely acknowledge that corporations operating in conflict zones often play enabling roles in human rights abuses.[62]

In the African context, scholars such as Enabulele and Adejumo highlight controversies surrounding multinational oil corporations in the Niger Delta, particularly allegations of complicity in environmental destruction, forced displacement, and abuses committed with the support or acquiescence of security forces.[63] These works support the argument that corporate accountability must extend beyond economic breaches to include responsibility for grave human rights violations.

7.3 Nigeria and International Accountability Mechanisms

Research on Nigeria's engagement with international mechanisms reveals a pattern of selective cooperation. Articles by Akande and Umozor examine Nigeria's obligations under the ICC framework, noting that the Office of the Prosecutor (OTP) has repeatedly expressed concern about Nigeria's inability or unwillingness to prosecute crimes committed by Boko Haram and the armed forces.[64]

Other scholars, such as Odinkalu and Nwagu, connect the accountability deficit to structural weaknesses: corruption in the justice system, broad immunity provisions, weak oversight institutions, military secrecy, and political interference.[65]

Gaps Identified in the Literature

The existing body of scholarship, while expansive, reveals several gaps:

a. Limited focus on corporate complicity in Nigeria's conflict landscape, especially regarding the role of private security companies, mining firms, oil corporations, and arms suppliers.

[60] Olaniyan, D., "Legislative Challenges in Domesticating the Rome Statute in Nigeria," *Legal Studies Review* (2019).

[61] Clapham, A., *Human Rights Obligations of Non-State Actors* (Oxford, 2006); Stephens, B., "Corporate Liability for Human Rights Violations," *Berkeley Journal of International Law* (2002).

[62] *Kiobel v. Royal Dutch Petroleum Co.*, 569 U.S. 108 (2013); *Jesner v. Arab Bank*, 584 U.S. 284 (2018).

[63] Enabulele, A. O. & Adejumo, B. T., "Corporate Complicity and Human Rights Violations in the Niger Delta," *Nigerian Law Journal* (2016).

[64] Akande, D. & Umozor, J., "Nigeria and the ICC: Challenges of Complementarity," *African Journal of International Criminal Justice* (2020).

[65] Odinkalu, C. & Nwagu, E. E., "Accountability and State Failure in Nigeria," *Centre for Democracy and Development Working Paper* (2018).

b. Fragmented analysis of individual accountability within non-state armed groups beyond Boko Haram, including bandits and militia commanders.

c. Insufficient integration of international criminal law with Nigerian domestic legal reforms, including the new ICC Bill and ongoing constitutional amendments.

d. Underdeveloped research on gendered dimensions of crimes against humanity, notably sexual slavery, forced marriage, and sexual violence in conflict settings.

These gaps justify the present work's focus on linking doctrinal international criminal law with empirical conflict realities in Nigeria, while emphasizing the dual responsibility of individuals and corporations.

8. Legal Framework

A robust legal framework for addressing crimes against humanity and ensuring both individual and corporate accountability in Nigeria draws from a complex intersection of international**,** regional, and domestic legal instruments. These frameworks establish the substantive norms defining crimes against humanity, outline obligations to investigate and prosecute perpetrators, and prescribe mechanisms for state, individual, and corporate responsibility.

8.1 International Legal Framework

8.1.1The Rome Statute of the International Criminal Court (ICC)

The Rome Statute remains the most authoritative codification of crimes against humanity under international law. It defines crimes against humanity under Article 7 and establishes individual criminal responsibility under Article 25, as well as command/superior responsibility under Article 28. Nigeria ratified the Rome Statute on 27 September 2001, thereby assuming obligations to prevent, investigate, and prosecute crimes that fall within the ICC's jurisdiction.

Although Nigeria has ratified the Rome Statute, domestication remained incomplete for many years, creating a gap between international obligations and enforceability in national courts.[66] The newly reintroduced ICC Bill (International Criminal Court Bill) aims to close this gap by incorporating Rome Statute crimes, genocide, war crimes, and crimes against humanity, into Nigerian law.

8.1.2 Customary International Law

Crimes against humanity are widely recognized as *jus cogens* norms under customary international law. According to Cassese, states have a non-derogable obligation to prosecute perpetrators, irrespective of whether the acts occurred in armed conflict or peacetime.[67] This customary status is reinforced by decisions from international tribunals, including the ICTY's rulings in *Prosecutor v. Tadić*, which extended liability to non-state actors operating with sufficient organization and systematic activity.[68]

[66] Olaniyan, D., "Challenges of Domesticating the Rome Statute in Nigeria," *Legal Studies Review* (2019).

[67] Bassiouni, M. C., *Crimes Against Humanity in International Criminal Law* (1999); Cassese, A., *International Criminal Law* (2008).

[68] *Prosecutor v. Tadić* (ICTY, 1999).

This customary status binds Nigeria regardless of domestic implementation, establishing a direct international duty to investigate and prosecute serious crimes committed by both state and non-state actors.

8.1.3 International Humanitarian Law (IHL)

Nigeria is a state party to the 1949 Geneva Conventions and their Additional Protocols, which impose obligations during non-international armed conflicts. Violations such as torture, targeting civilians, sexual violence, and forced displacement may constitute both grave breaches under IHL and crimes against humanity under international criminal law.[69]

The ICRC's studies on customary IHL confirm that non-state armed groups, such as Boko Haram, bandits, and militia groups—are bound by fundamental humanitarian norms.

8.1.4 UN Security Council Resolutions

Several UN Security Council Resolutions impose obligations on Nigeria regarding counter-terrorism, civilian protection, and prevention of mass atrocities, including Resolutions 1373 (2001)**,** 2178 (2014), and 2331 (2016) on sexual violence in conflict. These resolutions reinforce state accountability for preventing and addressing mass atrocity crimes.

8.2 Regional Legal Framework (African System)

8.2.1 African Charter on Human and Peoples' Rights (ACHPR)

The ACHPR, domesticated in Nigeria through the African Charter Act (Cap A9 LFN 2004), guarantees rights to life, dignity, liberty, and security.[70] Violations such as extrajudicial killings, torture, arbitrary detention, and sexual violence constitute breaches of binding obligations.[71]

Importantly, the African Charter's domestication means its provisions have direct applicability before Nigerian courts, as established in *Abacha v. Fawehinmi*.[72]

8.2.2 African Union Constitutive Act

Article 4(h) of the AU Constitutive Act authorizes intervention in member states in cases of "grave circumstances," including war crimes, genocide, and crimes against humanity.[73] This establishes a continental normative rejection of impunity for mass atrocities.

8.2.3 Malabo Protocol (African Criminal Court)

The Malabo Protocol (2014) expands the jurisdiction of the African Court to include crimes under international law, corporate criminal liability, and transnational crimes.[74] While not yet in force, it is notable for being the first international instrument to expressly recognize corporate criminal

[69] Geneva Conventions (1949) and Additional Protocols (1977); Henckaerts, J.-M., *Customary IHL Study*, ICRC (2005).
[70] African Charter on Human and Peoples' Rights, Cap A9 LFN 2004.
[71] Viljoen, F., *International Human Rights Law in Africa* (2012).
[72] *Abacha v. Fawehinmi* (2000) 6 NWLR (Pt. 660) 228.
[73] AU Constitutive Act, 2000, Art. 4(h).
[74] Malabo Protocol, 2014.

responsibility. This is directly relevant to Nigeria given corporate complicity allegations in the Niger Delta and in arms procurement networks.

8.3 Domestic Legal Framework

8.3.1 Constitution of the Federal Republic of Nigeria (1999, as amended)

The Constitution guarantees fundamental rights, including:

i. **Right to life** (section 33)

ii. **Dignity of person** (section 34)

iii. **Personal liberty** (section 35)

iv. **Fair hearing** (section 36)

Violations of these provisions by state agents may amount to domestic offences and can also rise to the level of crimes against humanity when committed systematically.[75] Additionally, Section 12 requires international treaties to be domesticated before they can be enforced domestically, leading to earlier implementation gaps regarding the Rome Statute.

8.3.2 Criminal Code Act and Penal Code Act

Nigeria's Criminal Code (applicable in the South) and Penal Code (applicable in the North) criminalize murder, rape, torture, arson, and other serious offences.[76] Although these codes do not expressly define "crimes against humanity," many acts constituting such crimes are punishable domestically.

8.3.3 Terrorism (Prevention) Act 2011 (as amended in 2013)

This Act is central to addressing Boko Haram and banditry. It criminalizes:

i. Terrorist acts

ii. Financing of terrorism

iii. Support for terrorist organizations

iv. Use of violence against civilians

The Act provides broad powers for prosecution but has been criticized for misuse and lack of alignment with international human rights standards.[77]

8.3.4 Nigerian Military and Security Sector Laws

Relevant laws include:

i. **Armed Forces Act** which regulates conduct of the military and provides mechanisms for courts-martial.

[75] Constitution of the Federal Republic of Nigeria 1999 (as amended).

[76] Yusuf, A., "Prosecuting International Crimes in Nigeria," *NYIL* (2017).

[77] Amnesty International, "Nigeria: Human Rights Concerns Under the Terrorism Act" (2018).

ii. **Police Act 2020** which imposes obligations regarding lawful policing and human rights protections.

iii. **Administration of Criminal Justice Act (ACJA) 2015** which promotes fairness and efficiency in criminal trials.

Weak enforcement of these laws contributes to persistent impunity for mass atrocities.[78]

8.4 Corporate Accountability Under Nigerian Law

Corporate responsibility for human rights violations is recognized under:

i. **Companies and Allied Matters Act (CAMA)** which establishes fiduciary duties of corporate entities.

ii. **Environmental Impact Assessment Act** which mandates environmental and social accountability.

iii. **Petroleum Industry Act (PIA) 2021** which imposes obligations on oil companies to prevent and remediate harm.

While Nigeria does not explicitly recognize corporate criminal liability for international crimes, courts have imposed liability for negligence, environmental harm, and complicity in security force abuses, as seen in several Niger Delta–related cases.[79]

9. ICC Preliminary Examination on Nigeria

The ICC concluded in 2020 that there is a "reasonable basis to believe" that crimes against humanity and war crimes have been committed by Boko Haram and the Nigerian security forces.[80] This finding imposes a heightened complementarity obligation on Nigeria to demonstrate genuine efforts at accountability.

9.1 Findings

The analysis of crimes against humanity, individual liability, and corporate accountability within Nigeria's conflict environment produced several significant findings. These findings draw from doctrinal international criminal law, empirical conflict data, scholarly research, and documented human rights reports.

9.1.1 Widespread and Systematic Attacks Against Civilians Meet the Threshold of Crimes Against Humanity

The study finds strong evidence that the patterns of violence across Nigeria, especially in the North-East (Boko Haram), North-West (banditry), and Middle Belt (farmer–herder violence), constitute *widespread* and *systematic* attacks on civilian populations as defined under Article 7 of the Rome Statute. Reports by Amnesty International, Human Rights Watch, and the ICC Prosecutor's Office document repeated acts of murder, rape, torture, forced displacement,

[78] Human Rights Watch, "Nigeria: Impunity for Military Abuses" (2020).

[79] See *Gbemre v. Shell Petroleum Dev. Co.* (2005) FHC/B/CS/153/2005.

[80] ICC OTP, "Statement on the Conclusion of Preliminary Examination into the Situation in Nigeria," 2020.

enslavement, and destruction of property committed with regularity and in coordinated fashion.[81] These patterns meet the "*organizational policy*" and "*systematic attack*" criteria recognized in international jurisprudence including *Prosecutor v. Tadić*.[82] Thus, atrocities committed by Boko Haram, armed bandits, and even Nigerian security forces satisfy the legal criteria for crimes against humanity.

9.1.2 **Both Non-State Armed Groups and State Actors Are Implicated in Atrocities**

The study establishes that non-state groups and state security forces are responsible for acts amounting to crimes against humanity. Boko Haram's operations, including mass killings, enslavement of women, forced marriage, and abductions, fall squarely within international criminal definitions.[83] Simultaneously, documented violations by Nigerian military and police units, such as extrajudicial killings, enforced disappearances, torture, and collective punishment, indicate possible state-perpetrated crimes against humanity. The ICC's 2020 preliminary examination reached the same conclusion. This duality undermines state credibility and complicates accountability processes.

9.1.3 **Nigeria Has a Significant Accountability Gap and Weak Domestic Enforcement**

A consistent finding is the persistent gap between Nigeria's legal obligations and enforcement reality. Despite ratifying the Rome Statute and multiple international instruments, Nigeria has historically failed to investigate or prosecute high-level perpetrators**,** whether insurgents or security officials.[84] Structural factors contributing to this gap include:

i. political interference in investigations

ii. weak civilian oversight of the military

iii. corruption within justice institutions

iv. lack of forensic, prosecutorial, and investigative capacity

v. poor witness protection mechanisms

These deficits align with academic analyses by Yusuf, Okoli, and Odinkalu, who attribute Nigeria's impunity crisis to systemic institutional weakness.[85]

9.1.4 . **Corporate Complicity in Conflict-Related Abuses Is Under-Recognized but Present**

The findings reveal under-examined but credible evidence of corporate actors' involvement in conflict-related abuses, particularly:

i. oil corporations in the Niger Delta allegedly collaborating with security forces in violent suppression of community protests;

[81] Amnesty International, "Nigeria: Mass Atrocities Report" (2020); HRW, "Nigeria: Post-Conflict Violations" (2019).

[82] *Prosecutor v. Tadić*, ICTY Appeals Chamber (1999).

[83] See, Pérouse de Montclos, *Boko Haram* (2014).

[84] Yusuf, A., "Prosecuting International Crimes in Nigeria," *NYIL* (2017).

[85] Odinkalu & Nwagu, "Accountability and State Failure in Nigeria," CDD (2018).

ii. private security firms participating in violent evictions or resource protection operations;

iii. companies in the mining and extractive industries accused of aiding armed groups through illicit resource trade in the North-West.

While Nigerian law recognizes corporate liability in civil and environmental contexts, there is no express domestic framework criminalizing corporate complicity in international crimes**,** reflecting a major legal and policy gap.[86]

9.1.5. **Existing Domestic Laws Do Not Adequately Criminalize International Crimes**

Although Nigeria's Constitution, Criminal Code, Penal Code, and Terrorism Act criminalize many violent acts, they do not capture the contextual elements, "widespread," "systematic," "attack," "policy", that constitute *crimes against humanity* under international law. This absence significantly limits prosecutors' ability to charge perpetrators with internationally recognized offences. Only with the proposed ICC Bill will Nigeria explicitly domesticate crimes against humanity, war crimes, and genocide.[87]

9.1.6 **Regional and International Accountability Mechanisms Have Limited Influence**

Despite Nigeria's commitments under the African Charter and its engagement with the ICC, the study finds that international and regional mechanisms exert insufficient pressure to compel genuine domestic accountability. The ICC's preliminary examination triggered rule-of-law debates but did not result in concrete prosecutions. Scholars argue that Nigeria has relied on "procedural cooperation" with international bodies while avoiding substantive justice outcomes.[88]

9.1.7. **Victims of Atrocities Face Structural Marginalization and Limited Access to Justice**

The study finds that victims across conflict zones, particularly women, children, and displaced persons, face obstacles such as:

i. fear of reprisals

ii. limited reporting mechanisms

iii. stigma associated with sexual violence

iv. destroyed community justice structures

v. absence of reparatory frameworks

Reports by UN bodies show that survivors of sexual slavery, forced marriage, and abduction by Boko Haram continue to experience stigma and little government reintegration support.[89] This demonstrates an urgent need for victim-centered justice reforms.

[86] Companies and Allied Matters Act 2020; Petroleum Industry Act 2021.

[87] ICC Bill (Nigeria), Legislative Proceedings (2023).

[88] Akande & Umozor, "Nigeria and the ICC: Complementarity Challenges," AJICJ (2020).

[89] UN Women, "Nigeria: Reintegration of Conflict-Affected Women and Girls" (2019).

9.1.8 **Corporate Accountability Norms Are Emerging Globally but Not Reflected in Nigeria**

International scholarship highlights the growing recognition of corporate criminal liability for international crimes, particularly under the Malabo Protocol, which specifically provides for corporate responsibility.[90] However, Nigeria has not incorporated these developments into its domestic framework, creating a vacuum that corporations exploit to avoid scrutiny or liability.

10. Conclusion

This study has demonstrated that the scale, severity, and patterns of violence across Nigeria, whether perpetrated by Boko Haram, armed bandits, communal militias, or state security forces, meet the established international threshold for crimes against humanity. The evidence reveals recurrent acts of murder, torture, sexual violence, forced displacement, and persecution that are both widespread and systematic. Crucially, these atrocities are not isolated incidents but form part of organized attacks against civilian populations, thereby falling squarely within the definitional framework of international criminal law.

The findings also reveal that Nigeria's accountability landscape remains profoundly inadequate. While the country is bound by international obligations under the Rome Statute, the African Charter, and customary international law, domestic enforcement mechanisms have proved weak, inconsistent, or non-existent. Political interference, limited investigative capacity, corruption, and weak judicial structures undermine the state's responsibility to prevent, investigate, and punish atrocity crimes. As a result, both state and non-state perpetrators continue to operate in an environment of entrenched impunity.

Moreover, the study finds that corporate actors, particularly those in the extractive and security sectors, may play indirect or direct roles in facilitating conflict-related abuses. Despite this, Nigeria lacks an explicit legal framework for holding corporations criminally accountable for international crimes. This gap contrasts sharply with evolving global norms that increasingly recognize corporate complicity in grave human rights violations. Without legal reform, corporations will continue to exploit regulatory weaknesses, thereby perpetuating cycles of violence and community harm.

In addition, victims of atrocity crimes, especially women, children, and displaced populations, remain marginalized, with limited access to justice, reparations, or psychosocial support. Their exclusion highlights the urgent need for a victim-centred approach to justice and accountability. Sustainable peace cannot be achieved unless victims are meaningfully integrated into justice processes and granted effective remedies.

Overall, the study concludes that addressing crimes against humanity and ensuring individual and corporate accountability in Nigeria requires a comprehensive transformation of the legal, institutional, and governance frameworks. Domesticating the Rome Statute, strengthening rule-of-law institutions, enhancing civilian oversight of security agencies, enforcing human rights standards, and establishing mechanisms for corporate accountability are indispensable steps. Equally important is Nigeria's political will to pursue impartial justice, even when perpetrators are state agents or economically powerful actors.

[90] Malabo Protocol (2014); du Plessis, M., ISS Paper (2016).

Ultimately, achieving accountability is not merely a legal requirement but a moral and societal imperative. Without confronting the culture of impunity that fuels mass atrocities, Nigeria will remain trapped in cycles of violence, instability, and human suffering. A credible accountability system, rooted in international norms, supported by robust institutions, and responsive to victims, offers the most viable path toward justice, reconciliation, and sustainable peace.

11.Recommendations

Strengthen Domestic Criminal Legislation Aligned with International Standards
Nigeria should fully domesticate the Rome Statute by amending the *International Criminal Court (Ratification and Jurisdiction) Bill*, ensuring explicit criminalisation of crimes against humanity, including those committed by both individuals and corporations. This must include provisions on command responsibility, aiding and abetting, attempts, and complicity. Such alignment will close the existing impunity gap and equip national courts with the legal tools needed for effective prosecution.

Establish a Specialized National Atrocity Crimes Unit
A specialised investigative and prosecutorial unit within the Federal Ministry of Justice, composed of investigators, forensic experts, prosecutors, and victim-support officers, should be created to handle atrocity crime cases. Countries such as Uganda, Colombia, and South Africa demonstrate that specialised units increase prosecution effectiveness and foster institutional memory.

Improve Civilian Protection and Early-Warning Mechanisms
The Nigerian government should institutionalise a national civilian protection strategy, including:

i. Community-level early-warning and rapid response systems,

ii. Training of security forces on international humanitarian law (IHL) and human rights, and

iii. Deployment of technology (GIS mapping, satellite data, and drone monitoring) to detect conflict escalations.
This will reduce civilian casualties and ensure better documentation of violations.

Formalise Corporate Human-Rights Due Diligence Obligations
Building on the UN Guiding Principles on Business and Human Rights (UNGPs) and the African Union's Policy Framework, Nigeria should adopt legislation mandating corporate human-rights due diligence, particularly for companies operating in high-risk sectors such as extractives, private security, and arms supply chains.
Mandatory reporting, independent audits, and sanctions for non-compliance should be clearly established.

Strengthen Oversight Over Security Forces and Non-State Armed Groups
Independent oversight bodies, including the National Human Rights Commission (NHRC), judicial panels, and legislative committees, should be empowered with clearer mandates, adequate funding, and enforcement powers to investigate allegations against the military, police,

and vigilante groups. Nigeria should also implement transparent rules of engagement, disciplinary measures, and chain-of-command accountability.

Adopt Corporate Criminal Liability in the Penal System
Nigeria should amend the Criminal Code Act and Penal Code Act to expressly recognise corporate criminal liability for atrocity crimes, with provisions on fines, dissolution, compliance orders, and restitution. Comparable jurisdictions, including Canada and the Netherlands, already recognise corporate liability for international crimes.

Enhance Victim Participation and Reparations Mechanisms
Mechanisms such as truth-seeking processes, collective reparations, psychosocial support, and community rebuilding funds should be accessible to victims of conflict-related atrocities. This may involve establishing a National Reparations Programme for Victims of Atrocity Crimes, similar to those in Sierra Leone, Kenya, and Morocco.

Strengthen Collaboration with Regional and International Accountability Mechanisms
Nigeria should consistently cooperate with the **International Criminal Court**, ECOWAS Court, African Commission on Human and Peoples' Rights, and UN Special Procedures. This includes allowing independent investigations, providing access to crime sites, and sharing evidence. Such cooperation signals Nigeria's willingness to combat impunity and reinforces the complementary role of the ICC.

Introduce Community-Focused Peacebuilding and Deradicalisation Programmes
Long-term strategies to reduce violence must include community reconciliation programmes, economic empowerment initiatives, counter-extremism education, and structured disengagement programmes for former combatants. Evidence from Rwanda, Mozambique, and Uganda demonstrates that such interventions reduce relapse into violence.

Promote Transparency in Extractive and Security-Related Corporate Operations
Nigeria should strengthen the Nigeria Extractive Industries Transparency Initiative (NEITI) and expand its mandate to include the human-rights implications of corporate extractive operations in conflict-prone regions. Enhanced transparency reduces the risk of corporate complicity in violence and improves community trust.

Create a National Database for Atrocity Crimes Documentation
A digital, centralised database, managed by independent experts, should capture testimonies, forensic evidence, satellite imagery, corporate involvement, and trends in atrocities. This ensures evidence preservation for future prosecutions and enhances institutional memory.

Implement Judicial Reforms to Address Delays and Capacity Constraints
Nigeria's judiciary should undergo reforms that include:

i. specialised judges for mass atrocity cases,

ii. fast-track procedures for crimes against humanity,

iii. modern forensic laboratories, and

iv. improved witness protection laws.

These reforms will foster efficient trials and encourage victim and witness participation.