

INTERNATIONAL DEVELOPMENT COMMITTEE INQUIRY ON THE SECONDARY IMPACTS OF THE CORONAVIRUS PANDEMIC ON DEVELOPING COUNTRIES

Evidence from Kolawole Olusola Adeniyi Abiola

Dear MP Sarah Champion, I am writing to you in your capacity as the Chair International Development Committee, and your intervention and administrative action may help to save several millions of deprived peoples whose rights are been currently violated by Nigeria government.

Please here are my complaints and observations:

Complaints to British Government about Nigeria Government International Human Rights Law Violations

Background for these Complaints

According to Department of International Development Involvements, Foreign Office, and Commonwealth policy engagements, on various occasions, assistance have been provided to Nigeria Government in areas of Policing, Judiciary and criminal justice, Education, and anti-terrorism in building the Country's capacity to improve in these areas with large funding in support, either as grants or commercial finance. It is obvious, the UK Government would not have instructed Nigeria Government to killing its own people neither will the British Government capacity development program instruct Nigeria Government abusive behaviour towards its own people leading to human rights violation. It will be erroneous and unprofessional if training have been delivered by the UK Government for the Nigeria police, the Nigeria Army, the Justice, and the criminal justice system without a form of evaluation of the impacts of such training programs involving transfer of technical skills and without measurement of value for money as that will assist in monitoring effectiveness of training.

The recent anti SARS Protest remains a significant Government abuses of Nigeria people's human rights and violation of International Human rights Laws, and in my views, those involved either the Government, its agencies and individuals should be made accountable as many of those detained are still currently being locked up after 24hrs in detention without trial. Moreover, many of us activists are very much concerned with the plights of these detainees as Covid 19 second waves is everywhere including Nigeria; none of the detainees are being provided face cover or mask in detention and news reaching us is that detainees are dying as they are being locked up in the most non conducive environments and conditions of torture.

I think International support will be helpful, to ensure these detainees human rights are protected, ensuring all legal assistance and fair hearing are swift instead of having them locked up in jail for so long. Already 95% of suspects are already in jail in more than two weeks, when according to law suspect must be brought to court or release from jail after 24hrs of arrest and interrogations.

Purpose of my Complaints: This is to seek the British Government diplomatic assistance of making Nigeria Government comply, so Nigeria Government could demonstrate increased respect for International Human Rights law by its actions and the ways Government versus the people conflicts get resolved. It would be inhumane for leaders of Commonwealth Nations to stand-by and watch, Nigeria Government continuous violation of Nigeria peoples human rights; for its failures to provide Safety and Security for several millions of its citizens during End SARS protest, is significantly shameful with the failures of its States apparatus, the Police, the Army, the Civil service, its Legislatures, and the Judiciary.

The country's leadership International human rights law violation is becoming so notorious, and recently it became unraveling with End SARS protest, because of population of injuries and the murder of number of young peoples during the Protest, including the discovered 'Hoarding' of Covid 19 food Palliatives for the Poor, which should have been distributed when the whole population were locked away from their daily earnings since May, June, July, August, September, and October 2020.

#End SARS Protest: SARS is an acronym of Special Arms and Robbery squad created by Nigeria Government due to increased crimes involving violent attacks, kidnapping, and robbery, posing a major insecurity to the country. Security of the peoples should remain major State's responsibility including Nigeria Government according to International Human Rights Charter. In the process of doing so, the Young peoples of about 65/70% of the Nigeria population became the Victims of Special Armed and Robbery Squad (SARS) who often get locked up in prisons around the country or subjected to extortion by the squad and those unable to pay their way-out, we are told 65% often ended up murdered by the State Security Police that are meant to protect them (verification of this allegation will unravel through Government proposed Investigative Panel). Large population of Nigeria young people between the ages of 18-30, 55/75% of the country's population unemployed, therefore (SARS) Police brutality was justified by the Government and prolonged because of the general suspicion that most of them often involved in criminal activities, therefore they were made targets by the police. This led to a mass Protest against Police Brutality across the Country which was badly handled; the use of 'Kettling' in protest was neither used, or was there any police ambulance available, we are told the soldiers were sent in to shoot at the protesters, killing several angry defenceless young men and women.

During this SARS protest, between 45-50 young peoples, mostly students were reported, murdered by Nigeria Police and Nigeria Army across the country, and this need confirmed or disputed by the Government, Amnesty International and Human Rights organization in Nigeria. Some members of Nigeria police were, reported killed also because of the protest.

International Human Rights on Security: Obviously in criminological studies, poor beginning, and issues of social disorganization of communities with lack of good role models often lead to spiral of criminal behaviour among young peoples. And in view of high levels of corruption among Nigeria political elites, with record of poor accountability and bad governance, the effects of spiralling criminal gangs among young people particularly involving Cybercrimes, Kidnapping, robbery, and violent attacks etc, must be of concerns to any government under International Human Rights Charter on Security with its dangerous impact or influence on global Economy and Finance. Therefore, Nigeria Government idea of Special Armed anti Robbery Squad seems a needed response, as it fits into the concept of the triangular concept of crime control (Situation of Crime prevention): the willing criminal can be protected with the appropriate guardian from reaching the target.

Unfortunately, this approach only provides 10/15% solution to crime problems in any society, and in Nigeria where the level of poverty is very high, with issues of social disorganization among communities enormous and collapsed education infrastructures at both primary, secondary, and higher education levels in the past 20 years, therefore Armed Squad approach to security will only provide 8/10% solution to crime problems in the country. As a response to the young people mass protests across the country, the Nigeria Government is replacing SARS with a new, armed police

squad to be named SWAT and with the same remit. The critiques about SWAT, is that it can only achieve its purpose, in delivering safety and security in Nigeria if there are appropriate training with provisions for improved equipment and service condition.

Now, the Nigeria police training colleges across the country do not have any computer training programs neither do they have geo spatial equipment for surveillance or criminal records data base or IOT for monitoring and collecting data on police activities at local police Stations and at States or National levels. This makes the work of policing much more difficult, inefficient, and less accountable. Police training colleges across the country are collapsed in years, food for feeding of recruits during training, appalling according to evidence before us. Nigeria Government will continue to fail in its obligations to accord its citizens Human Rights under international Human Rights Security Charter without International and Local scrutiny even though most of its funding often come locally or through International Finance. Many of us Activists are of the opinions that Nigeria Government Human Rights violations will continue endlessly, with its Investigative Panels across the country to investigate the #END SARS Protest without voices of International Human Rights Organizations and some form of interventions. In the absence of any International interventions there may be many Suspects becoming victims of unconscious bias due to poor investigative technical materials and capable investigative human Resources. And with States power and vengeance, many of these young men and women may remain in prison endlessly or dead without getting justice.

International Human Rights on Education: According to statistics 75/80% Primary or Secondary schools' classrooms in Nigeria, are with no chairs, no desks, no windows, and doors, forcing children and young people to study under the most stressful conditions and in the most non conducive environment. This is obviously against International Human Rights Charter on Education and this indicates States failures to provide equal access to education for its Citizens, and in breach of this Charter. Nigeria Government cannot continue to exist with its voice or position within International community, while failing to meet its statutory obligations at home such as conducive environment across the country to educate children and young people.

According to evidence from the most recent budget 2020/21 financial plans, Education budget is rated as the lowest in 10 years in a country where virtually all education infrastructures are collapsed, no chairs, no desks, no windows, or doors in 70% of the classrooms across the country and some school's classrooms roof are fallen. Children in some schools are forced to study in classrooms under dangerous and unsafe environment, where sometimes the winds might be blowing off some roofs or the wall collapsing a times on poor children. This certainly, must be considered unfair and unacceptable under States Responsibility and Human Rights to Education, particularly as it affects Children Education and Welfare, particularly in a country where bogus salaries and emoluments are being paid by Government to politicians, political appointees, with the exorbitant cost of maintaining States Governors, the States and National Legislatures.

Covid 19 Nigeria Government Human Rights Violation: At the break-out of the #END SARS protest across the country which began on 20th October 2020, the third day, news filtered around that Covi19 Food Palliatives which were meant to help feed the Poor masses during the Covid 19 at the peak between May, June, July, August, September, during the lock down were stored in Storage across the country.

The millions of hungry Protesters, some of them who may not have had good food to eat in months stormed the Storage, large populations of them with no Personal Protective masks discovered millions of bags of Rice, Indomie, Spaghetti, Sugar, Gaari/Semovita, Vegetables oil, etc.

These food items found either in the Palaces of their Kings, Private Storage of Politicians, and friends in Government were financed with Commercial Banks funds, Private donors, and the Central bank of Nigeria. Wouldn't the distribution of these Food palliatives have been more helpful and supportive of these poor masses at the peak of it in May, June, July and August, when people were getting arrested and imprisoned by the Nigerian Police for not staying in-door?

This is quite severe punishment and abusive by the State against millions of Nigerians whose daily bread and butter depends on everyday job incomes. I can count to 40 members of my families and friends who have died during this pandemic because of both Covid 19 and hunger. Nigeria government have starved many Nigerians to death by not providing food for them while locking them away from Covid 19 since May, June July, August September, and early October.

In fact, there was no plans to distribute the food Supplies to the starving Nigeria Populations until the secrets of the food Palliatives became disclosed and Protesters had to storm those Storage in their King palaces, secured private properties across the country. As Nigeria Government continue to arrest these protesters across the country, those of us Activists are terribly worried about Nigeria Government State power abuses and we are appealing for International Human Rights protection of the poor population, the downtrodden Nigerians.

In my view, the grievous impact of Nigerian Government Human Rights abuses against millions of Nigerians poor population at the moment, can be minimized or ameliorated through enforcement of International Human Rights Legal Authority in the form of Independent Special court hearing or Investigative panels, with severe punishment against Nigeria Government as a restitution or reparation for Nigerian public in order to deter Nigeria politicians from similar abusive behaviour against her citizens and Nigeria Residents

Conclusions

According to Chapter 21 on State Responsibility for Human Rights, the rules of state responsibility are anchored within the state action paradigm. The Draft Articles insists that only acts of the state can give rise to state responsibility. In terms of these articles, state responsibility is incurred when two elements are proved: first, there must be conduct consisting of an act or omission that is attributable to the state under international law; second, the conduct must constitute a breach of an international obligation of the state" The rules of attribution fall into two broad categories. The first encompasses the rules relating to the conduct of acts or omissions of the state itself, its officials, its organs, or the organs of another state placed at its disposal. In respect of these, the state may still be responsible even when the conduct of an organ of state, or of a person or entity empowered to exercise elements of governmental authority, is more than authority.

The second category deals with state responsibility in respect of the acts of non-state actors. Such acts may qualify as acts of state in certain defined circumstances. Firstly, Article 5 of the Draft Articles stipulates that the conduct of a person or entity that is not an organ of the state 'empowered by the law of that State to exercise elements of the governmental authority' can give

rise to state responsibility provided that the person was acting in that capacity in the instance in issue. This rule encompasses a wide range of bodies which are not state organs, but are empowered by state law to exercise elements of governmental authority, such as public corporations, quasi-public entities, and private companies”

The collapse of Nigeria Education infrastructures, the poor police training with collapse of police operation facilities and high levels of unemployment affecting 75% of its young population across the country will remain significant failures of the Nigeria State to provide education and security within its domain. Obviously, the Nigerian wider population will continue to suffer endlessly from their Government Human Rights violations, by which Nigeria becomes incapable to hold her voice or position among communities of Nations through which it's to abide by signatories to the International Human Rights Charter under the provision for Education and Security. Nigeria Government must be discouraged from continuous violation of human rights law, which is an obligation it must hold dear on behalf of its people through Government officials' treatments of its people, delivery of public services and rule of law if it is to enjoy the support of British Government and other key International Financial support.

Its agents, and all organs of the Nigeria government are culpable in the failures of the Government and are responsible for the State violation of International Human Rights Charter. They all must be made responsible for the killing of 40-45 young people murdered during the #End SARS Protest, including so many lives lost and the wider populations sufferings at the peak of Covid 19 when they were locked down and made to starve while having Covid 19 Food Palliatives kept by powerful individuals in their personal Storage across the country. Those locked up at the end of the protest must be provide fair hearing and not locked up or torture as we are currently hearing from eves-dropping.

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