

## THE IMPACT OF EXTRAJUDICIAL KILLING ON NIGERIA INTERNATIONAL COOPERATION

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### **Abstract**

The impact of extrajudicial killing on Nigeria international cooperation is one of the contested issues in studies focusing on Nigeria and the rest of the world. Several theoretical and empirical studies have focused on the issue but none of them have examined or assessed the subject matter within the context of Nigeria global image. This study was designed to assess the impact of extrajudicial killing on Nigeria international cooperation. It made use of case study research design and content analysis in the collection of its data analysis. It deployed the criminal justice perspective to explain how extrajudicial killing impact international cooperation. It finds that internal conflict, regime type and weak political and social institutions are some of the fundamental causes of extrajudicial killing. That Nigeria in several instances committed extrajudicial killing that put a dent on its global image. It recommends the strengthening of Nigeria and international legal framework in tackling the scourge of extrajudicial killing so as to hold security agents, state and non-state actors who are guilty of extrajudicial killing accountable.

**Keywords:** Extrajudicial killing, Nigeria, Global Image and International cooperation.

### **Introduction**

The question of how extrajudicial killings affect international cooperation is one of the main topics in studies of international relations and security. Extrajudicial executions remain one of the most horrific crimes against humanity in history, according to Ramsden (2011). Executing a political prisoner, killing an unarmed person by randomly attacking his/her community, and killing a soldier while he was out of battle are

all examples of extrajudicial killings. Nevertheless, there are always situations in which a death falls short of being considered an extrajudicial killing. These deaths, however, are not permissible. They are illegitimate, needless, and cruel. They disobey the most fundamental human rights and deny victims a fair trial or the chance to defend themselves through the legal system. Consequently, extrajudicial killings signify an attack on the right to life

which is one of the most important fundamental human right of man (Aceves, 2018).

Against this backdrop, this research deploys the case of Nigeria to assess the implication of extrajudicial killing on international cooperation. Consequently, the impact of extrajudicial killing on international cooperation is multifaceted and multidimensional. First, extrajudicial killing negates the fundamental human right of man which has been codified in international law and conventions such as the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the Geneva Conventions (1949), the European Convention on Human Rights (1950), the American Convention on Human Rights (1969) and the African Charter on Human and Peoples' Rights (1981).

The responsibility of every state is to protect the human right of its citizens and when the fundamental rights of the citizen of any country is contravened through extrajudicial killing, its stains cooperation, collaboration and partnership between the victim's country and the belligerent state, individual or group. Expressing the import of right to life and upholding same, Aceves (2018) forcefully contends that the most basic human right is the freedom from willful denial of life, along with the right to life itself. This norm has become an inviolable, universally binding standard that is enshrined in all significant human rights treaties. The right to life

standard is extended by the ban on extrajudicial killing. It is applicable during times of peace and strictly restricts the use of force by security and law enforcement officers. The fact that it has been codified as a foundational tenet of international humanitarian law shows that it also applies to all states during times of conflict between nations (Aceves, 2018:118-119). More than that, extrajudicial killings can also result to economic sanction and diplomatic blockade, political instability, and war.

Furthermore, most often, the implication of extrajudicial killing on international cooperation is rooted in its causes such as, racism, xenophobia, conflict and war, proliferation of drone technology and attack, dictatorship, and corruption. The international community has a responsibility to address the growing trend of extrajudicial killing to boost international cooperation and synergy. In this regard, there is a need to leverage on the opportunity international laws against extrajudicial killings provides. Other international treaties such as the Universal Declaration of Human Rights (UDHR), the Geneva Convention/The Nuremberg Principle, the instrument of International Criminal Court (ICC), the instrument of International Human Rights/Humanitarian Organizations, the instruments by the UN and Regional Bodies to mention but a few.

## **Literature Review**

### **Introduction**

The phenomenon of extrajudicial killing has been a contested issue in the academia and the media; thus, a lot of theoretical studies have been documented on it. In the regards, this chapter focuses on engaging all the conceptual issues in the research problem critically. Therefore, conceptual issues such as understating the concept of extrajudicial killing, extrajudicial killing and international law, international cooperation were critically reviewed. The review of these key issues provided a point of entry in understanding the impact of extrajudicial killing on international cooperation.

### **Understanding the Concept of Extrajudicial Killing**

The concept of extrajudicial killing has been subjected to multifarious and multidimensional characterization. However, its usage gained currency and become common in the dictionary of international relations, international politics and security studies during the rise of dictatorship in Latin America. For instance, extrajudicial executions were a deliberate tactic used by the military dictatorship of the National Reorganization Process in Argentina from 1976 to 1983 to suppress opposition groups throughout the so-called "Dirty War" It is estimated that between 11,000 and 15,000 persons were slain by the military administration during this bloody time, with the majority of the deceased being identified as or believed to be government opposition (Lanfer, 2010). Furthermore, the concept of extrajudicial killing is often used

synonymous with extra-legal killing and extrajudicial execution to express the killing of people without a legal pronouncement.

The First Geneva Convention's Article 3(d) expressly forbids carrying out killings without first obtaining a ruling from a competent, duly elected court that provides all generally accepted judicial protections for each party involved in the trial (Pictet, 1960). In the light of that, extrajudicial killing is the act of killing people without obtaining a ruling from a competent, duly elected court that provides all generally accepted judicial protections for each party involved in the trial. It is the intentional killing of an individual without the legal permission given by a court of law. In dictatorships, it usually refers to the use of force by government officials to target individuals for execution, whether through legal or illegal means. These individuals cut across political, trade union, dissident, religious, and social figures. While law enforcement agencies are frequently used for killings, the term is usually employed for circumstances that indicate that the human rights of those who were killed have been infringed. Thus, according to 1949 Geneva Convention, deaths resulting from authorized law enforcement actions, for example, self-defense, or authorized conflict on a battlefield are normally not included. The term "extrajudicial killing" has also been used to refer to the systematic, deadly upholding of extra-legal societal standards by non-governmental actors,

such as honor killings and lynching's.

Aceves (2022) maintains that extrajudicial killing and other forms of unlawful life deprivation are forbidden by international law. He stressed that this rule is non-derogable in international law and is enshrined in every significant human rights treaty, or "jus cogens". He conceived extrajudicial killing to include the killing of a prisoner of war, the murdering of a civilian by randomly attacking her community, and the assassination of a soldier who is out of battle. According to him, there are situations in which a death does not qualify as an extrajudicial killing.

However, extrajudicial killing is needless, illegal, and cruel. It disregards the most fundamental human rights and deny people due process, which gives them the chance to protect their own rights under the law. For this reason, extrajudicial killings amount to an unlawful taking of life. Hence this type of killing provide the foundation for the human rights framework that was put in place following World War II (p.118).

Azizi (2015) contends that extrajudicial killing implies killing in the absence of justice, it refers to the killing of individuals on the pretexts of "Crossfire," "Shootout," and "Gunfight". According to him, extrajudicial killing has become somewhat of a technique in the current war on terrorism, which has caused a great deal of debate. He further argues

that extrajudicial killing refers to the killing of a person by government agents without following any legal procedure. More than that, David (2005) conceives extrajudicial killing as a planned killing that has not been approved by a prior ruling rendered by a court that is duly constituted and provides all the legal protections that civilized peoples consider essential. It is the unlawful killing of an individual by government agents outside the approval of a court case or other legal mechanism. Thus, extrajudicial penalties are illegal by definition because they circumvent the statutory requirements of the law in the jurisdiction in which they take place. Important political, labor union, dissident, religious, and social leaders are frequently the targets of extrajudicial killings, which can be committed by the state authority or other state institutions like the police and military forces. The terms "crossfire," "encounters," and other terms are being used to describe these arbitrary killings (p.132).

Finally, Aceves (2021) provided the substantive and procedural meaning of extrajudicial killing. According to him, the substantive meaning of extrajudicial killing presuppose a government official or another individual engaged in an official capability; whose actions were deliberate or careless and caused a number of deaths; and who was aware or ought to have been that their actions could result in death; and who disregarded any applicable guidelines concerning the use of force, such as the

necessity, distinction, proportionality, and precaution principles; and whose actions were not permitted by law or the rule of law. According to the procedural perspective, State action is necessary in order to carry out extrajudicial killings. The majority of international standards are compliant with this criterion. Nonetheless, it is commonly known that when non-state actors engage with the approval or cooperation of government officials or other individuals acting in an official capacity, the state action threshold may be involved. States may be held accountable in certain situations for transgressions carried out by non-state actors.

In contrast to the substantive perspective, the procedural meaning of extrajudicial killing obliges states to give duty, probe possibly illegal deaths, and redress infractions. A state must initiate an immediate, efficient, unbiased, and open inquiry into any killing that may have happened without authorization. Supports responsibility and redress where the substantive right may have been broken, gives concrete meaning to the responsibilities of upholding and safeguarding the right to life. The procedural perspective mandates that extrajudicial killing offenders be prosecuted when required. When a death is found to have been perpetrated illegally, the State is required to make sure that the people responsible are brought to justice and, if necessary, penalized (p.151).

### **Extrajudicial Killing and**

### **International Law.**

According to international law, extrajudicial killing refers to the use of lethal means by states that is not permitted by the right to life and can be committed unlawfully without a court order or a fair trial (Mirkalayee and Pouraziz, 2024). Put differently, the fundamental human right is the freedom from willful deprivation of life, along with the right to life itself. It is true that the right to life standard has been called "the supreme human right", since all other human rights would be meaningless without an effective guarantee of this right." Extrajudicial killing is prohibited as an expression of the right to be free from the arbitrary deprivation of life and as an extension of the right to life standard. Its standing is demonstrated by international humanitarian law as well as human rights legislation, which is supported by a large number of multilateral and regional organizations (Aceves, 2022:127).

Consequently, the Universal Declaration of Human Rights ("UDHR") was the first document the U.N. General Assembly created that highlighted the right to life. Debates over the right to life and other aspects of the drafting process were impacted by the Second World War. Brief in its terms, the UDHR was intended to provide a model for a more comprehensive human rights pact. During the writing process, in reality, attempts to give a more thorough evaluation of the underlying rights were decisively dismissed. Thus, everyone has the right to life, liberty,

and personal security, according to the UDHR. The language and spirit of the UDHR influenced almost successive human rights legislation (Ijaz et al., 2023). In the other hand, The International Covenant on Civil and Political Rights ("ICCPR") explicitly established the right to life and the related right to be free from the arbitrary deprivation of life. It argues that every human being has a fundamental right to life according to its article 6(1). The law will uphold this right. Nobody's life may be taken from them without cause. Notably, the ICCPR states that the principle of the right to life is unalienable. Undoubtedly, some delegates expressed disapproval of the term "arbitrarily" throughout the writing process, citing its ambiguity and potential for misinterpretation (Taylor, 2020). In fact, there was a lot of debate over the term during drafting. However, the preparatory documents state that since the word "arbitrarily" was interpreted to encompass a variety of cases of intentional killings, it was chosen rather than "intentional." Furthermore, it eliminated the issue of needing to enumerate every instance of allowable deprivation of life. The participants refused attempts to provide a comprehensive list of caveats to the right to life because of this reason. The preparatory documents further show that the term "arbitrarily" encompassed both unlawful and unfair acts and intended to be done outside the proper legal procedures (Aceves, 2022).

The nature and extent of the right to

life have been officially declared by the U.N. Human Rights Committee, which was tasked with monitoring States parties' adherence to the ICCPR. For instance, the Human Rights Committee thoroughly discussed the right to life standard in its General Comment No. 6 published in 1982. This is the "ultimate right," from which no deviation is allowed, even in cases of public crisis endangering national security, according to the Committee. The Committee stated that it is extremely concerning when the state engages in extrajudicial killing. Therefore, the conditions under which an individual may be stripped of his life by such authority must be rigorously regulated and limited by law (p.129). The Committee further stated that the right to life has been defined narrowly often. It argues that it is incorrect to interpret the phrase "inherent right to life" in a restricted way, and States must take proactive steps to safeguard this right. The United Nations Human Rights Committee has discussed the need to avoid the unlawful deprivation of life and the right to life on multiple occasions. For instance, the Committee examined a claim that the authority's application of force against protestors violated Article 6 in *Florentina Olmedo v. Paraguay*. In this instance, a public demonstration against the government was organized by union members and farm laborers advocating for reforming agriculture.

When security personnel engaged the nonviolent protestors, they attempted to block a nearby freeway. When the

participants encountered a sizable contingent of law enforcement and military troops, they were given the order to clear the route. The police started using force to clear the road while talks between the protestors and the government were going on. Firearms, water cannons, and tear gas were used in the swift and forceful police assault. Multiple demonstrators were slain by the police's reckless shooting into the crowd. They also shot those who had already submitted or were in retreat. The Human Rights Committee noted that states have a duty to stop their own security personnel from killing people arbitrarily when evaluating the use of force by the government. According to the Committee, Paraguay has a duty to protect the protesters' lives in this particular situation. Paraguay also had a duty to carry out an exhaustive inquiry given the serious conditions surrounding the killing of Blanco Domínguez. The Committee concluded that Paraguay had breached the right to life standard due to these factors.

Several regional human rights treaties also cover the right to life and prohibition on extrajudicial killing. Since it was mentioned in the legislative background of the TVPA, the European Convention for the Protection of Human Rights and Fundamental Freedoms also referred to as the "European Convention" is especially significant. According to the European Convention, every person's right to life must be upheld by the law. Nobody may be purposefully taken

from life unless a court sentences them to death after they are found guilty of a crime for which the law stipulates this punishment (Korff, 2006; Harris, 1994). According to the European Convention;

The taking of life shall not be considered as occurring in violation of this article when it arises from the use of force that is limited to what is absolutely required to: (a) protect any individual from unlawful violence; (b) carry out a lawful arrest or avoid the fleeing of an individual who is legally incarcerated; or (c) in action that is legally carried out to put an end to a riot or an uprising.

### **International Cooperation**

The concept of international cooperation is the umbrella term for all professional endeavors that assist global political economic, social, and cultural development as well as the needs of the underprivileged. However, the idea of cooperation is contrasted with that of competition, collaboration, or rivalry, which is the pursuit of one's own goals by individuals, groups, entities, peoples, states, or organizations without considering the support and assistance provided by other entities in order to achieve those goals. In contrast to rivalry, cooperation more closely resembles the ideas of participation, coordination, and collaboration. According to the Encyclopedia Britannica, cooperation is joint or collaborative behaviour with a shared interest in achieving a goal and the possibility of compensation (Pierre, 2024). Each party involved in cooperation, actual or imagined, has a shared goal in which all efforts are combined, whether by choice or

involuntary, direct or indirect, formal or informal. Because of this, organizations as small as a pair and as big as organizations of sovereign states can exhibit cooperation; there is no limit to this potential spectrum. Hence, international cooperation encompasses a wide range of subjects and calls for expertise in a variety of areas, including development, finance, politics, the military, economy, development, religion, culture, education, and tourism, among others.

The recently developed field of study known as International Cooperation Theory describes international cooperation in terms of governments but also includes other players, particularly multinational corporations, intergovernmental organizations (IGOs), and nongovernmental organizations (NGOs). These many actors collaborate for various goals across a broad range of issue domains. For instance, IGOs collaborate with states to address global environmental issues, businesses join together to control markets, NGOs fight to protect whales to mention but a few.

Nevertheless, despite numerous attempts to improve relations between states, organizations, and individuals in the international arena, disagreements, protests, threats, conflicts, and wars among them are what ultimately determine how long they survive. This is especially true of the smallest states, which frequently face internal strife on the one hand and are overrun by the military might of the

largest states on the other. In other hand, in the context of this study, international cooperation has often been marred by the behaviour of States operating in the system. For instance, most states that are prone to violating international law on the right to life through extrajudicial killing of its people and other nationals through targeted killings or engaging in international terrorism tends to creates the atmosphere for distrust, competition and in most circumstance conflict.

The need for international cooperation has galvanized most international agreement, in fact, international cooperation have been at the center of strategies created in the West to safeguard world peace and security. For instance, the whole issue surrounding the establishment of League of Nations and the United Nations after the two world wars was to galvanize international cooperation where peace and security will be collectively and multilaterally promoted. However, the nexus between international cooperation and extrajudicial killings have been upheld by several issues and happenings in the international community. Some nations like Nigeria have a battered image due to its worsening incidence of extrajudicial killings.

### **Theoretical Insights**

#### **Criminal Justice Perspective**

According to Siegel (1983), "criminal justice" refers to both the official procedures and the constituent



organizations that have been set up to find, prosecute, convict, and provide treatment for criminal offenders. According to Schmallegger (1995:15), criminal justice places a strong focus on the protection of the innocent, the equitable treatment of criminals, and equitable conduct by the various departments of law enforcement. Two competing value judgments have led Packer (1964) to identify two fundamental models of the criminal justice system. These are the "due process model," which is supported by the courts, and the "crime control model," which is supported by the law enforcement agencies. According to some scholars, the primary purpose of criminal justice is the crime control model (Bohm and Haley, 1997:475). It embodies conventional orthodox beliefs that are primarily focused on "crime suppression." According to the paradigm, the criminal justice system's primary function is to suppress criminal activity. Because of this, its focus essentially ensures that no criminal, whatever of motive, gets away with it. To put it simply, the "presumption of guilt," or the idea that someone is guilty unless and until proven innocent, is the foundation of the crime control idea (Igbo, 2017).

On the other hand, the crime control model and the due process paradigm are essentially at odds. The "presumption of innocence" and the notion of "legal guilt," which hold that a person is innocent unless and until they are proven guilty by a court of competent jurisdiction, are central to the due process paradigm. Bohm and

Haley (1997) propose for "official, adjudicative fact-finding processes" that must be strictly adhered to prior to condemning a suspected individual. According to the paradigm, "factual guilt" is insufficient on its own; it must be coupled with "legal guilt." In this case, the goal is to protect the defendant's right to a fair trial and avoid or significantly lessen the law enforcement's unlimited and oppressive power.

In contrast to the due process paradigm, the governments of Nigeria strongly support the crime control approach. Thus, without following the proper legal procedures, several innocent people have been slain extrajudicially by Nigeria officials. Although political and economic motives have played a major role in the majority of these extrajudicial executions, there is always the possibility that they are being carried out in the name of combating terrorism and criminality.

### **Causes of Extrajudicial Killing**

Extrajudicial killing doesn't occur in a vacuum, certain conditions and factors makes extrajudicial killing possible. Against this backdrop, this chapter focused on discussing some of the internal and external issues that make States and individuals to engage in extrajudicial killing. Such conditions or factors like intrastate and interstate conflicts, regime type, and weak political and social institution are discussed.

### **Intrastate and Interstate Conflicts**

Sommer and Asal (2018) postulate that a country's involvement in conflict will heighten the probability of extrajudicial killings. This is especially true for internal conflicts, where the ruling class may perceive a threat to their authority and the survival of their government. For instance, when an armed conflict occurs, when terrorist activity at home is on the rise, or when violent demonstrations is more commonplace overall, the state may handle these situations with what it considers appropriate responses, which may involve avoiding the courts when deciding whether to kill or not kill those posing a threat to the authority of the government (Sommer and Asal, 2018:190). Impliedly, in situations of internal conflict like terrorism, civil war and other social unrest that is capable of diminishing the authority of the State, the State can apply the Machiavellian idea of exploring any method capable of bringing sanity to the system and above all help it to retain political power. In most circumstances, the State explores the use of killing people without recourse to fair trial and judicial approval. Therefore, in moments of internal conflict, extrajudicial killing is more likely to occur.

The bulk of the previously released research on this subject also lends weight to the conceptual thesis regarding the impact of intrastate conflict. As Poe and collaborators discovered in their 1999 analysis, the most important determinant of government suppression of human

rights was a civil conflict. There is a clear positive correlation between government repression of physical integrity rights and internal armed conflict or domestic threats, as demonstrated by the majority of research (Davenport & Armstrong, 2004; Mitchell & McCormick, 1988; Piazaa & Walsh, 2009). In a similar vein, Krain (1997) and other scholars drawing on his research assert that political opportunity frameworks amid internal disputes facilitate state-sponsored extrajudicial killing. Similar to other internal dangers, these activities frequently stem from a trade-off between security and liberty (Aradau, 2008; Piazaa & Walsh, 2009). It is abundantly evident from earlier empirical research that states are more likely to use oppressive measures like extrajudicial killing in response to threats to their own security (Davenport, 2007).

### **Regime Type**

*Regime type has a direct link to some of the issues relating to human right violation especially the right to life phenomenon. The type of regime operational in a state determines its position on human right issues. Democracy around the world has shown its capacity to uphold the fundamental human right especially as it regards to the right to life while dictatorship around the world has equally demonstrated its affront on human right issues. The reason is that, while democratic ideas is founded on the concept of freedom, liberty and dignity of man, dictatorship is founded on the use of force and coercion to force obedience. Thus, the record of extrajudicial killing in democratic states and that of dictatorial states suggests the impact of regime type on human right violation.*

Davenport and Armstrong 11 (2004) pointed out that it is usually assumed that the readiness and capacity of the

authorities to violate human rights would be reduced in a democratic government. They maintained that there are many and interlocking restrictions on this kind of conduct in these circumstances is primarily responsible for its calming effect. For instance, political leaders who employ repression against their constituents can be ousted from office in democracies by popular vote, and these governments also have a number of constitutional restrictions on government action and processes that make it more difficult to use forceful means because they make it easier for other political players to oppose and even stimulate them to take action against individuals who engage in such conduct.

This association has been backed by empirical research for thirty years. Different measurements, methodologies, time periods, countries, and contexts have consistently shown that democratic political systems reduce political bans, restrictions, torture, abductions, and other forms of extrajudicial killings in a manner that is linear (Davenport 1995, 1999; Harff 2003; Henderson 1991; Hibbs 1973; Krain 1997; Mitchell and McCormick 1988). This investigation suggests that the probability of state-related civil peace increases with each step toward democratization. Thus, democratic process which allow for periodic elections make political leaders to be conscious human right as their capacity to retain political power will diminish in the event of human right

violation. Also, oppositions use the human right record of leaders in democratic systems as a political weapon to gain advantage during political campaigns. Hence, democratic leaders are more likely to uphold the human right than dictators.

More than that, dictatorial states have a record of flagrant violation of human right due to the framework and structure of political process. Although, Hendrix and Wong in their 2012 essay on “When Is the Pen Truly Mighty? Regime Type and the Efficacy of Naming and Shaming in Curbing Human Rights Abuses” have a different perspective, according to them, opposition parties and somewhat free publications simultaneously reduce the likelihood that rulers in democracies and hybrid regimes which blend democratic and dictatorial elements will alter their behaviour in response to international condemnation on extrajudicial killing. Dictatorships, on the other hand, are more vulnerable to international disgrace since they do not have these local sources of knowledge of violations. Hendrix and Wong (2012) showed that naming and shaming is linked to better human rights results in dictatorships, but has little impact or worsens results in democracies and hybrid regimes (Hendrix and Wong, 2012:651). However, because of the centralization of power and lack of political institutions to provide checks and balances, dictators engage in repressive behaviour such as extrajudicial killing to silence

opposition group and avoid regime change.

In summation, the type of regime in a state determines its human right violation record. Democracies understands the costly effect of repressive behaviour (extrajudicial killing) but dictatorship explores it to keep power and avoid regime change.

### ***Weak Political and Social Institution***

*Political and social institutions are critical elements in the process of upholding the human right of people in any given society. Political institution and social institution make the rules that give bring fairness and justice in the society. Therefore, there is a linkage between weak political and social institutions and extrajudicial killing. Institution provides both formal and informal rules that gives credibility to human right and the development of every society. Where political and social institutions are weak, rules are not implemented and the justice system fail. Weak political and social institutions create corruption in the justice system which makes people to lose interest and confidence in the judicial system. When the justice system is not credible due to weak political and social institutions, people tend to take laws into their hand and that has led to several extrajudicial killing in many parts of the world especially in developing societies where justice has been limited to the highest bidder.*

*For instance, the prevalence of “jungle justice” in Sub-Saharan Africa which is an act of killing without a judicial conviction started because of the malingering corruption in the justice system. When people saw that the justice system cannot guarantee fair hearing and when their confidence weaned on getting justice from the court, they started resorting to self-help which most often results to extrajudicial killing. Thus, nobody wants to be subjected to a judicial process that cannot guarantee fairness and justice. Thus, weak political and social institutions provide fertile ground for the justice system to fail and the failure of the justice system*

*results to unlawful killing known as extrajudicial killing.*

### ***The Impact of Extrajudicial Killing on Nigeria International Cooperation***

In Nigeria, extrajudicial executions, summary trials, and arbitrary executions were typically viewed as inevitable evils of the military dictatorship that ruled the nation from independence until 1999. This is primarily because the constitution, which is the ultimate law of the land and among other things protects and ensures the citizens' fundamental human rights, is immediately suspended from operation whenever the military seizes control of the government. Without the Constitution, people have no legal protection, which opens the door for dictatorial control. However, studies have shown that extrajudicial killing in Nigeria has worsened since the birth of democratic regime in Nigeria. Thus, extrajudicial executions within a democratic government obligated to uphold and defend the constitution raise several concerns, among them is whether the country's democratic governance is in place and if the purported democratic regime is an extension of the military dictatorial regime. During the military regime, the Nigerian state is considered a pariah state due to its notoriety in violation of human right especially the right to life. The Nigerian law enforcement agents have a bad reputation for unlawful killing of its citizens and foreigners. This situation created a conflictual and acrimonious relationship between Nigeria and most countries of the world especially democratic nations

(Balkisu, 2011).

The democratic rule in Nigeria brought a lot of relief as it offered Nigeria state opportunity to rebuild its image in a changing world and in the process attract political and economic development from a healthy cooperation with other states. However, empirical evidence has shown that instead of Nigeria extrajudicial killing improving as a result of constitutional democracy, it worsened during this period which has attracted enormous global condemnation from state and international governmental and non-governmental organizations. For instance, Nigerian police committed 7,198 extrajudicial killings between 2008 and 2011. According to Killings and Fortune (CVEKT). The police have consistently used Nigerian Police Force (NPF) order 237 to carry out the heinous act of extrajudicial murder (Thisdaylive, 2012). Apart from the atrocious and unlawful killings of Nigerians by the Nigerian police force, the Nigerian Army has equally been complicit of extrajudicial killing. One of the many cases of extrajudicial killing perpetrated by the Nigerian army is the 2015 killing of the Shi'ah members popularly known as the Zaria 'massacre' of 12th December, 2015 that claimed over a thousand lives (Nasidi, 2020).

Zakzaky's and other Shi'ah clerics' arrests also followed this incident. Thus, divergent views were expressed locally as well as globally over the legitimacy of the Nigerian military's

murders of IMN members in Zaria. The majority of Nigerian Muslims, who view the Zaria conflict as the enemy of Shi'ah vituperations on the associates of the Holy Prophet (PBUH), accorded it a strictly religious significance, independent of the legal and political justifications advanced by some. The Nigerian Army maintained that they found a reason for the Zaria "massacre" and that it was to prevent an alleged "assassination attempt" on Tukur Buratai, the COAS, by IMN members. Although the International Military Organization (IMN) and other human rights organizations have refuted this claim, the fact that the IMM members were defenseless underscored the irrationality of the alleged assassination attempt. The extrajudicial execution of Shiites was thus recorded as one of the most "notable human rights violations since the return of democracy in Nigeria. Furthermore, the Nigerian Army argued that the IMN supporters stopped the army chief's motorcade's road and declined to move which informed the use of brutal force by the army on protesting group. As a result, the extrajudicial killing of Shiites became one of the most prominent violations of human rights since the return of democracy in Nigeria.

Consequently, under the counterterrorism and counterinsurgency regime in Nigeria which started in 2009, the Nigeria security forces have carried out multiple extrajudicial killings in the name of countering terrorism and

insurgency. Thus because of the death of intelligence which is centered on collection of data, analysis and action, the Nigeria security community has executed innocent citizens either to prove their effectiveness in securing Nigeria, show of frustration to address the security challenges or to keep their job and bogus budget. For instance, in the South Eastern Nigeria, many innocent youths have been killed by the law enforcement agents. These youths were either tagged members of the proscribed “Indigenous People of Biafra” (IPOB) or its military wing known as Eastern Security Network” (ESN). More than that, in the Northeast of Nigeria, many youths and innocent citizens have equally been killed in the counterterrorism exercise. The Lekki massacre of the “endsars protest” is still new.

These unlawful killing have produced negative implication on Nigeria. Thus, Nigeria political and economic cooperation have worsened over the past two decades. Foreigners are skeptical to live and work in Nigeria because they do not have confidence in the Nigeria law enforcement agents to secure their life and property. More than that, many global conglomerates have left Nigeria and moved to other African countries due to Nigeria’s worsening incidence of extrajudicial killing. Again, the “japa syndrome” was not just about the economic downturn in Nigeria but more of the fear of the unlawful killing of Nigerians and foreigners by the people who swore by oath to protect life and property. Although, some western

democracies are still playing politics due to Nigerian strategic importance to global hegemony, political and economic interest, Nigeria is a dangerous place to live, work and do business due to the flagrant violation of fundamental human right especially the right to life.

### **Conclusion.**

The impact of extrajudicial killing on Nigeria international cooperation has been very devastating as extrajudicial killings has eroded trust and confidence of the international community which are ingredients that propels international cooperation. This study has painstakingly assessed the issue of extrajudicial killing and its impact on Nigeria’s international cooperation. The study fairly explored some of the conceptual issues in the literature review. It further highlighted and discussed some of the causes of extrajudicial killing and engaged the criminal justice perspective to advance its theoretical understanding. It argues that extrajudicial killing is a monster destroying the foundation of Nigeria international cooperation. Although efforts have been muted to reform the Nigeria law enforcement by successive democratic regimes since 1999, to tackle the worsening incidence of extrajudicial killings in Nigeria, more critical and proactive measures are needed. It is the responsibility of the Nigerian state and the international community to collaborate and galvanize commitment to bring the scourge of extrajudicial killing to a stop Nigeria by making sure that law enforcement agents, State and non-

state actors who involve in unlawful killing are held accountable.

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