

**TRUTH COMMISSIONS AND VICTIM-CENTRED JUSTICE: AN EVALUATION
OF THE OPUTA PANEL IN NIGERIA**

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DECEMBER, 2021

**TRUTH COMMISSIONS AND VICTIM-CENTRED JUSTICE IN AFRICA: AN
EVALUATION OF THE OPUTA PANEL IN NIGERIA**

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**A THESIS SUBMITTED TO THE SCHOOL OF POSTGRADUATE STUDIES IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE AWARD OF
DOCTOR OF PHILOSOPHY (Ph.D) IN INTERNATIONAL RELATIONS IN THE
DEPARTMENT OF POLITICAL SCIENCE AND INTERNATIONAL RELATIONS,
COLLEGE OF LEADERSHIP AND DEVELOPMENT STUDIES, COVENANT
UNIVERSITY, OTA, NIGERIA**

DECEMBER, 2021

ACCEPTANCE

This is to attest that this thesis is accepted in partial fulfilment of the requirements for the award of the degree of Doctor of Philosophy (Ph.D) in International Relations in the Department of Political Science and International Relations, College of Leadership and Development Studies, Covenant University, Ota, Nigeria.

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DECLARATION

I, **IFALOYE, OLUWATOSIN RUTH (16PAH01430)**, declare that this research was conducted by me under the supervision of Prof. Sheriff F. Folarin and Dr. Moses M. Duruji of the Department of Political Science and International Relations, College of Leadership and Development Studies, Covenant University, Ota, Nigeria. I attest that the thesis has not been presented either wholly or partially for the award of any degree elsewhere. All sources of data used in this thesis are duly acknowledged.

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CERTIFICATION

We certify that the thesis titled “**Truth Commissions and Victim-Centered Justice in Africa: An Evaluation of the Oputa Panel in Nigeria**” is an original work conducted by **IFALOYE, OLUWATOSIN RUTH (16PAH01430)**, of International Relations programme in the Department of Political Science and International Relations, College of Leadership and Development Studies, Covenant University, Canaanland, Ota, Ogun State, Nigeria. We have examined the work and found it acceptable as part of the requirements for the award of a degree of Doctor of Philosophy (Ph.D) in International Relations.

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DEDICATION

This thesis is dedicated to the One who began this good work in my life and has completed it.

Thank You Ebenezer, The Helper of my destiny.

ACKNOWLEDGEMENTS

First, I am most grateful to Jehovah, my Ever-Present Help in time of need, for the grace to complete this PhD Thesis. I cannot forget how You provided for me and sent me timely helpers at every point of this journey. You answered me in the days of distress, and you were with me everywhere I went. You are indeed the glory and the Lifter of my head. Thank You, Father.

Secondly, I will love to appreciate the Chancellor, my father-in-the-faith, Dr. David O. Oyedepo, I am thankful for the privilege to be a part of this glorious Commission. I am indebted for all of the wisdom I have gathered through your teachings. I am a better person than I was when I came into Covenant University significantly by watching and learning from you. I pray that the Lord will increase you even more in Jesus Name, Amen.

I sincerely appreciate the management of Covenant University under the Vice-Chancellor's able leadership, Prof. Abiodun H. Adebayo and Dr. Oluwasegun P. Omidiora, the Registrar. I deeply appreciate the Dean, School of Postgraduate Studies Prof Akan B. Williams, the Sub-Dean, Dr. Emmanuel O. Amoo and the entire Postgraduate school team. I also appreciate Prof. Olujide A. Adekeye, the Dean, College of Leadership and Development Studies, whom I thank for his support and insight on my work. I would also like to thank Prof. Daniel E. Gberevbie, the Head of Department, Political Science and International Relations, for his jots of wisdom and inspiration that I have the privilege to receive. Thank you, Sir, for all your insight and support throughout the period.

My profound gratitude goes to Prof. Sheriff F. Folarin my main supervisor. My indebtedness remains profound. Thank you very much, Sir, for all of the value you added to this thesis and going the extra mile for me severally. I equally benefitted from the immense support and guidance of my Co-supervisor, Dr. Moses M. Duruji. His research guidance was inspiring, thoughtful and gentle. I am grateful to you, Sir. You both have been God's blessing to me in my journey as a PhD student at Covenant University. I am very thankful to you both.

I am grateful to Prof. Bonny Ibhawoh, who made pacesetting marks on the thesis. I thank him for all I learned from him about the truth commission and human rights. Our conversations and your teaching stirred up my interest in truth commissions and human rights. I appreciate you, Sir, for your contribution to my academic growth.

I appreciate the critical review and support of the following scholars in the department: I am grateful to Dr. Olajide I. Ibieta for your consistent and insightful contributions. Thank you very much, Sir. Dr. Samuel Oni (the honourable, Postgraduate departmental coordinator, thank you, Sir, for all of your help), Dr. Felix C. Chidozie, Dr. Kester C. Onor, Dr. Fadeke E.Owolabi, Dr. Lady A. Ajayi, Dr. Faith O. Olanrewaju, Dr. Ugochukwu D. Abasilim (thank you for all of your help and contributions, I am very grateful), Dr. Oluwakemi O. Udoh, Dr. Adeola I. Oyeyemi (thank you for your words of encouragement and kindness towards me), Dr. Muyiwa Ajayi, Dr. Ilemobola P. Olarewaju, Mr. Adekunle O. Olanrewaju, Mr. Olaniyi O. Ayodele, Mr. Gideon I. Folorunsho, Mr. Oluwatemilehin G. Dehinde-Adedeji and our outstanding Administrative Officer, Mrs. Modupe R. Ochim, I appreciate you.

I met a lot of amazing men and women during the fieldwork. I am grateful for and to the following persons: Bishop Matthew Kukah (from the first time I spoke to you, you were very kind and receptive to me without knowing me beforehand); Anthony Idigbe (after the interview, you kept sending me relevant materials and checking on my progress); Richard Akinnola (thank you Sir for all the contacts you gave me); Tochukwu Micheal Ozioko; Mr. Kunle Ajibade; Mr. Bamidele Olusola (University of Ibadan); Mr. Oluyori Ehimomy Stephen; Ms. Meg Oputa; amongst others. I am forever grateful to everyone that took time out of their busy schedules to grant me an interview. All of you did not know me before then, but you responded with such grace and kindness. Thank you.

I am grateful to the Only-Wise God for setting me in an incredible physical and spiritual family. I'm very thankful to my brother for constantly checking up on me and encouraging me through this process. Thank you very much for also supporting me materially and financially. I am very grateful. To my spiritual family at Women Of The God Kind (WOTGK), I'm thankful to every sister for your support and prayers. I will love to appreciate my friend and sister Dr Joys Abodunrin for the invaluable support and prayers. Sisters Ehime, Rosemary, Maume and Ibukun deserve a special mention for their encouragement, support and continuous prayer. To my dear friend Ms. Flourish, thank you very much for constantly checking up on me and my thesis. Thank you for the emotional encouragement, material support and for the words in season you allowed the Lord to speak to me through you. I treasure your friendship today and always.

To my amazing mother, words are not enough to express my gratitude towards you. Thank you very much for all of the sacrifices from my primary school till now. You have supported

every academic dream that I had, even at the expense of your comfort. You are beyond fantastic. I am eternally grateful for the material, spiritual, emotional and financial support, among several others. Thank you very much, mummy. I pray that you will live long in good health to enjoy the fruits of your labour in Jesus Name, Amen. I love you today and always.

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LIST OF ABBREVIATIONS

ANC:	African National Congress
AU:	African Union
CIVHR:	Commission of Inquiry into Violations of Human Rights
EFCC:	The Economic and Financial Crimes Commission
HRVIC:	Human Rights Violations Investigations Commission
ICCPR:	International Convention on Civil and Political Rights
ICESC:	International Covenant on Economic, Social and Cultural rights
ICPC:	The Independent Corrupt Practices Commission
ICTJ:	International Center for Transitional Justice
ICTR:	International Criminal Tribunals for Rwanda
ICTY:	International Criminal Tribunals for the former Yugoslavia
NaCSA:	National Commission for Social Action
NADECO:	National Democratic Coalition
NCNC:	The National Council of Nigeria and the Cameroons
NGOs:	Non-Governmental Organisations
NPC:	Northern People's Congress
NURC:	National Unity and Reconciliation Commission
RJT:	Restorative Justice Theory
SAN:	Senior Advocate of Nigeria
SATRC:	South African Truth and Reconciliation Commission
TJ:	Transitional Justice
TRC:	Truth and Reconciliation Commission
TRRC:	Truth, Reconciliation and Reparations Commission
UDHR:	Universal Declaration of Human Rights
UN:	United Nations
UNSC:	United Nations Security Council
UNSG:	Secretary General of the United Nations

ABSTRACT

Truth commissions generally seek to address issues of human rights violations that occurred during conflict or political violence. The Human Rights Violations Investigation Commission led the transitional justice process in Nigeria after the country transitioned from military rule to democracy. Like other commissions of its kind, it expressed claims that the truth-seeking process will benefit victims of human rights violations. The study evaluated the success or otherwise of the Commission's operations by focusing on the extent to which victims benefitted from the process. It examined the Commission and its contributions toward meeting the need of those most affected by human rights violations during military rule in Nigeria. Four research propositions aligned with the research questions and objectives. Restorative justice theory provided the theoretical framework for this study because it advocates reconciliation instead of retribution. Furthermore, the study adopted the case study and ex post facto research designs, it is also qualitative. In-depth semi-structured interviews were used to elicit responses from relevant stakeholders such as petitioners, commissioners and participants from the population of the study. Data gathered were analysed textually and arranged using themes relevant to the research questions. This study established that the Oputa Panel did not foster accountability for past human rights violations to a large extent, and it was not an effective instrument of victim-centred justice. Although the populace and victims knew the Commission and stakeholders had the opportunity to participate, the Commission was not adequately equipped to address the issues because it could not execute its recommendations. The Commission relied on the discretion of the President for the implementation of its recommendations. Although the Commission met the psychological needs of victims that appeared during the public hearing, the cases addressed in the research report relied on the government's implementation to receive any form of relief. It also revealed that one of the factors that hindered the process of fact-finding and reconciliation was legalism. The participation of lawyers as defendants and prosecutors did not foster an atmosphere of reconciliation. This study showed that many victims did not receive expected relief from the Commission. The study, therefore, recommends that for a truth commission to enjoy the kind of transformation that transitional justice aspires, it is essential to seek the cooperation of the three arms of government to establish and implement its recommendations towards institutional reforms, payment of compensation to victims and reparations.

Keywords: Human rights, transitional justice, truth commission, victim-centred justice