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Comparative Study of African and European Regional Systems for Human Rights Protection: Lessons for Africa and Security Implications of Boko Haram Insurgency on Nigeria-Niger Republic Diplomatic Relations

Chia Faith Ngufan

Department of Theory and History of International Relations, Peoples' Friendship University of Russia, Moscow, Russia

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Corresponding Author: Chia Faith Ngufan

Abstract

This research examines two interrelated dimensions of regional security and human rights in Africa: the comparative analysis of African and European human rights protection systems and the security implications of the Boko Haram insurgency on Nigeria-Niger diplomatic relations. The study reveals significant disparities between the African and European regional human rights mechanisms, with the European system demonstrating superior enforcement capacity, institutional coherence, and state compliance compared to its African counterpart. The African Charter on Human and Peoples' Rights, despite its progressive normative framework incorporating civil, political, economic, social, and cultural rights, faces persistent implementation challenges including limited resources, political interference, and weak monitoring mechanisms. Concurrently, the Boko Haram insurgency has profoundly impacted Nigeria-Niger diplomatic relations since 2009,

necessitating enhanced regional security cooperation through mechanisms such as the Multinational Joint Task Force (MNJTF). However, conflicting national interests, inadequate funding, and coordination challenges have undermined counterinsurgency effectiveness. The study employs qualitative research methodology, utilizing comparative analysis and document review to examine institutional frameworks, enforcement mechanisms, and regional cooperation strategies. Findings indicate that Africa can learn valuable lessons from Europe's robust compliance monitoring, specialized institutions, and strong political will, while addressing unique contextual challenges. The research recommends strengthening African Union oversight mechanisms, enhancing MNJTF operational capacity, improving cross-border intelligence sharing, and fostering sustained political commitment to both human rights protection and regional security cooperation.

Keywords: Regional Human Rights Systems, African Charter, European Convention on Human Rights, Boko Haram Insurgency, Nigeria-Niger Diplomatic Relations, Multinational Joint Task Force

1. Introduction

The protection of human rights and maintenance of regional security represent two fundamental pillars of contemporary international relations, particularly within the African context where both domains face significant challenges. The post-World War II era witnessed the emergence of regional human rights systems as complementary mechanisms to universal human rights frameworks, with Europe establishing the first and most developed system through the Council of Europe and the European Convention on Human Rights (ECHR) in 1950. Africa followed three decades later with the adoption of the African Charter on Human and Peoples' Rights (Banjul Charter) in 1981, creating a distinctive human rights architecture that reflects African values and circumstances.

The European human rights system, anchored by the European Court of Human Rights (ECtHR) in Strasbourg, has achieved remarkable success in enforcing human rights standards across 46 member states. The system's effectiveness derives from its well-established institutional framework, binding judicial decisions, sophisticated monitoring mechanisms through the Committee of Ministers, and strong culture of compliance among member states. Conversely, the African human rights system, despite its innovative incorporation of peoples' rights and socio-economic rights alongside civil and political rights, continues to grapple with enforcement challenges, state non-compliance, resource constraints, and limited public awareness.

The comparative analysis of these two regional systems becomes particularly relevant when examining contemporary security

challenges in Africa, specifically the Boko Haram insurgency that has devastated the Lake Chad Basin region since 2009. This Islamist extremist group, whose full name Jamā'at Ahl as-Sunnah lid-Da'wah wal-Jihād translates to "People Committed to the Propagation of the Prophet's Teachings and Jihad," has posed unprecedented threats to human security, state sovereignty, and regional stability across Nigeria, Niger, Chad, Cameroon, and Benin.

The Boko Haram insurgency has fundamentally transformed Nigeria-Niger diplomatic relations, compelling both nations to navigate between cooperation imperatives and sovereignty concerns. Prior to the insurgency's escalation, Nigeria and Niger maintained cooperative but occasionally strained bilateral relations characterized by border disputes, trade disagreements, and irregular migration challenges. However, the transnational nature of Boko Haram's operations, with the group exploiting porous borders and establishing sanctuaries across national boundaries, necessitated unprecedented levels of security cooperation.

The establishment of the Multinational Joint Task Force (MNJTF) in 2015, building upon earlier regional security arrangements dating to 1994, represents the primary institutional response to the Boko Haram threat. Authorized by the African Union and operated under the Lake Chad Basin Commission (LCBC), the MNJTF comprises military contributions from Nigeria, Niger, Chad, Cameroon, and Benin. Despite achieving notable operational successes, including territorial liberation, terrorist neutralization, and civilian protection, the MNJTF has faced persistent challenges including funding shortfalls, command and control deficiencies, intelligence-sharing gaps, and divergent national priorities.

The intersection of human rights protection and security cooperation presents complex challenges for African states. Counter-terrorism operations must balance security imperatives with human rights obligations under the African Charter and other international instruments. The Boko Haram insurgency has generated massive humanitarian consequences, including over 37,000 deaths, displacement of more than 2.7 million people, widespread human rights violations, destruction of infrastructure, and disruption of livelihoods. These impacts underscore the indivisibility of human rights and security concerns within the African regional context.

1.1 Objectives

This research aims to achieve three primary objectives:

- To conduct a comprehensive comparative analysis of the African and European regional human rights systems, identifying structural, normative, and operational similarities and differences;
- To examine the security implications of the Boko Haram insurgency on Nigeria-Niger diplomatic relations, focusing on cooperation mechanisms, challenges, and outcomes;
- To extract practical lessons from the European human rights experience that can strengthen Africa's human rights protection capacity while enhancing regional security cooperation frameworks.

The study contributes to existing research by providing an integrated analysis that bridges human rights protection and security cooperation domains, offering actionable recommendations for policymakers, regional organizations, and civil society actors engaged in promoting human rights

and combating terrorism in Africa.

2. Literature Review

2.1 Comparative Analysis of Regional Human Rights Systems

Scholarly discourse on regional human rights systems has extensively documented the evolution, structure, and effectiveness of various mechanisms across different continents. The European human rights system, established through the 1950 European Convention on Human Rights, represents the most developed and effective regional mechanism for human rights protection globally (Council of Europe, 1950; Murray & Viljoen, 2002). The European Court of Human Rights has achieved unprecedented success in creating a common European public order based on human rights, rule of law, and democratic values (Burgorgue-Larsen, 2018; Heyns & Viljoen, 2013). The ECtHR's jurisprudence has expanded protection for fundamental rights including freedom from torture, fair trial guarantees, privacy rights, freedom of expression, and non-discrimination across diverse national contexts.

The effectiveness of the European system derives from multiple institutional and political factors. Christof Heyns and Frans Viljoen highlight that the Committee of Ministers' supervision of judgment execution, mandatory state reporting, individual petition mechanisms, and binding judicial decisions create a robust enforcement architecture. The European system benefits from democratic consolidation, strong rule of law traditions, economic prosperity, and political will among member states to comply with international obligations. Research by Adewusi and Kocadal demonstrates that high GDP per capita, established human rights institutions, and treaty ratification—even in the absence of perfect rule of law—contribute significantly to effective human rights protection in Europe.

In contrast, the African human rights system, while incorporating innovative normative elements, faces substantial implementation challenges. The African Charter's distinctive features include recognition of peoples' rights alongside individual rights, incorporation of duties alongside rights, and emphasis on African cultural values and communal solidarity (Nsongurua Udombana, 2011; Viljoen, 2012). The African Commission on Human and Peoples' Rights, established in 1987, and the African Court on Human and Peoples' Rights, inaugurated in 2006, constitute the primary enforcement mechanisms.

However, scholars consistently identify systemic weaknesses in the African human rights architecture. Magnus Killander and Chacha Bhoke Murungu argue that state non-compliance with African Commission recommendations, limited access to the African Court due to restrictive standing requirements, inadequate financial and human resources, and political interference undermine the system's effectiveness. The African Court has experienced unprecedented challenges, with four states—Rwanda, Tanzania, Benin, and Côte d'Ivoire—withdrawing their declarations permitting direct individual access following unfavorable rulings. This backlash reflects persistent tensions between state sovereignty concerns and supranational human rights accountability in Africa.

Comparative studies reveal both convergences and divergences between the African and European systems. Both systems embrace dynamic interpretation of human

rights provisions, recognize diverse categories of rights, permit individual complaints against states, and engage in inter-systemic dialogue and cross-fertilization. However, critical differences emerge in enforcement capacity, compliance mechanisms, resource availability, and political support. Frans Viljoen observes that while the European system operates within a context of shared democratic values and strong institutions, the African system must navigate authoritarian governance, economic underdevelopment, armed conflicts, and limited rule of law in many member states.

2.2 Security Challenges and Regional Cooperation: The Boko Haram Insurgency

The emergence and evolution of Boko Haram represents one of Africa's most significant contemporary security challenges. Founded in 2002 in Maiduguri, Borno State, Nigeria, by Mohammed Yusuf, Boko Haram initially operated as a religious movement opposing Western education and secular governance. Following a violent confrontation with Nigerian security forces in 2009 that resulted in Yusuf's extrajudicial killing, the group underwent radicalization under Abubakar Shekau's leadership, transforming into a violent extremist organization.

Academic literature documents Boko Haram's multifaceted causes, including socio-economic marginalization, political manipulation, religious extremism, youth unemployment, corruption, and governance failures in northern Nigeria. Virginia Comolli and Jacob Zenn emphasize that poverty, illiteracy, and perceived injustice created fertile ground for Boko Haram's recruitment, particularly among disenfranchised youth. The group's ideology, rooted in Salafist jihadism, rejects democratic governance, Western education, and modern state structures, seeking to establish an Islamic caliphate governed by strict Sharia law.

The insurgency's transnational dimensions emerged as Boko Haram expanded operations into Niger, Chad, Cameroon, and Benin, exploiting porous borders, weak state presence in peripheral regions, and historical cross-border ethnic and economic ties. Kyari Mohammed and Mercy Gbao demonstrate that Boko Haram's cross-border activities disrupted inter-state mobility, trade networks, agricultural production, and social cohesion across the Lake Chad Basin. The group's tactics evolved to include suicide bombings (particularly using women and children), kidnappings, village raids, ambushes of security forces, and indiscriminate targeting of civilians.

The insurgency's impact on Nigeria-Niger diplomatic relations has been profound and multifaceted. Prior research indicates that historical bilateral relations between Nigeria and Niger were characterized by cooperation on trade, migration management, and border security, alongside periodic tensions over territorial disputes and economic competition. The Boko Haram crisis fundamentally altered this relationship dynamic, creating both cooperation imperatives and new sources of friction.

Olumide Abimbola and others document that Nigeria and Niger initially adopted unilateral approaches to countering Boko Haram, reflecting mutual suspicion and sovereignty concerns. However, the insurgency's escalation in 2014-2015, marked by Boko Haram's territorial conquests and declaration of a caliphate, compelled enhanced regional cooperation. The reactivation and expansion of the MNJTF

in 2015 represented a watershed moment in regional security architecture.

3. The Multinational Joint Task Force: Achievements and Challenges

Extensive literature examines the MNJTF's structure, operations, and effectiveness in combating Boko Haram. The Force operates across four sectors corresponding to troop contributing countries' territories, with headquarters in N'Djamena, Chad. Its mandate encompasses creating safe environments in affected areas, reducing violence against civilians, facilitating stabilization programs, enabling humanitarian operations, and protecting displaced populations.

Scholars identify notable MNJTF achievements, including territorial liberation of previously Boko Haram-controlled areas, neutralization of terrorist commanders, rescue of kidnapped civilians, facilitation of internally displaced persons' return, and coordination of cross-border operations. The Force's operations, including Operation Gama Aiki (2016), Operation Yancin Tafki (2019), and Operation Lake Sanity (2021-2022), demonstrated enhanced military capability and coordination.

However, critical analyses reveal persistent MNJTF limitations. Insufficient and inconsistent funding from contributing states and international partners constrains operational capacity. Coordination challenges arising from diverse command structures, linguistic differences (Francophone versus Anglophone), and competing national priorities impede effective cooperation. Intelligence-sharing deficiencies, equipment shortages, inadequate air support, and limited mobility reduce operational effectiveness.

Furthermore, research highlights that contributing states' reluctance to fully integrate forces under unified MNJTF command, preferring national operational autonomy, weakens the Force's coherence. Political developments, including military coups in Niger (2023), Burkina Faso, and Mali, have disrupted regional cooperation frameworks, with Niger suspending active MNJTF participation. The 2019 announcement by Chad's late President Idriss Déby of potential withdrawal from the MNJTF following casualties to Chadian forces exemplifies the fragility of regional security arrangements.

4. Human Rights Dimensions of Counter-terrorism

Contemporary scholarship increasingly emphasizes the human rights implications of counter-terrorism operations in the Lake Chad Basin. Human Rights Watch, Amnesty International, and other organizations have documented extrajudicial killings, arbitrary detention, torture, forced displacement, and sexual violence by both Boko Haram and state security forces. Research by Chitra Nagarajan and Zainab Usman reveals that counterinsurgency strategies sometimes exacerbated grievances, alienated local communities, and facilitated Boko Haram recruitment.

The intersection of human rights protection and security imperatives creates complex dilemmas for African states. International humanitarian law and human rights law, including the African Charter, impose obligations on states to protect civilian populations, ensure humane treatment of detainees, investigate abuses, and provide remedies to victims. However, emergency measures, derogations from certain rights during armed conflicts, and competing

security priorities often tension with human rights commitments.

Despite extensive literature on regional human rights systems and the Boko Haram insurgency separately, limited research integrates these domains to examine how regional human rights mechanisms can strengthen security cooperation and accountability in counter-terrorism contexts. This study addresses this gap by analyzing lessons from European human rights enforcement that can enhance African capacity to protect human rights while effectively combating terrorism through regional cooperation.

5. Methodology

5.1 Research Design

This study employs a qualitative research design utilizing comparative and exploratory approaches to examine the African and European regional human rights systems and analyze the security implications of Boko Haram insurgency on Nigeria-Niger diplomatic relations. The comparative method, specifically the Most Similar Systems Design (MSSD), enables systematic examination of similarities and differences between the European and African human rights mechanisms while controlling for certain variables. This approach facilitates identification of causal factors contributing to differential effectiveness between the two systems.

The exploratory component examines the complex, evolving nature of Nigeria-Niger security cooperation in response to the Boko Haram threat. Given the dynamic character of regional security arrangements and the limited existing research integrating human rights protection with counter-terrorism cooperation, exploratory research provides flexibility to investigate emerging patterns, identify key variables, and generate insights for future investigation.

5.2 Data Collection

The research relies primarily on secondary data sources obtained through comprehensive document analysis. Data sources include:

- a) International and regional legal instruments: The European Convention on Human Rights and its Protocols, the African Charter on Human and Peoples' Rights, the Protocol to the African Charter establishing the African Court, and relevant African Union instruments addressing security cooperation and counter-terrorism.
- b) Institutional reports and documents: Annual activity reports from the European Court of Human Rights, the African Commission on Human and Peoples' Rights, and the African Court on Human and Peoples' Rights; operational reports and communiqués from the Multinational Joint Task Force; Lake Chad Basin Commission strategic documents; and African Union Peace and Security Council decisions regarding the MNJTF mandate.
- c) Academic literature: Peer-reviewed journal articles, books, and dissertations examining regional human rights systems, the Boko Haram insurgency, regional security cooperation, and Nigeria-Niger bilateral relations.
- d) Reports from international organizations and non-governmental organizations: United Nations Office on Drugs and Crime reports on terrorism in the Lake Chad Basin; United Nations Security Council Counter-

Terrorism Committee assessments; International Crisis Group analyses of regional security dynamics; Human Rights Watch and Amnesty International documentation of human rights violations; and reports from African civil society organizations monitoring human rights and security.

- e) Government documents and policy statements: Official statements and policy documents from Nigerian and Nigerien governments regarding security cooperation; diplomatic communiqués following bilateral meetings; and national security strategies and counter-terrorism frameworks.

5.3 Data Analysis

Data analysis employs qualitative content analysis and comparative institutional analysis. Content analysis involves systematic coding and thematic categorization of documentary sources to identify patterns, themes, and relationships relevant to research objectives. Key analytical themes include:

- a) Institutional structures and mandates of regional human rights bodies
- b) Enforcement mechanisms and compliance monitoring procedures
- c) State compliance patterns and factors influencing implementation
- d) Security cooperation frameworks and operational modalities
- e) Challenges and constraints facing regional institutions
- f) Best practices and lessons for institutional strengthening

Comparative institutional analysis examines structural features, procedural mechanisms, and functional outcomes of the European and African human rights systems. This analysis identifies similarities and differences across multiple dimensions including normative frameworks, adjudicatory procedures, remedial mechanisms, supervision processes, and enforcement capacity.

For the Boko Haram-related components, the study employs process tracing to examine the evolution of Nigeria-Niger security cooperation, identifying critical junctures, causal mechanisms, and outcomes. This approach illuminates how the insurgency transformed bilateral relations, the factors enabling or constraining cooperation, and the effectiveness of regional security arrangements.

5.4 Limitations

Several methodological limitations merit acknowledgment. First, reliance on secondary sources precludes primary data collection through interviews, surveys, or field observations that could provide additional insights. Second, the dynamic nature of both human rights systems and security situations means that findings reflect circumstances during the research period and may require updating as conditions evolve. Third, incomplete access to certain classified security documents and operational plans limits the depth of analysis regarding MNJTF activities. Fourth, the study's scope prevents exhaustive examination of all African Union member states' human rights implementation or all dimensions of Lake Chad Basin security dynamics.

Despite these limitations, the methodological approach provides robust foundation for achieving research objectives and generating valuable insights regarding regional human rights protection and security cooperation in Africa.

6. Discussion

6.1 Comparative Analysis: African and European Human Rights Systems

6.1.1 Normative Frameworks and Rights Protection

The European Convention on Human Rights and the African Charter on Human and Peoples' Rights exhibit both similarities and significant differences in their normative frameworks. The ECHR, adopted in 1950 and entered into force in 1953, primarily protects civil and political rights including the right to life, prohibition of torture, right to liberty and security, fair trial rights, respect for private life, freedom of thought and religion, freedom of expression, and freedom of assembly. The Convention's focus reflects post-World War II European priorities of preventing totalitarian abuses and establishing democratic governance.

Conversely, the African Charter, adopted in 1981 and effective from 1986, encompasses a broader spectrum of rights. Beyond civil and political rights similar to the ECHR, the Charter explicitly incorporates economic, social, and cultural rights (right to work, health, education, cultural participation), peoples' rights (self-determination, sovereignty over natural resources, development, peace), and a comprehensive catalog of duties incumbent upon individuals. This holistic approach reflects African philosophical traditions emphasizing communal solidarity, the interdependence of rights, and the relationship between individual freedoms and community welfare.

Scholarly analyses commend the African Charter's progressive integration of multiple rights categories, avoiding the artificial dichotomy between civil-political and socio-economic rights that characterizes some international instruments. However, critics note that certain Charter provisions contain problematic "claw-back clauses" permitting rights limitations according to domestic law, potentially undermining international human rights standards. For instance, freedom of expression is guaranteed "within the law," creating opportunities for restrictive national legislation.

The European system has expanded substantially through additional protocols addressing property rights, education rights, abolition of the death penalty, prohibition of discrimination, and procedural guarantees. This evolutionary development demonstrates the system's adaptability and responsiveness to emerging human rights challenges. The African system similarly adopted supplementary instruments including the Protocol on the Rights of Women in Africa (Maputo Protocol), the African Charter on the Rights and Welfare of the Child, and the African Youth Charter, though implementation remains incomplete.

6.1.2 Institutional Architecture and Enforcement Mechanisms

The institutional structures of the two systems reveal critical differences affecting enforcement effectiveness. The European system evolved from an initial dual structure comprising the European Commission of Human Rights (1954-1998) and the European Court of Human Rights (established 1959) to a reformed single permanent Court in 1998. The ECtHR consists of 47 judges (one per member state) serving renewable nine-year terms, with cases heard by Committees, Chambers, or the Grand Chamber depending on complexity and importance. The Court possesses compulsory jurisdiction over all member states, and individuals can petition directly without exhausting political remedies beyond domestic courts.

The Committee of Ministers of the Council of Europe supervises execution of ECtHR judgments, reviewing states' compliance with payment of just satisfaction, individual measures for applicant redress, and general measures preventing future violations. This supervision process includes regular reviews, assisted by the Department for the Execution of Judgments and the Court's own monitoring. Although imperfect, with persistent non-compliance cases, the European system achieves approximately 75-80% implementation of judgments within reasonable timeframes. The African system maintains a dual structure comprising the African Commission on Human and Peoples' Rights (operational since 1987) and the African Court on Human and Peoples' Rights (inaugurated 2006). The Commission consists of 11 members serving six-year terms, elected by the African Union Assembly based on national nominations. The Commission's quasi-judicial mandate includes interpreting the Charter, examining state reports, receiving communications alleging violations, conducting promotional missions, and issuing non-binding recommendations.

The African Court comprises 11 judges serving renewable six-year terms. Unlike the ECtHR's automatic jurisdiction, states must make separate declarations under Article 34(6) of the Court Protocol to permit direct individual and NGO access. Only 11 African Union member states currently maintain such declarations, with four having withdrawn following adverse rulings—creating a severe access crisis. The Court's judgments are legally binding, but compliance remains problematic.

The African Union Assembly of Heads of State and Government receives both Commission and Court reports but lacks systematic enforcement mechanisms. The Assembly can impose sanctions against non-compliant states theoretically, but political considerations and sovereignty concerns typically prevent such action. This enforcement gap constitutes a fundamental weakness distinguishing the African from the European system.

6.1.3 Compliance Patterns and State Attitudes

State compliance represents perhaps the most significant differentiator between the two systems. European states generally demonstrate high compliance rates with ECtHR judgments, driven by democratic accountability, civil society pressure, parliamentary oversight, reputational concerns, and potential diplomatic consequences. Even states with poor compliance records (Turkey, Russia before 2022 expulsion, and Azerbaijan) implemented substantial portions of judgments, albeit with delays.

Conversely, African states frequently disregard African Commission recommendations and African Court judgments. Research indicates only 7% of African Court judgments have been fully implemented. Multiple factors explain this disparity: weak rule of law in many African states, limited separation of powers enabling executive interference with judicial processes, inadequate resources for implementation, absence of domestic implementing legislation, insufficient civil society capacity to advocate for compliance, and persistent state sovereignty rhetoric resisting supranational oversight.

The recent withdrawals by Rwanda, Tanzania, Benin, and Côte d'Ivoire from the Article 34(6) declaration exemplify resistance to human rights accountability. These withdrawals followed Court rulings on sensitive political issues including presidential term limits, opposition leader detention, media freedom, and electoral processes. Such

actions fundamentally undermine the African Court's legitimacy and accessibility, creating a two-tier system where citizens in non-declaring states cannot access regional judicial remedies.

6.1.4 Resource Availability and Institutional Capacity

Resource disparities profoundly affect institutional effectiveness. The Council of Europe's substantial budget enables the ECtHR to maintain adequate staffing, modern facilities, advanced information systems, legal research capacity, and translation services supporting multilingual operations. While the Court faces backlog challenges due to high caseloads (approximately 70,000 pending applications), it processes thousands of cases annually.

The African Commission and Court operate with severely constrained budgets dependent on African Union funding, which itself faces chronic shortfalls. Insufficient staffing, limited office space, inadequate technological infrastructure, and restricted travel budgets for monitoring missions compromise institutional functioning. The Commission typically holds only two ordinary sessions annually lasting approximately two weeks, constraining its capacity to address the continent's extensive human rights challenges.

6.2 Security Implications of Boko Haram on Nigeria-Niger Relations

6.2.1 Pre-Insurgency Bilateral Relations

Nigeria and Niger share a 1,608-kilometer border, extensive ethnic and linguistic ties, significant trade relationships, and common membership in regional organizations including ECOWAS, the African Union, and the Lake Chad Basin Commission. Historical bilateral relations combined cooperation on migration management, trade facilitation, and border security with periodic tensions over territorial disputes (notably the Lake Chad maritime boundary and islands), smuggling networks, and irregular migration.

Prior to the Boko Haram crisis, security cooperation remained limited and sporadic. A Multinational Joint Task Force established in 1994 under LCBC auspices to combat banditry and cross-border crime operated ineffectively due to inadequate funding and weak political commitment. The countries maintained separate border management approaches, with minimal intelligence sharing and coordination.

6.2.2 Transformation through Insurgency

Boko Haram's expansion from primarily Nigerian operations to transnational terrorism fundamentally altered the bilateral security landscape. The group's establishment of bases in Niger's Diffa region, recruitment of Nigerien nationals, attacks on Nigerien territory, and exploitation of Niger as a logistics corridor and sanctuary compelled Nigerien government engagement. Major attacks including the 2013 Agadez uranium mine assault and 2015 Bosso and Diffa attacks killed dozens of Nigerien security personnel and civilians, demonstrating the direct threat to Niger's security. Initial responses reflected mutual suspicion and unilateral approaches. Nigeria criticized Niger for allegedly harboring Boko Haram insurgents and facilitating cross-border movements, while Niger complained about spillover effects from Nigerian security operations pushing militants across borders. This tension manifested in Niger's initial reluctance to participate actively in regional counter-terrorism efforts despite Nigerian requests.

The watershed moment occurred in 2015 following Boko

Haram's territorial conquests in northeastern Nigeria and escalating attacks across borders. The Baga massacre in January 2015, where Boko Haram killed potentially 2,000 civilians, and subsequent territorial gains catalyzed regional action. An extraordinary LCBC summit in Niamey in February 2015 led to the reactivation and expansion of the MNJTF with enhanced mandate, resources, and political commitment.

6.2.3 Multilateral Security Cooperation: The MNJTF Framework

The MNJTF represents the primary institutional framework for Nigeria-Niger security cooperation against Boko Haram, embedded within broader Lake Chad Basin regional architecture. The Force's structure assigns each contributing country a sector corresponding to its territory: Sector 1 (Cameroon), Sector 2 (Chad), Sector 3 (Niger), and Sector 4 (Nigeria), plus a smaller Sector 0 (Benin). The Force Commander, based in N'Djamena, coordinates operations across sectors, though each country maintains operational control within its territory.

The Force achieved notable successes from 2015-2024. Major operations liberated towns including Damasak, Monguno, and Baga in Nigeria's Borno State; cleared Boko Haram camps in the Lake Chad islands; neutralized high-value targets including senior commanders; rescued thousands of kidnapped civilians; and facilitated return of displaced populations to recovered areas. Intelligence sharing improved, enabling coordinated operations and disrupting Boko Haram logistics networks.

Security cooperation extended beyond MNJTF operations to bilateral mechanisms. Nigeria and Niger established joint border patrols, enhanced cross-border communication between security agencies, conducted coordinated military operations in border areas, and improved intelligence exchange regarding insurgent movements. The countries signed multiple bilateral agreements on security cooperation, defense collaboration, and border management. However, persistent challenges undermined cooperation effectiveness. Chronic underfunding forced reliance on external donors (African Union, European Union, United States, United Kingdom), creating sustainability concerns and operational constraints. Command and control complexity arising from national operational autonomy, linguistic differences (Niger as Francophone, Nigeria as Anglophone), and diverse military doctrines impeded seamless coordination.

Intelligence-sharing deficiencies persisted despite nominal cooperation frameworks. Mutual suspicion, competing national security priorities, inadequate technological infrastructure, and limited interoperability of communication systems constrained real-time intelligence exchange necessary for effective counterinsurgency. Research indicates that intelligence failures contributed to successful Boko Haram attacks, including the 2015 assault on the MNJTF headquarters in Baga.

Equipment and capability gaps further limited operational effectiveness. Insufficient armored vehicles, limited air assets for reconnaissance and strikes, inadequate medical evacuation capacity, and shortages of specialized equipment (night vision devices, mine-resistant vehicles) reduced combat effectiveness. The Force lacked organic air support, relying on contributing countries' national air assets subject to availability and authorization constraints.

6.2.4 Political Developments and Cooperation Setbacks

Regional political instability significantly impacted Nigeria-Niger security cooperation post-2020. Chad's President Idriss Déby announcement in December 2019 of potential withdrawal from the MNJTF, citing disproportionate Chadian casualties and inadequate burden-sharing, raised concerns about the Force's viability. Although Chad ultimately maintained participation, its reduced engagement affected operational tempo.

The July 2023 military coup in Niger, overthrowing democratically-elected President Mohamed Bazoum, created unprecedented strain in Nigeria-Niger relations. ECOWAS, under Nigerian President Bola Tinubu's leadership, imposed comprehensive sanctions on Niger and threatened military intervention to restore constitutional order. Niger's military junta rejected these measures, receiving support from Mali and Burkina Faso (themselves under military rule), and announced withdrawal from ECOWAS in January 2024.

Security cooperation suffered immediate impacts. Niger suspended participation in joint border patrols with Nigeria, halted cross-border security coordination, and restricted communication between security agencies. ECOWAS-imposed border closures disrupted trade and movement, inadvertently benefiting Boko Haram and armed groups by reducing security presence and creating opportunities for illicit trafficking. Cross-border arms flows increased, and bandit attacks escalated in Nigeria's northern border regions. However, recognizing shared security imperatives transcending political differences, Nigeria and Niger cautiously resumed security cooperation in 2024. In August 2024, the countries' defense chiefs signed a security cooperation agreement in Niamey, reaffirming commitment to regional stability and Niger's renewed active participation in the MNJTF. This pragmatic approach suggests that common security threats can bridge political divides, though full restoration of pre-coup cooperation levels remains uncertain.

6.3 Human Rights Dimensions of Security Cooperation

The intersection of counter-terrorism operations and human rights obligations presents significant challenges. Both Boko Haram and state security forces have perpetrated serious human rights violations. Boko Haram's atrocities include massacres of civilians, sexual slavery and rape, child soldier recruitment, suicide bombings targeting markets and places of worship, and destruction of villages. These acts constitute crimes against humanity and war crimes under international law.

Simultaneously, Nigerian, Nigerien, and other security forces have committed violations including extrajudicial killings, torture and ill-treatment of detainees, arbitrary detention, forced displacement, and sexual violence. Human Rights Watch documented cases where military operations destroyed villages, killed civilians, and detained individuals without due process. These violations undermine counterinsurgency effectiveness by alienating communities, facilitating Boko Haram recruitment, and eroding trust in state institutions.

The MNJTF has implemented measures to enhance human rights compliance, including incorporating human rights training, establishing civil-military cooperation (CIMIC) units engaging with affected communities, adopting Rules of Engagement incorporating international humanitarian law principles, and submitting to African Union Compliance and

Accountability Framework monitoring. However, implementation gaps persist, and accountability for violations remains inadequate.

The African Charter and other human rights instruments impose obligations on Nigeria, Niger, and other Lake Chad Basin states to protect populations from terrorism while respecting human rights in counter-terrorism operations. Article 4 prohibits torture; Article 6 guarantees liberty and security; Article 7 ensures fair trial rights; and Article 23 recognizes peoples' rights to peace and security. Effective security cooperation must integrate human rights compliance, accountability mechanisms, and community engagement to achieve sustainable counter-terrorism outcomes.

6.4 Lessons for Africa from European Experience

The comparative analysis yields several actionable lessons for strengthening the African human rights system:

- First, establishing specialized, well-resourced compliance monitoring institutions separate from political bodies enhances enforcement effectiveness. The European Committee of Ministers' supervision process, supported by the Department for the Execution of Judgments and systematic follow-up procedures, demonstrates the value of dedicated compliance mechanisms. Africa could establish a similar specialized African Union body, potentially linked to the AU Commission on International Law or a new Compliance Monitoring Unit, responsible for tracking implementation of Commission recommendations and Court judgments.
- Second, ensuring genuinely independent and adequately resourced regional human rights institutions strengthens legitimacy and effectiveness. The ECtHR's independence, reflected in judicial appointment procedures, security of tenure, and financial autonomy, contrasts with African institutions' vulnerability to political pressure and resource constraints. African states should commit to sustained, adequate funding for the African Commission and Court, potentially through dedicated budgetary allocations outside general AU funding subject to political manipulation.
- Third, expanding direct access to regional courts without restrictive standing requirements promotes accountability and rights protection. The European system's automatic individual petition right creates powerful accountability mechanisms, while the African Court's restrictive access undermines its protective function. African states should universally accept Article 34(6) declarations, and the AU should consider amending the Court Protocol to make individual access automatic.
- Fourth, developing systematic state reporting mechanisms with rigorous review processes enhances implementation. While both systems include state reporting, the European approach integrates reporting with broader compliance monitoring, whereas African state reporting suffers from delays, incomplete submissions, and inadequate follow-up. Strengthening the African Commission's review capacity and establishing consequences for non-reporting could improve this mechanism.
- Fifth, fostering strong civil society engagement and public awareness amplifies human rights protection.

European civil society organizations actively monitor compliance, litigate cases, advocate for implementation, and publicize violations, creating domestic pressure on governments. African civil society faces resource constraints, restrictive laws, and repression in many countries. Supporting civil society capacity, protecting human rights defenders, and creating enabling environments for advocacy strengthens the ecosystem necessary for effective rights protection.

- Sixth, recognizing contextual differences and avoiding uncritical transplantation of European approaches remains essential. Africa's socio-economic conditions, political systems, cultural contexts, and development priorities differ substantially from Europe's. Effective reforms must adapt lessons to African realities rather than imposing external models.

Regarding security cooperation, lessons for enhancing the MNJTF and regional counter-terrorism include:

- First, ensuring sustainable, predictable funding through diversified sources reduces vulnerability to donor conditionality and operational disruptions. Establishing dedicated regional counter-terrorism financing mechanisms, potentially through ECOWAS or African Union levies on member states, could enhance sustainability.
- Second, strengthening unified command and control while respecting sovereignty concerns improves operational coherence. Clearer protocols for cross-border operations, enhanced Force Commander authority, and improved communication systems could address coordination deficiencies.
- Third, prioritizing human rights compliance and community engagement within counter-terrorism strategies enhances legitimacy and effectiveness. Systematic human rights training, robust accountability mechanisms for violations, community dialogue initiatives, and protection for civilian populations create conditions undermining insurgent recruitment while building trust in security forces.
- Fourth, integrating non-military approaches addressing root causes—poverty, marginalization, governance deficits, youth unemployment—alongside military operations generates sustainable peace. The Lake Chad Basin Commission's Regional Stabilization Strategy attempts such integration, but implementation requires enhanced political commitment and resources.

7. Conclusion

This comparative study demonstrates significant disparities between the African and European regional human rights systems while revealing complex security dynamics affecting Nigeria-Niger diplomatic relations in the Boko Haram era. The European human rights system's effectiveness derives from robust institutional frameworks, strong compliance mechanisms, adequate resources, political will, and democratic governance contexts. These factors enable the European Court of Human Rights to deliver binding judgments enjoying high compliance rates and the Committee of Ministers to systematically supervise implementation.

Conversely, the African human rights system, despite innovative normative features incorporating peoples' rights and comprehensive rights categories, faces persistent implementation challenges. Limited resources, weak

enforcement mechanisms, state non-compliance, political interference, and recent withdrawals from individual access provisions undermine the system's protective capacity. However, the African system operates within substantially different socio-economic and political contexts than Europe, requiring contextually appropriate strengthening strategies rather than uncritical adoption of European models.

The Boko Haram insurgency fundamentally transformed Nigeria-Niger diplomatic relations, compelling unprecedented security cooperation through the MNJTF and bilateral mechanisms. While achieving notable operational successes including territorial liberation and civilian protection, this cooperation faces persistent challenges of funding shortfalls, coordination deficiencies, intelligence-sharing gaps, and political instability. The 2023 Niger coup temporarily disrupted cooperation, though pragmatic security imperatives have facilitated gradual resumption.

The intersection of human rights protection and counter-terrorism cooperation presents complex challenges requiring integrated approaches respecting human rights obligations while effectively combating terrorism. Both domains demand enhanced regional cooperation, stronger institutional frameworks, adequate resources, and sustained political commitment. The European experience offers valuable lessons regarding compliance monitoring, institutional independence, access to justice, and civil society engagement that can inform African system reforms. Simultaneously, addressing root causes of both terrorism and human rights violations through inclusive governance, economic development, and community engagement remains essential for sustainable peace and security.

The study confirms that effective human rights protection and security cooperation are mutually reinforcing rather than conflicting objectives. Regional human rights mechanisms can enhance accountability in counter-terrorism operations, while effective security cooperation protects populations from terrorism's devastating human rights impacts. Realizing this synergy requires political will, institutional reforms, resource commitments, and sustained engagement from African states, regional organizations, civil society, and international partners.

8. Recommendations

Based on the research findings, this study advances the following recommendations:

For African Union and Regional Organizations

1. Establish a Specialized Compliance Monitoring Mechanism: Create a dedicated African Union body, potentially an Implementation and Compliance Monitoring Commission, responsible for systematically tracking implementation of African Commission recommendations and African Court judgments. This body should publish annual compliance reports, conduct country visits, engage with national human rights institutions and civil society, and recommend measures including sanctions for persistent non-compliance.

2. Amend the African Court Protocol to Guarantee Direct Individual Access: Pursue protocol amendment making individual and NGO access automatic without requiring separate Article 34(6) declarations. This reform would eliminate the current two-tier system denying most Africans access to regional judicial remedies and strengthen the Court's protective function.

3. **Ensure Sustainable Funding for Human Rights Institutions:** Commit to adequate, predictable funding for the African Commission and Court through dedicated budgetary allocations independent of general AU budgetary processes. Consider innovative financing mechanisms including voluntary contributions from member states, partnership with development organizations, and potential levies on extractive industries operating in Africa.

4. **Strengthen the MNJTF through Enhanced Institutional Support:** Provide consistent, adequate African Union funding for the MNJTF, reducing dependence on external donors. Streamline command and control arrangements, enhance intelligence-sharing infrastructure, provide modern equipment and technology, and strengthen unified operational planning.

5. **Integrate Human Rights Compliance into Security Operations:** Mandate systematic human rights training for all MNJTF personnel, establish robust accountability mechanisms investigating alleged violations, create civilian harm mitigation protocols, and ensure victims' access to remedies. The AU Compliance and Accountability Framework should be rigorously implemented with transparent reporting.

For African States (Particularly Nigeria and Niger):

6. **Accept and Maintain Article 34(6) Declarations:** All African states should accept the African Court's jurisdiction to receive individual and NGO communications and commit to not withdrawing such declarations in response to adverse rulings. This demonstrates genuine commitment to supranational human rights accountability.

7. **Implement Human Rights Judgments and Recommendations Systematically:** Establish national implementation mechanisms including inter-ministerial committees coordinating execution of regional human rights bodies' decisions, allocate budgets for compliance measures, and report regularly to the African Commission and Court on implementation progress.

8. **Strengthen Cross-Border Security Cooperation:** Sustain and deepen Nigeria-Niger bilateral security cooperation regardless of political changes, maintaining active MNJTF participation, conducting regular joint operations, enhancing real-time intelligence sharing, and developing interoperable communication systems. Extend successful cooperation models to other border areas facing security challenges.

9. **Address Root Causes of Terrorism and Insecurity:** Implement comprehensive strategies addressing underlying drivers of extremism including poverty reduction programs, youth employment initiatives, educational access in marginalized regions, inclusive governance promoting political participation, and equitable resource distribution. Security-only approaches prove insufficient without addressing socio-economic grievances.

10. **Enhance Transparency and Accountability in Counter-terrorism:** Establish independent oversight mechanisms monitoring security forces' conduct during counter-terrorism operations, investigate allegations of human rights violations promptly and impartially, prosecute perpetrators regardless of rank, and provide reparations to victims. Transparency builds public trust essential for effective counterinsurgency.

For Civil Society Organizations

11. **Strengthen Advocacy for Human Rights System Reforms:** Coordinate continental advocacy campaigns promoting acceptance of Article 34(6) declarations,

adequate funding for regional human rights institutions, and compliance with judgments. Utilize strategic litigation advancing human rights jurisprudence and public interest advocacy raising awareness of regional mechanisms.

12. **Monitor and Document Human Rights Violations:** Systematically document human rights violations by both terrorist groups and state forces, submit well-researched communications to the African Commission and Court, publish reports amplifying victims' voices, and engage international human rights mechanisms supplementing regional efforts.

13. **Promote Community-Based Peace-Building:** Implement community dialogue initiatives bridging divides exploited by extremists, support victims of terrorism and counter-terrorism operations, facilitate DDR (disarmament, demobilization, reintegration) programs for former combatants, and promote interfaith dialogue countering extremist narratives.

For International Partners

14. **Provide Technical and Financial Support:** International partners (UN, EU, bilateral donors) should support capacity-building for African human rights institutions, provide technical assistance for compliance monitoring mechanisms, fund community-based counter-terrorism programs addressing root causes, and ensure development aid supports governance reforms strengthening human rights protection.

15. **Respect African Ownership and Leadership:** While providing support, international partners must respect African agency and leadership in determining reform priorities, avoid imposing external models inconsistent with African contexts, and ensure aid conditionalities do not undermine sovereignty or regional integration.

16. **Support Regional Stabilization Beyond Military Approaches:** Fund the Lake Chad Basin Commission's Regional Stabilization Strategy holistically, supporting humanitarian assistance, livelihood recovery, infrastructure reconstruction, governance strengthening, and community reconciliation alongside security operations.

These recommendations, if implemented comprehensively and sustained over time, can strengthen Africa's regional human rights protection capacity while enhancing security cooperation effectiveness against terrorism. Success requires political will, resource commitments, and collaborative engagement among all stakeholders committed to protecting human dignity, promoting peace, and advancing sustainable development across the African continent.

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