

Sustainable Development Goal 16 and Institutional Imperatives: The Role of Judiciary in Nigeria

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Abstract: This paper discusses the role of institutional frameworks in achieving developmental goals, using Sustainable Development Goal (SDG) 16 which emphasises Peace, Justice and Strong Institutions. The judiciary in Nigeria is construed as being focal or pivotal to the realisation of this goal, hence the paper examines the inherent issues utilising a combination of primary and secondary data backed by descriptive analyses. The paper notes the existence of some institutional frameworks pointing to superficial commitment on the part of central government, but undue executive muzzling vitiates the independence of judiciary, and by its own self-imposed afflictions, the Nigerian judiciary has not demonstrated adequate capacity and readiness to effectively discharge its core functions in attaining this goal. The paper recommends robust capacity building mechanisms that incorporate expertise and professionalism in public bureaucracies, plus multi-stakeholder collaborative approach as platforms for re-invigorating institutions in Nigeria.

Keywords: Goal; Imperatives; Institution; Judiciary; Nigeria; Role; Sustainable Development

1. Introduction

The urgent need for a framework to guarantee global advancement and preservation of resources for the future led to the adoption of the Millennium Declaration by the United Nations General Assembly. This declaration fostered the devotion towards achieving a universal development agenda through a consensual coalition between countries and stakeholders devoted to a universal development agenda. Thus, a set of eight carefully crafted goals were specified to be realised by 2015. The Millennium Development Goals (MDGs) symbolised a formidable feat as it beckoned on its signatories for action to: eliminate severe poverty and hunger; foster

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universal cooperation for development; improve gender equality; ensure the enhancement of maternal health and reduce infant mortality; contain the spread of terminal diseases and safeguard the environment (Sachs, 2012:6).

The course of the Millennium Development Goals was navigated by the United Nations Development Programme (UNDP) in such a way that all stakeholders were properly informed of the respective roles to play ranging from government of countries to individuals. The UNDP also funded countless projects that helped to fulfill the goals and they developed mechanisms to enable countries measure progress. (United Nations Development Programme, 2015:2). Sachs, (2012:1) further observes that despite being faced by daunting challenges, various developing countries made tangible input towards the attainment of the MDGs, although the level of progress vary across goals, countries and regions. For some time, the MDGs remained the cynosure of national policy planning and global policy debates being integrated into the activities of the civil society and non-governmental organisations, and were taught in schools (Jones, 2014:5).

The MDGs final report reveals that a radical and collective approach towards global advancement can lift millions out of poverty; improve health and well-being, empower women and girls. For instance, records show that the number of children out of school (of primary age) dropped by nearly half-from 100 million in 2000 to an estimated 57 million in 2015; persons living in abject poverty dropped by half as well, dipping from 1.9 billion in 1990 to 836million in 2015. New HIV infections declined by approximately 40 percent between 2000 and 2013 and about 6.2 million deaths caused by malaria have been averted between 2000 and 2015 (UNDP, 2015:2). The MDGs succeeded in transforming the dominant paradigm through which the world is viewed by modeling international dialogue and debate on development, and motivating general consciousness of moral imperatives such as ending poverty and starvation and achieving gender equality (World Health Organization, 2015:4).

In retrospect, several end-point reports suggest that the MDGs failed to achieve their purpose, especially in developing countries. According to Nayyar (2012:6), the limitations of the MDGs are defined in terms of conception, design and construct. In terms of conception, the MDGs indicated an outcome but failed to provide the process for actualisation of set objectives. They expressed the ends of development, not the means (Vandemooretele and Delamonica, 2010:61). Furthermore, the MDGs projected global goals intended as norms but often regarded as targets and did not acknowledge the differences in national priorities. In other words, it centred on a

comparison between an undesirable state and a desirable state, without considering the relevance of the transition process from one side of the spectrum to the other (Nayyar, 2012: 8).

This led to the pervasive feeling amongst the civil society and policy makers that these goals should be extended beyond 2015. The former Secretary-General of the United Nations, Ban Ki-Moon stated that: "...there is a prevalence of disparities and the levels of growth are irregular ...progress has a propensity to bypass women and those on the lowest rung of the economic ladder are underprivileged of their ethnicity, age or disability..." (Ki-Moon, 2015:3).

Thus, various governments through the platform of the United Nations decided to design another set of goals to follow the end of the 15 year MDG period. Following several conferences, meetings and consultations, an intergovernmental Open Working Group (OWG) was created by the United Nations in 2014. The OWG deliberations gave rise to in the initiation of 17 Sustainable Development Goals (SDGs) and 169 targets, conceptualised as the subsequent phase of the MDGs. Between 2013 and 2015, the United Nations made preparation to "transform the world"; the agenda for global action was created which outlined how these objectives would be reached, the agenda called for these 17 goals, each with its targets which have to be attained at specific time (Maurice, 2015:21).

The SDGs expanded on the eight Millennium Development Goals by concentrating on profound measurements of sustainable development in developed and developing nations, comprising environmental sustainability, vulnerability and the marginalisation of certain groups, human rights commitments, good governance, equity and social justice. SDGs are basically an addendum to the MDGs for comprehensive development concerns where the MDGs failed. However, the major difference is that while MDGs adopted donor-centric approach which was characterised by developed countries providing funds to enable the developing countries reach these lofty goals; the SDGs are driven by the coordination of developed, developing and emerging economies (Uneze, Adedeji and Uzor, 2016:1). The donor-centric approach of foreign assistance comes at a price, as the impression from aid did not tally with the amount of money contributed because there is no clear, operational system set up to hold aid beneficiaries and their governments answerable for these resources (Keo, 2013). Lyons (2014) argues that development in Sub-Saharan Africa is hindered by foreign aid as in the long run, the dependence on foreign aid strengthens corruption by supporting inorganic and bloated bureaucracies that define output by funds disbursed rather than services delivered.

The combined effect of corruption, debt overhang and undue external dependence led to the MDGs recording limited success in African countries.

Although Africa faces various challenges ranging from terrorism to epidemics in the 21st century, the continent has shown interest in the achievement of sustainability. With an average annual economic growth level of around 5%, Africa remains an emerging region and a viable environment for foreign investments (Urama, Ozor and Acheampong, 2014: 2). Research reveals that on the average, African countries discharge lower levels of carbon dioxide emissions and energy depletion, these statistics similarly show fast growth throughout the previous decade. (McKinsey Global Institute, 2010; UNDP, 2015). However, Bianchi (2015: 1) argues that regardless of Africa's recorded progressive economic growth rates over the past fifteen years, unemployment is at distressing stages and poverty remains pervasive.

The SDGs are officially tagged; "Transforming Our World: the 2030 Agenda for Sustainable Development." The goals are universally applicable and naturally inclusive, taking into consideration the distinct development levels, national capabilities with respect to national policies and priorities (UNGA, 2015).

2. Method and Main Arguments of the Paper

The paper utilises primary and secondary data which include interviews; and information from books, journals, institutional publications and internet materials to mention but a few. Data from these sources were descriptively analysed, and this informed the discussion, findings and recommendations of the paper.

One major argument of this paper is that effective implementation of developmental goals must be pivoted on adequately functioning institutions built on robust infrastructures and personnel expertise. It is trite to reiterate that no nation-state can progress beyond the capacity of its institutions, hence the above imperatives must necessarily underscore the activities of the judiciary in Nigeria to position it eminently for the attainment of SDG 16. In addition, the frameworks/mechanisms and suggestions proffered are capable of redressing the dysfunctions identified, thus acting as bulwark against institutional deficits and failure.

3. Literature Review

This section outlines the seventeen goals of sustainable development; discusses Agenda 2030 indicating timelines and terminal date of goal(s) attainment; some institutional frameworks that Nigeria deploys on the path to the attainment of the Sustainable Development Goals.

3.1 Highlights of Sustainable Development Goals

The Sustainable Development Goals are identified below:

- **Goal 1:** No Poverty- End Poverty in its forms everywhere.
- **Goal 2:** Zero Hunger- End hunger, achieve food security and improved nutrition and promote sustainable agriculture.
- **Goal 3:** Good Health and Well-being- Ensure healthy lives and promote well-being at all ages.
- **Goal 4:** Quality Education- Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.
- **Goal 5:** Gender Equality- Achieve gender equality and empower all women and girls.
- **Goal 6:** Clean Water and Sanitation- Ensure availability and sustainable management of water and sanitation for all.
- **Goal 7:** Affordable and Clean Energy- Ensure access to affordable, reliable and sustainable and modern energy for all.
- **Goal 8:** Decent Work and Economic Growth- Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.
- **Goal 9:** Industry, Innovation and Infrastructure- Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation.
- **Goal 10:** Reduced Inequalities- Reduce inequalities within and among countries.
- **Goal 11:** Sustainable Cities and Communities- Make cities and human settlements inclusive, safe, resilient and sustainable.

- **Goal 12:** Responsible Consumption and Production- Ensure sustainable consumption and production patterns.
- **Goal 13:** Climate Action- Take urgent action to combat climate change and its impacts.
- **Goal 14:** Life below Water- Conserve and sustainably use the oceans, seas and marine resources for sustainable development.
- **Goal 15:** Life on Land- Protect, restore and promote the sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification and halt and reverse land degradation and halt biodiversity loss.
- **Goal 16:** Peace Justice and Strong Institutions- Promote peaceful and inclusive societies for sustainable development provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
- **Goal 17:** Partnerships for the Goals- Strengthen the means of implementation and revitalise the global partnership for sustainable development.

3.2 Agenda 2030: The Making of the Sustainable Development Goals (SDGs).

The MDGs fostered new partnerships, spurred public opinion at different levels and ultimately displayed the relevance of goal-setting in driving development as it helped to lift over a billion people from poverty, to reduce hunger and to empower girls in attending school and safeguard the planet (Kumar and Kumar, 2016). However, inequalities continued and development is unbalanced as remarkable number of people still live in hunger and poverty with little or no access to basic amenities in parts of the developing world, gender discrimination persists, the gaps between the rural and urban areas and the rich and the poor are widening. The effects of climate change and environmental degradation have become issues of concern as carbon emissions have increased by 50 % and conflicts still stand as a major obstacle to development (United Nations, 2015). Stubbs (2015) observes that charting the course for a successive plan for the MDGs was an arduous process as it involved contributions from stakeholders ranging from UN member states (developed and developing), scientists, civil society organisations, academics, and private sector, in order to formulate people-centric development agenda.

Honnibal and Spijkers (2014) summarise the complex process into three categories:

- i. The initiatives led by the UN Secretary-General which include the High-Level Panel of Eminent Persons on the post-2015 Development Agenda (HLP), the Sustainable Development Solutions Network (SDSN; science and technology) and the UN Global Compact (UNGC; private sector)
- ii. The intergovernmental Open Working Group on Sustainable Development Goals (OWG) crafted the recommended SDGs
- iii. The Global Conversation led by the United Nations Development Group (UNDG) which provided input into the processed mentioned above.

The OWG convened monthly from March 2013 till June 2014. In August 2013, the OWG circulated the “Open Working Group Proposal for the Sustainable Development Goals” which was later accepted by member states in September during the 70th Session of the UN General Assembly; the subsequent SDGs comprised 17 goals and 169 targets (UN, 2015). The SDGs have a wider scope than the MDGs as it includes goals on climate action (SDG 13), clean and affordable energy (SDG 7), peace, justice and strong institutions (SDG 16), gender equality (SDG 5) and others (UNDP, 2015). While the MDGs emphasised poverty alleviation, the SDGs were created on the three pillars of, environmental sustainability, social inclusion and economic development (Sachs, 2012).

3.3 Nigeria and the Sustainable Development Goals: Some Institutional Frameworks

An appraisal of the MDGs in Nigeria revealed mixed results across the goals, gender groups and geographical locations. As mentioned earlier, most of the goals are yet to be met, this stirred Nigeria to embrace the continuity plan via the SDGs (Oleribe and Taylor-Robinson, 2016). Attaining success in the SDGs is hinged on the expansion and completion of the previous targets of the MDGs. Nigeria’s transition to the SDGs was built around several thematic issues such as; the creation of stronger institutional, policy, legal, communications, and financing frameworks as well as standard data, monitoring indicators and evaluation (FGN, 2015b).

At the institutional level, the Office of the Senior Special Assistant to the President on SDGs (OssAP-SDGs) was established to partner with the UNDP and a wide range of stakeholders such as: Ministries, Civil Society Organizations, media organizations, the youth, the academia and many other groups in the pursuit of the SDGs in the country (Adelokiki, 2016). The OssAP-SDGs since the adoption of Agenda 2030 succeeded in ensuring coherence between development policies, plans and strategies. In the same vein, an Inter-Ministerial Committee on the SDGs has been created to foster partnership with Ministries, Departments and Agencies

(MDAs). In addition to this, concentrated efforts have been targeted at facilitating oversight and legislative roles of the parliamentarians concerning the SDGs execution process. More precisely, two committees on SDGs have been created in the Senate and House of Representatives (Orelope-Adefulire, 2017).

In a bid to foster youth engagement with this cause, the OssAP-SDGs established a partnership with the National Youth Service Corps (NYSC) to train youths as SDG front liners and advocates in their various communities and individual areas of deployment. Furthermore, the Nigeria Economic Recovery and Growth Plan (NERGP) scheduled to run from 2017-2020 is a booster of the nation's commitment to the SDGs, as it serves as a short-term development approach proposed to guide the nation out of the present economic state to the pathway of sustainable development and inclusive growth. This strategy is projected to support the government's efforts in diversifying the economic aspects of nation building, such as increasing investments in human capital and investments, as well as in strategic social sectors in order to create jobs in the public and private sectors (National Bureau of Statistics, 2017).

To highlight its commitment to Agenda 2030, the Nigerian government has painstakingly adopted an SDGs Needs Assessment Policy Analysis which is expected to provide the nation with the necessary baseline data and statistics to facilitate the prognosis and preparation for successive public investments across sectors and regions, which entails adopting more efficient and effective resource use, with impact assessment (Adelokiki, 2016).

4. Brief Information on the Judiciary in Nigeria

The Constitution of the Federal Republic of Nigeria (1999) chapter 1, part II, section 6 (1) confers judicial powers on the various courts instituted for the federation. The constitution established a single unified court system at the state and national levels, a Supreme/apex Court, a Federal Court of Appeal. States are at liberty to permit customary courts or traditional subsidiary courts.

Majority of the laws governing the Nigerian judiciary are built on the foundations and models established by the British colonial government which is guided by a Common Law system. Other recognised legal systems include the customary laws derived from native traditional practices and norms, and the Sharia law practiced in Northern Nigeria which is largely Islamic. The constitution also classifies courts as

Federal or State courts, the distinguishing factor being that the judges/justices of federal courts are nominated by the president, while those of the state courts are chosen by state governors. However, all the appointments of both courts are guided by the provisions of the National Judicial Commission (Bolanle, 1965: 122).

The federal courts include: the Federal High Court, the Court of Appeal and the Supreme Courts while state courts include: the Customary Court of Appeal of a State, the Sharia Court of Appeal and the State High Court. Each of the thirty-six states of the federation are constitutionally permitted to have all these courts, however the Sharia Courts are found in Northern parts of the country while the Customary Courts are found in the southern parts. The hierarchy of courts follows four tiers; at the apex of the court system is the Supreme Court followed by the Court of Appeal. The third tier courts in ascending order are: the Sharia Court of Appeal, the Customary Court of Appeal; the Federal and State High Courts. The lowest courts are the Magistrate Courts, the Customary Courts and the Sharia Courts (Adebayo, 2010: 12).

5. Discussion

Institutional Frameworks Underlining Sustainable Development Goal Number 16 in Nigeria

Following the signing of the UN Declaration on the SDGs by President Muhammadu Buhari on September 25, 2015, Nigeria began its journey of implementation in January 2016. A legal framework was established by the formation of the Office of the Senior Special Assistant to the President on SDGs (OssAP-SDGss) led by Princess Adejoke Orelope-Adefulire. This office is charged with the mandate of driving effective and efficient execution of the SDGs nationally; this includes promoting and expediting integration, coordinating implementation, managing process with timely and accurate accounting on SDG performance and results (Odogwu, 2018).

Nigeria has also fashioned a multi-layer organising mechanism with the OssAP-SDGs as the coordinating institution. This mechanism spreads across all the 36 States' governments and the Federal Capital Territory and also comprises the 774 LGAs; over 9000 community structures and various public and private sector organisations, alongside Civil Society Organisations (CSOs) and other non-state actors (Federal Government of Nigeria (FGN), 2016:53).

Similarly, an institutional framework has been established to ensure smooth coordination of the SDGs among the three tiers of government to ensure horizontal and vertical coherence of programme information and active performance management. Two select committees on the SDGs have been created in the National Assembly (NAss). These committees collaborate in enhancing legislative and oversight functions on SDGs activities, liaising with development aid donors and Private Sector Partners (PSP), supervision of the execution of SDGs projects and programmes in Nigeria and in the estimation of annual SDGs budgets (Vanguard News, 2018). At the executive arm, SDGs Focal Persons are appointed at the federal, state and local levels of governance, these persons play critical roles in restructuring SDG goals and targets into departmental programmes for the domestication of these goals and to track the release of funds accrued to SDG projects (FGN, 2016: 55).

Furthermore, a data mapping exercise and data resource responsibility structure has been agreed upon. The OssAP-SDGs in partnership with the National Bureau of Statistics (NBS) attempt to guarantee the production, documentation and availability of credible baseline data which was unavailable in the MDGs era. With the creation of the National Social Register, the dynamics of poverty-related issues could be curtailed through evidence-based planning and interventions (Vanguard News, 2018).

Nigeria attempted several reforms to guarantee resource mobilisation for SDGs implementation in the country. Notable efforts include the budget process reforms such as the introduction of the Principles of International Public Sector Accountability Standards (IPSAS) in her budgeting since July, 2010. The application of the IPSAS principles led to a multi-year budgeting framework that tries to address the challenge of introducing new projects without completing ongoing ones. Also, the introduction of the Treasury Single Account (TSA) and several Internal Revenue Generation System Reforms (IRGSR), such as the creation of virtual transmission of revenue from a given source to the designated government accounts; hence attempting to curb system leakages and loss of revenue from taxes and other Internally Generated Revenue (IGR) sources for successive investments in sustainable development are tangible steps taken which reflect fiscal responsiveness to the SDGs. These modifications are geared towards contributing adequate funds for the implementation of sustainable development programmes in the country (FGN, 2015a).

Prior to the SDGs, Nigeria had a semblance of the goals in her long-term plan -Vision 20:2020. The National Economic Recovery and Growth Plan (NERGP) is aligned to

the SDGs as they both rest on the pillars of social, economic and environmental sustainability and development. This arrangement (if properly managed), has the potential to drive the preparation, assessment/evaluation of SDGs implementation. Programmes such as the Conditional Grant Scheme centres on encouraging sub-national governments (States and LGAs) to devote 50% and 20% respectively of their financial resources required for SDGs related interventions in their annual budgets.

The Nigerian government made several efforts in liaising with several development partners to offer technical aid and capacity building in the execution of significant projects and programmes. For example, the Bill and Melinda Gates foundation in collaboration with the Dangote Foundation funded Nigeria's polio eradication programme. The World Bank, British Department for International Development (DFID), UNDP, United States Agency for International Aid (USAID), European Union (EU) and the German Government among others have offered support to the government on key areas such as public financial management reforms across federal Ministries, Departments and Agencies and sub-national governments. Loans were provided by the Chinese EXIM bank for the funding of infrastructure in roads, transportation, water and power supply which would expedite sustainable development (Premium Times, 2018:1).

In reality, the proliferation of institutions is not enough, the capacity of these frameworks in terms of performance must be put into consideration. Interviews with respondents on Nigeria's preparedness on the SDGs reveal the following: Respondent 1, a legal practitioner avers thus:

Whether or not Nigeria is prepared to carry out the SDGs can be derived from its policy outcome. Although the Nigerian economy is presently touted to be the biggest in Africa, this doesn't translate to a better life for its citizens. The country has a declining social justice record owing partly to weak and obsolete laws. Also the distribution of resources and empowerment is not inclusive (Respondent 1, 2019).

Respondent 2, a legal practitioner in Abuja further validates this claim and explains that:

Nigeria is not prepared at all... Currently, Nigeria has the highest number of people living below the poverty level in the world (not even in Africa). We have been in democracy for the past 20 years. Ordinarily, democracy begets progress in the modern world. Ask yourself; is Nigeria better off today than it was in the past 20 years when we had a military regime? Most of us were not politically, economically

and largely socially aware then, but we refer to history. Can we proudly say that Nigeria is on the rise today? The answer is a simple no. To achieve SDGs, we need to first look at how we performed towards the realisation of the MDGs. You cannot jump 1 to count 2, it is wrong (Respondent 2, 2019).

An SDG enthusiast affirms that in terms of capacity on SDG implementation: the country is not prepared, most projects are implemented by passionate individuals and organisations. Most sectors of her economy are mired in corrupt practices, which is the strongest impediment to achieving the SDGs. This Respondent expatiates that Nigeria's preparedness is tied to the political will of the government of the day and its ability to doggedly pursue the goals in the face of corruption, ethnic rivalry and political uncertainties (Respondent 3, 2019).

It is pertinent to note that the judiciary attempts to achieve Goal 16 through partnership with other institutions in the country at the federal and state levels. The first step was the signing of a Memorandum of Understanding (MoU) between the Nigerian Bar Association (NBA) and the OssAP-SDGs in October 2017 to guarantee access to justice for Nigerians. The President of the NBA at the time stated that the MoU followed a proposal by the NBA to initiate projects relating to goals 16 and 17 of the SDGs (The News, 2017). A former NBA president explained that the signing of the MoU shows that the enthronement of rule of law, access to justice, suppression of corruption and establishment of transparent institutions are crucial requirements for sustainable development (The Guardian, 2017).

The Nigerian judiciary collaborates with Economic and Financial Crimes Commission (EFCC) on SDG 16, specifically those relating to anti-corruption and transparency in order to substantially reduce corruption and bribery in all their forms (Target 16.5). The number of persons charged for corruption from 2013 to 2018 is shown below:

Table 1. Number of Persons Convicted of Corruption from 2013 to 2018

Years	Number of Persons Convicted of Corruption
2013	117
2014	126
2015	103
2016	194
2017	189
2018	312

Source: Economic and Financial Crimes Commission (2019)

Based on the number of convictions stated above, there is a significant increase in the number of persons imprisoned based on corruption charges, the Nigerian judiciary continues to act in promoting the rule of law by promoting equality before the law. This is manifested in the arrest of not only infamous criminals but prominent politicians such as two former State Governors sentenced to fourteen years each for misappropriating public funds by an FCT High Court; a former National Security Adviser was arrested over alleged mismanagement/diversion of funds meant for the purchase of arms, and many others (EFCC, 2019).

The judiciary also liaises with the EFCC on the recovery of stolen assets and reducing incidences of money laundering (Target 16.4). The Supreme Court's radical verdict in the case of an ex-Kogi lawmaker based on the provisions of the Money Laundering (Prohibition) Act of 2002 (Shittu, 2018; EFCC, 2019), is another significant effort by the judiciary on steps towards realising Goal 16.

The Nigerian Judiciary is in partnership with the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) to control human trafficking (Target 16.2). This partnership recorded relative success in the arrest and conviction of human traffickers. The data below present the cases charged to court and sentenced for trafficking in persons from 2016 to 2018.

Table 2. Number of Cases Charged to Court and Number of Persons Convicted from 2016 to 2018

Years	No. of Cases Charged to Court	No. of Persons Convicted
2016	25	31
2017	70	26
2018	50	26

Source: National Agency for the Prohibition of Trafficking in Persons (2018)

NAPTIP received 2383 cases for investigation, completed 684 investigations, prosecuted and convicted 84 traffickers. Judges sentenced most traffickers under the 2015 anti-trafficking law, although some judges also convicted traffickers under the 2003 anti-trafficking law. Prison sentences upon conviction ranged from six months to fifteen years imprisonment (NAPTIP, 2018: 7).

6. Challenges Facing the Nigerian Judiciary in Attaining Sustainable Development Goal 16

(i) Corruption

Perhaps, the most glaring challenge is the pandemic of corruption. Corruption in the Nigerian Judiciary has passed the alarming and crossed over to the fatal stage; the judiciary will be impotent as long as it is regarded as slightly indisposed (Oko, 2005). The Transparency International Report corroborates this assertion as it ranks Nigeria as 144 out of 190 countries surveyed in its 2018 Corruption Perception Index (Transparency International, 2018: 41). Internally, the integrity of the judiciary is questioned following the numerous corruption charges against senior judicial officers; this in turn hinders the anti-corruption efforts of this institution and ultimately the implementation of Goal 16 (Civil Society Legislative Agency Centre, 2017:39). The fight against corruption is gradually perceived as extremely politicised as many high profile cases, including the trial of a former Senate President and other political figures facing charges have been dismissed for procedural errors or lack of evidence. This laissez-faire approach may not be sustainable in the nearest future as the tolerance of the public tends to wane amid the prevalence of insecurity and economic recession (Shittu, 2018).

The above averment is corroborated by Respondent 2 as follows:

Nigeria is politically ill at the moment and this does not exclude the judiciary. The key problem in Nigeria today is corruption. Arms of government cannot run transparently if they are headed by men of questionable character and histories of corrupt practices. So, the best way to achieve ... effectiveness is to first curb corruption in the system. There is need to appoint and elect only men of good character and integrity in the system (Respondent 2, 2019).

(ii) Delay in Administration of Justice

Another issue that circumscribes the judiciary's efforts in achieving the SDG 16 is the delay in administration of justice. Although, the constitution guarantees the right to fair trial for all Nigerians, unfortunately, these trials are never speedy or heard in appropriate time. This has proved to be one of the obstacles to access justice, based on the world Justice Peace Project Index Report 2018 (WJPR, 2018). For instance, a Non-governmental Organisation situated in Nigeria, Hurilaw reports that delay in litigation in the Nigerian court is replete. On the average, a court hearing can take as long as five years or more and linger for another 3-4 years in appellate proceedings. Frynas, (2010) validates this assertion as he observes that the deferment of cases is one of the major problems facing access to courts in the country; which is a function of congestion in the courts and manifests in the high number of pending cases. Cases in Nigerian Courts may take over ten years before reaching a final judgment. Sometimes, the original litigant may have been deceased by the time a verdict is given.

(iii) Lack of Judicial Independence

The Nigerian judiciary's efforts in implementing SDG 16 are also frustrated by several constitutional provisions; more specifically those provisions which undermine the independence of the judiciary. The concept of judicial independence states that the judicial arm should in no way be subjected to undue influence by other arms of government, individuals or parochial interests so as to dispense justice without fear or favour (FRN, 1999). On the issue of undue interference of the executive in the affairs of the judiciary, Respondent 1, validates thus: "the commitment of the judiciary in upholding the rule of law is undermined by other arms of government and corrupt judicial officers and complacent legal practitioners."

Support for the above assertion is further buttressed by Respondent 2 hereunder:

There is need for the judiciary to be independent. By independence, I mean having no interference from other arms of government. Unfortunately, that is not the case

in Nigeria. We have seen cases where the Executive arm interferes heavily with the judicial arm. A good example is the most recent case involving the suspended Chief Justice of Nigeria. It is a clear case of executive interference and colossal aberration of rule of law. That is not hygienic for the judicial arm. Situations as that expose the judiciary to vulnerability. And when the judiciary is vulnerable, there is no way the wheel of justice can be smooth (Respondent 2, 2019).

Sections 231(1); 238(1) and 250 (1) of the constitution (FRN, 1999) empowers the executive to appoint judicial officers based on the recommendation of the National Judicial Council followed by confirmation of the legislature. This provision notwithstanding, the appointment and removal of judicial officers are politicised. Judges are constantly coerced and in severe cases blackmailed into the whims and caprices of the executive; intrusion in the judicial process is becoming a Nigerian political culture whereby politicians continue to sway court proceeding for selfish ends (Oko, 2005). The double strategy of intimidation and manipulation is choking the judicial process and making it difficult to get fair trial in court. Court hearings often turn into caricatures where influential litigants aided by disreputable lawyers, steer the judicial process to achieve inordinate outcomes. The distorted view of the judiciary as an extension of the executive arm coupled with the dependence of judicial officers on the executive for benefits such as good housing and job security makes it difficult for the judiciary to discharge its role as a watchdog and ensuring transparency and accountability of other arms of government. These judges temper justice with self-preservation, thereby threatening the realisation of SDG 16 (Obutte, 2012).

(iv) Infrastructural Deficits

Infrastructural deficits such as ageing, deteriorating and poorly equipped physical facilities tend to hamper the judiciary's determination to implement the SDGs. This often culminates in the lack of access to justice in several ways. First, it breeds corruption; the absence of modern court facilities create an environment where tampering, distortion and destruction of evidence and court records by corrupt and unethical court officials fester (Partners West Africa, 2018). Uwaleke, Onyekwere, Dunia and Ahovi (2016) corroborate this assertion as they describe the general state of courts in Nigeria as appalling, characterised by state courts which lack electricity, good furniture and proper ventilation systems.

Courtrooms are often saturated during hearings such that lawyers have no place to sit; manual typewriters are still in use; judges record in long hand; and courtroom

sessions are rotated between different judges. These inadequacies result in a backlog of pending cases which take years to resolve. Second and most importantly, the lack of adequate facilities affect the litigation process as lawyers are limited to the analogue technologies that are available in the courtroom. Most courtrooms are not equipped with audio and visual tools to help the plaintiff argue his case effectively, thus hindering the court's ability to reach a just decision. Respondent 4, a recent graduate of the Nigerian Law School, Abuja further validates this claim hereunder:

One of the major hindrances to the efficiency of the judiciary is the lack of technology, there seems to be a kind of reluctance to embrace technological advancement. Although there has been some progress, they seem to be minute in comparison to the level of global advancement (Respondent 4, 2019).

Respondent 5 (2019) further affirms that “the judiciary is overworked and understaffed; the lack of digital and electronic systems constrain the efforts of legal practitioners in discharging their responsibilities.”

(v) Public Mistrust

The foregoing challenges, inevitably result in a general mistrust of the judicial arm in the public eye. In Nigeria, there is growing cynicism of the judiciary's reliability and its ability to protect civil rights and constrain the excesses of elected officials. For most Nigerians, the judicial process is likened to an auction situation whereby justice goes to the highest bidder (Orban and Aver, 2014). This perception of the judiciary stands as an impediment to guaranteeing equal access to justice, protect human rights and ensure transparency and accountability at all levels of governance in the country. To achieve the SDGs, especially Goal 16, the judiciary must devise means to rid itself of these limitations.

7. Conclusion and Recommendations

This paper identified the role of institutions in achieving the Sustainable Development Goals in Nigeria from 2016 to 2018. It investigated the role of the judiciary in realising the SDGs; most especially the targets of Goal 16, namely: peace, justice and strong institutions, with a view to analysing Nigeria's commitment to the global development agenda and adequacy of institutional structures and frameworks towards the implementation of the goals within the timeframe.

The paper appraised the mechanisms that Nigeria has instituted to enable her to actualise Agenda 2030, assessed the extent to which the judiciary in Nigeria is capacitated in the pursuit of Goal 16 by identifying the various mechanisms which aid this institution in the agenda. It further examined the challenges which the judiciary as an institution contends with in the realisation of SDG 16.

As observed in this paper, institutions must play significant roles if the SDGs are to be achieved. They serve as instruments of the state in the creation, implementation and actualisation of set goals and objectives. Localising the SDGs implies the alignment of national and sub-national governments' development policies and the adaptation of SDGs targets and indicators to local context. Premised on the foregoing, the paper suggests the following:

The Nigerian government should strive towards developing a strategy to synchronise national and sub-national Development Plans with SDGs targets, metrics and indicators. This would go a long way in addressing the issue of coordination between the state and federal levels of government on the SDGs.

The government and other stakeholders should make deliberate efforts in building strong institutions by addressing unprofessional acts and attitudes that plague the public bureaucracies as well as the unaccountability and non-transparent practices that characterise state institutions.

This paper further suggests that CSOs should build capacity in order to fully implement Goal 16. It is necessary to strengthen capacity in important areas such as sensitisation and mobilisation of public interests and increasing capability to make demands for policies that address vulnerable groups in the society; delivery on campaign promises and commitment to democratic principles such as accountability, transparency, human rights and rule of law which reflect the targets of Goal 16.

The judiciary should work towards ridding itself of vices such as corruption through appropriate sanctions on immoral and unethical practices. This study canvasses

financial independence for the judiciary; greater liaison between the bench and the bar; the police and the bar; the rebirth of a more robust NBA and the appointment of judges based on merit and devoid of other subjective criteria or prejudices.

This study recommends that the federal government should reinforce existing National Information Management System (for data aggregation) in partnership with the National Bureau of Statistics and institutions of similar mandates at the state level. Other stakeholders in this sector would need to utilise methodologies that can be monitored openly which is inclusive of the private sector and civil society, and make the outcome available to the public. A collaborative approach and seamless execution framework between all stakeholders constitute minimum irreducible requirements for attaining SDG 16 in Nigeria.

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