APPRAISAL OF THE ROLES OF GOVERNMENT AND CIVIL SOCIETIES IN PROTECTING CHILDREN'S RIGHTS IN CONFLICT-AFFECTED ZONES IN NIGERIA*

Abstract
Protection of the rights of children has become an issue of national concern in Nigeria. Notwithstanding the existence of numerous legal frameworks designed to protect children's rights, such as the Child Rights Act, 2003, regional and international conventions on the rights of a child, the realities on ground reveal persistent violations of children's rights, especially in conflict zones in Nigeria. Armed conflicts, insurgency, and banditry have increasingly exposed children to grave dangers, including abduction, trafficking, sexual exploitation, and denial of basic education. In recent times, some parts of Nigeria have witnessed a surge in insecurity characterized by mass abduction of school children and thus highlighting the vulnerability of children in conflict-prone areas. These occurrences constitute clear violations of the rights to life, dignity, education, and freedom from inhuman treatment as guaranteed under the Constitution and the Child's Rights Act. More often than not, the government is either handicapped, reluctant or un-interested. This precarious situation necessitated this doctrinal study of the roles of government and non-governmental organizations in protecting children's rights in conflict zones. Materials were collated from primary, secondary and internet sources. We found that Nigeria is obligated under both domestic and international law to ensure security and welfare of children at all times. However, the government is not living up to its legal responsibility in protecting children's rights in Nigeria, especially in conflict affected areas. We recommend among others that government should strengthen the administration of justice by institutionalizing and enhancing the capacity of family courts. Ensuring the prompt investigation and prosecution of offences against children, protection of child witnesses, and reducing delays in criminal proceedings. A more responsive justice system will improve accountability and reinforce public confidence in the enforcement of child rights in Nigeria.

Keywords: Government, Civil Societies, Child Rights, Conflict Zone, Protection Responsibility, Humanitarian Action

1. Introduction

The Convention on the Rights of the Child (CRC) 1989 imposes binding obligations on state parties to ensure the survival, protection and development of children.[1] It mandates that the best interests of the child shall be the primary consideration in all actions concerning children. Furthermore, Article 19 of the CRC requires states to take all appropriate legislative, administrative, social, and educational measures to protect children from all forms of violence, abuse, neglect, and exploitation.[2] At the regional level, Africa reinforced these protections through the African Charter on the Rights and Welfare of the Child (ACRWC) 1990, which reflects African socio-cultural realities while maintaining international standards. Both instruments emphasize the paramountcy of the best interest principle,[3] which has become a guiding doctrine in child rights jurisprudence. The responsibility for protecting children in conflict-zones lies primarily with the government, which is obligated under both domestic and international law to ensure security and welfare. However, civil society organizations (CSOs), non-governmental organizations (NGOs), and international bodies also play indispensable roles in advocacy, monitoring, rescue operations, and rehabilitation of affected children.

Protection of the rights of children has become an issue of national concern in Nigeria. Notwithstanding the existence of legal regime aimed at protecting children, the realities on ground reveal persistent violations of children's rights, especially in conflict zones. Armed conflicts, insurgency, and banditry have increasingly exposed children to grave dangers, including abduction, trafficking, sexual exploitation, and denial of education. In recent times, Nigeria has witnessed a surge in insecurity characterized by mass abductions of school children highlighting the vulnerability of children in conflict-prone areas. These occurrences constitute clear violations of the rights to life, dignity, education, and freedom from inhuman treatment as guaranteed under the Constitution and the Child's Rights Act. More often than not, the government is either handicapped, reluctant or un-interested.

The situation is one that puts Nigerian children in a vulnerable state, helpless and hopeless. It is arguable to say that the government is overwhelmed, weak or simply playing politics with the security of lives and sanity of Nigerian children. Given incessant cases of armed conflicts, insurgency, and banditry in Nigeria, which exposes children to grave dangers,

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[1] N Cantwel, On the origins, Development and Significance of the United Nations convention on Right of the child, available at: https://www.researchgate.net.
[2] *The Convention on the Right of the Child 1989*.
[3] Article 3 African Charter on the Rights and Welfare of the Child (ACRWC) 1990.

including abduction, trafficking, sexual exploitation, and denial of education with less or no government intervention. It has therefore become imminent to examine the roles of government and non-governmental organizations in protecting children's rights in conflict zones in Nigeria, with a view to identifying gaps and proposing solutions for more effective protection mechanisms.

2. Clarification of Terms

Government

Government generally refers to the machinery or institution through which the affairs of a state are administered. According to Harold J. Laski, government is the body of persons who make and enforce the law within a political society.[4] Similarly, Appadorai defines government as the agency through which the will of the state is formulated, expressed and realized.[5] In constitutional democracies, government consists of the legislature, executive, and judiciary, each performing distinct functions in the administration of the state. The primary responsibility of government is the maintenance of law and order, protection of lives and property, and promotion of the welfare of citizens.[6] Within the context of children's rights, government serves as the principal duty bearer, responsible for ensuring the protection, promotion, and enforcement of the rights guaranteed to children under domestic and international laws. This responsibility is reflected in the Constitution of the Federal Republic of Nigeria 1999 (as amended),[7] the Child's Rights Act 2003, and various international instruments ratified by Nigeria. For the purpose of this study, government refers to the federal, state, and local government institutions, including security agencies, ministries, and child protection bodies, charged with the responsibility of safeguarding children's rights, particularly in conflict-affected areas.

Conflict

Conflict generally refers to a situation of disagreement, struggle, or confrontation between individuals, groups, communities, or states arising from competing interests, values, goals, or resources. While conflict may occur in various forms and degrees, it becomes particularly significant when it involves violence or threats to human security. According to Coser[8], conflict is a struggle over values, status, power, and scarce resources in which the aims of the opposing parties are to neutralize, injure, or eliminate their rivals but at the end prevent group dissolution.[9] Similarly, conflict has been described as a social process in which two or more parties seek to frustrate or undermine each other's objectives. Conflict may be political, ethnic, religious, economic, territorial, or ideological in nature. In contemporary Nigeria, conflict manifests in various forms including insurgency, terrorism, banditry, communal clashes, farmer-herder conflicts, kidnapping, and armed criminality. Although conflict affects all segments of society, children often bear a disproportionate burden of its consequences. During periods of conflict, children may become victims of killings, displacement, trafficking, recruitment into armed groups, sexual exploitation, and denial of access to education and healthcare.[10] The rise of armed banditry in Nigeria has transformed many communities into conflict environments characterized by insecurity and fear. Frequent attacks on schools and communities have exposed children to severe rights violations and disrupted their normal development. The abduction of school children by armed groups not only endangered their safety but also undermined their educational opportunities and psychological well-being. Such incidents demonstrate that conflict extends beyond physical violence and often produces long-term social and developmental consequences for children.[11]

Protection

According to Oxford Advanced Learner's Dictionary, protection refers to the act of keeping someone or something safe from harm or state of being kept safe.[12] Protection is a broad concept that refers to all measures aimed at safeguarding individuals from harm, abuse, exploitation, violence, neglect, and violations of their fundamental rights. In legal and human rights discourse, protection entails the creation and enforcement of laws, policies, institutions, and interventions designed to preserve the life, dignity, welfare, and security of persons. The constitution provided that the security and welfare of the people shall be the primary purpose of government.[13] Within the context of children's rights, protection refers to actions taken by the State, families, communities, and civil society organizations to prevent and respond to situations that threaten the well-being of children. The concept encompasses both preventive and remedial measures.

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[4] J H A Harold, *Grammar of Politics* (Yale University Press 1925) USA.
[5] A Appadorai, *The Substance of Politics*, (Oxford University Press 1942) India.
[6] Section 14 (2) (b) *Constitution of the Federal Republic of Nigeria 1999* (as amended).
[7] Ibid chapter IV CFRN. Section 33-44, Childs Rights Act, 2003.
[8] L A Coser, *The Functions Theory of Social Conflict* (Free Press Publication 1956) New York. P17.
[9] Ibid P 41.
[10] I P Enemo, Challenges Still Facing the Domestication and Implementation of Key Provision of Nigeria's Child Rights Act 2003 39 (3) *Nordic Journal of Human Right* 358.
[11] J El-Bushra, 'From Design to Implementation: Addressing the Causes of Violent Conflict in Nigeria' available at: https://stabilityjournal.
[12] Oxford Advanced Learner's Dictionary, 'Meaning of Protection' available at: https://www.oed.com.
[13] Section 14 Constitution of the Federal Republic of Nigeria 1999.

Preventive measures seek to stop violations before they occur, while remedial measures focus on rescue, rehabilitation, reintegration, and access to justice after violations have occurred. Internationally, the Convention on the Rights of the Child (CRC) obligates state parties to take appropriate legislative, administrative, social, and educational measures to protect children from all forms of physical or mental violence, abuse, neglect, maltreatment, and exploitation.[14] Similarly, Omaka C. A. affirmed that the Child's Rights Act 2003 contains extensive provisions aimed at protecting children from abuse, trafficking, harmful traditional practices, child labour, and sexual exploitation in Nigeria.[15] In conflict situations, protection assumes greater importance because children are often exposed to heightened risks. According to UN Human Development Report, the duty of protection extends beyond ordinary law enforcement and includes ensuring the safety of schools, preventing recruitment of children into armed groups, providing humanitarian assistance, and facilitating access to education and healthcare.[16]

Humanitarian Action

Humanitarian action refers to activities undertaken to save lives, alleviate suffering, and preserve human dignity during and after emergencies arising from armed conflicts, natural disasters, or other humanitarian crises. It encompasses both immediate relief interventions and long-term measures aimed at restoring the welfare and well-being of affected populations.[17] The concept is founded on the principles of humanity, neutrality, impartiality, and independence. These principles require humanitarian actors to provide assistance solely on the basis of need, without discrimination and without taking sides in conflicts.[18] In situations of armed conflict, children are often among the most vulnerable victims and therefore constitute a primary focus of humanitarian interventions. According to UNICEF report, Humanitarian action directed at children may include:

(a) Emergency medical care;
(b) Provision of food and shelter;
(c) Psychosocial support;
(d) Family tracing and reunification;
(e) Educational support;
(f) Protection against exploitation and abuse; and
(g) Rehabilitation and reintegration programs.[19]

International organizations such as UNICEF, the International Committee of the Red Cross (ICRC), and various humanitarian agencies have played significant roles in providing assistance to children affected by conflict across the world. In Nigeria, humanitarian action has become increasingly important due to the growing incidence of insurgency, banditry, communal violence, and mass displacement. Children affected by school attacks and abductions often require specialized support to overcome trauma and reintegrate into society.[20] Beyond securing the release of abducted children, there is often a need for medical care, psychological counselling, educational reintegration, and social support for victims and their families. Government agencies and civil society organizations, therefore play complementary roles in ensuring that affected children receive adequate humanitarian assistance.[21]

Civil Society

Schmitter defined civil society as a set or system of self-organized intermediary groups.[22] Charles Tailor defines civil society as a web of autonomous associations independent of the state which bind citizens together in matters of common concern, and by their existence or actions could have an effect on public policy.[23] Civil Society comprises non-governmental organizations (NGOs), community-based groups, advocacy networks, faith-based organizations, and other voluntary associations that operate independently of the state to advance public interests.[24] In the protection of children's rights, civil society plays a vital complementary and, at times, substitutive role. Its functions include policy advocacy, monitoring and reporting of violations, provision of humanitarian aid, psychosocial support, and facilitation of rehabilitation and reintegration programs for children affected by conflict.[25] In situations where state presence is limited or ineffective, civil society often fills critical gaps.

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[14] Ibid
[15] C A Omaka, 'Contribution in Okpara Okpara 'Human Rights Law and Practice in Nigeria' Vol. 2 (Publicom International (Nigeria) Ltd. Abakaliki 2009 P. 74.
[16] United Nations Development Programme, Human Development Report 1994.
[17] United Nation General Assembly Resolution 46/182.
[18] J De Berry (eds), *Children and Youth on the Frontline: Ethnography, Armed Conflict and Displacement*, (Berghahn Books 2004).
[19] United Nation Children Emergency Fund Publication of Humanitarian Action 2025. Available at: https://www.unicef.org.
[20] Article 39 International Committee of the Red Cross Publications (ICRC).
[21] G Machel, Impact of Armed Conflict on Children: Report of the Expert of the Secretary General (United Nations 1996).
[22] S Phippe, Civil Society and Consolidation of Democracy: Ten Proposition' Mimeograph, Stand Department of Political Science (July 1995) P.1.
[23] G Kligman, 'The Public: A Reflection on Recreating Civil Society in Romania' Eastern Europe Polities and Societies 1990, available at: https://www.scrip.org.
[24] Child Protection in Nigeria UNICEF Report 1999.
[25] United Nation Child Protection Reports.

3. The Roles of Government in Protecting Children in Conflict affected Zones

Government occupies a central position in the protection and promotion of children's rights, particularly in situations of conflict where children are exposed to heightened risks of violence, displacement, exploitation, abduction, and other forms of abuse. As the primary duty bearer under both domestic and international law, government bears the responsibility of creating an enabling environment in which children can enjoy their fundamental rights without fear or intimidation. This responsibility extends beyond the enactment of laws to the formulation of policies, implementation of child protection programs, maintenance of security, and provision of effective remedies where violations occur.

In Nigeria, the obligation of government to protect children derives from the Constitution of the Federal Republic of Nigeria 1999 (as amended), the Child's Rights Act 2003, and other relevant legislation. Although Chapter II of the Constitution, directs the state to protect children against exploitation and moral neglect,[26] the Child's Rights Act gives practical effect to many of these constitutional aspirations by imposing obligations on government institutions to safeguard the welfare and best interests of the child.[27] Similarly, Nigeria's ratification of international instruments such as the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) reinforces its responsibility to adopt legislative, administrative, judicial, and other appropriate measures for the protection of children.

The role of government becomes even more significant in conflict-affected areas where the ordinary machinery for protecting rights is often disrupted by insecurity. In such circumstance, government is expected to prevent attacks on civilian populations, protect schools and other places where children are found, facilitate humanitarian assistance, rescue victims of abduction, prosecute perpetrators of child rights violations, and ensure the rehabilitation and reintegration of affected children. These responsibilities are discharged through various governmental institutions, including the Legislature, Executive, Judiciary, security agencies, child welfare departments, and other specialized agencies charged with child protection.

The increasing incidence of school attacks and mass abductions in some parts of Nigeria has, however, raised serious concerns regarding the effectiveness of governmental interventions. Questions have therefore arisen as to whether government responses have been sufficiently proactive, coordinated, and consistent with both domestic and international legal obligations. Accordingly, the role of government in child protection cannot be assessed merely by reference to existing laws and policies but also by evaluating the extent to which these measures are effectively implemented in practice. It is against this background that the subsequent sections examine government's role as policy maker, policy implementer, administrator of juvenile justice, manager of custodial institutions, regulator of the use of force in restoring order, and its level of engagement in preventing or responding to human rights violations affecting children in conflict zones.

Government as Policy Makers

Government plays fundamental roles in the formulation of policies aimed at promoting and protecting the rights and welfare of children. Policy-making is an essential function of government through which laws, programs, and administrative measures are developed to address social problems and safeguard vulnerable members of society.[28] In relation to children's rights, government is expected to formulate policies that not only guarantee the survival, development, protection, and participation of children, but also provide special measures for children affected by armed conflict, insecurity, displacement, and other humanitarian emergencies.

In Nigeria, the constitutional basis for policy formulation is found in the Constitution of the Federal Republic of Nigeria 1999 (as amended). Although the provisions of Chapter II on the Fundamental Objectives and Directive Principles of State Policy are generally non-justiciable by virtue of section 6(6)(c) of the Constitution, they nevertheless impose a moral and political obligation on government to formulate policies that promote the welfare of the people, especially of children, young persons, and the aged against exploitation and against moral and material neglect.[29] This provision serves as a guide for governments at all levels in developing policies relating to child welfare and protection.

The enactment of the Child's Rights Act 2003 represents one of the most significant policy initiatives undertaken by the Federal Government in the area of child protection. The Act domesticated many provisions of the United Nations Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), thereby establishing a comprehensive legal and policy framework for the protection of children in Nigeria. The Act

[26] Section 17 (3) (f) Constitution of the Federal Republic of Nigeria 1999 (as amended).
[27] Section 1 Childs Rights Act 2003, Cap 50 LFN 2003.
[28] B Nwabueze, *Constitutional Democracy in Africa* (Spectrum Book, 2003)132.
[29] Constitution of the Federal Republic of Nigeria 1999 (as amended).

recognizes the principle that the best interests of the child shall be the primary consideration in all actions concerning a child,[30] and this principle ought to guide every government policy affecting children.

Beyond legislation, successive governments have introduced various national policies aimed at improving child welfare. These include the National Policy on the Protection and Assistance to Internally Displaced Persons (IDPs), the National Child Policy, the National Policy on Safety, Security and Violence-Free Schools, and the Safe Schools Initiative, all of which seek to protect children, particularly those living in conflict-prone communities. Following the increasing attacks on schools in Northern Nigeria, these policies were designed to improve school security, strengthen emergency response systems, and ensure continuity of education during periods of insecurity.

However, the formulation of policies alone is insufficient. A recurring criticism in the literature is that many government policies remain largely aspirational due to inadequate implementation, insufficient funding, poor institutional coordination, and weak political commitment. This concern is particularly evident in conflict-affected areas where insecurity continues to expose children to abduction, displacement, trafficking, sexual violence, and denial of education despite the existence of numerous child protection policies.

Although Nigeria possesses legal and policy frameworks intended to protect school children, the recent incidents of school abduction exposed deficiencies in preventive security measures and emergency preparedness. The attacks underscored the need for government policies to move beyond policy formulation towards effective implementation, continuous monitoring, and periodic review to address the evolving nature of insecurity in conflict zones.

Consequently, effective policy-making should not merely consist of enacting laws or adopting national strategies; it must also be proactive, evidence-based, adequately funded, and responsive to emerging security threats. Government policies should anticipate risks, strengthen institutional capacity, and ensure that the rights guaranteed to children under domestic and international law are effectively protected, particularly in conflict-affected areas where children remain among the most vulnerable members of society.

Government on Policy Implementation

The effectiveness of any policy is ultimately determined by its implementation. While the formulation of sound policies is an important responsibility of government, their practical execution remains the true measure of governmental commitment to the protection of children's rights. In the context of conflict zones, implementation entails translating legal provisions and policy objectives into concrete actions capable of preventing child rights violations, responding to emergencies, and providing adequate care for affected children.

In Nigeria, the implementation of child protection policies is a shared responsibility of the Federal, State, and Local Governments through their respective ministries, departments, and agencies. Institutions such as the Federal Ministry of Women Affairs, State Ministries responsible for women and social development, the Nigeria Police Force, the Armed Forces, the National Emergency Management Agency (NEMA), State Emergency Management Agencies (SEMAs), the National Human Rights Commission (NHRC), the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), and Child Protection Networks are expected to collaborate in ensuring that children are protected from abuse, exploitation, neglect, trafficking, and violence. These institutions are also responsible for implementing the provisions of the Child's Rights Act 2003 and other child protection laws through prevention, rescue operations, rehabilitation, family reunification, and access to justice.[31]

The Child's Rights Act places significant responsibilities on government authorities to ensure the survival, development, and welfare of every Nigerian child. Sections of the Act dealing with parental responsibility, protection from abuse, child justice administration, and institutional care require active governmental involvement. Likewise, Nigeria's obligations under the Convention on the Rights of the Child requires the state to adopt all appropriate legislative, administrative, and other measures necessary to protect children against all forms of violence, injury, abuse, neglect, maltreatment, and exploitation.[32]

In conflict-affected areas, policy implementation assumes greater urgency. Government is expected to provide adequate security for schools and communities, gather intelligence to prevent attacks, deploy security personnel where necessary, facilitate humanitarian assistance, ensure the prompt rescue of abducted children, investigate violations, prosecute offenders, and provide medical, psychological, and educational support for victims. Effective implementation also requires continuous collaboration with humanitarian organizations, local communities, and civil society groups that often possess valuable knowledge of local conditions.

[30] Childs Rights Act, 2003.
[31] Articles 4 and 19, Convention on the Rights of the Child.
[32] Federal Ministry of Women Affairs, *National Child Protection Policy* 2021.

Despite these obligations, implementation has remained one of the weakest aspects of Nigeria's child protection system. Several scholars have attributed this to inadequate funding, shortage of trained personnel, poor inter-agency coordination, bureaucratic delays, corruption, and weak monitoring mechanisms. In many instances, government policies exist only on paper, while institutions responsible for their enforcement lack the resources required to discharge their statutory responsibilities effectively.

Juvenile Justice System and Courts

The juvenile justice system constitutes an integral component of Nigeria's child protection framework. It comprises the laws, institutions, procedures, and courts established to ensure that children who come into contact with the law, whether as victims, witnesses, or offenders, are treated in a manner that promotes their dignity, welfare, rehabilitation, and reintegration into society. Unlike the ordinary criminal justice system, the juvenile justice system is founded on the principle that the best interests of the child should be the primary consideration in all proceedings involving children.[33]

The legal foundation of juvenile justice in Nigeria is principally found in the Child's Rights Act 2003, which introduced a child-centered justice system consistent with international standards. The Act provides for the establishment of Family Courts to hear and determine matters relating to children.[34] These courts exercise jurisdiction over both civil and criminal proceedings involving children[35] and are required to conduct proceedings in a manner that protects the child's privacy, dignity, and welfare. Proceedings are generally held in camera, and the identity of a child involved in judicial proceedings must not be publicly disclosed.

Prior to the enactment of the Child's Rights Act, juvenile justice was primarily regulated by the Children and Young Persons Act (CYPA). Although the CYPA introduced important safeguards for juvenile offenders, it has largely been overtaken by the more comprehensive provisions of the Child's Rights Act in states where the Act has been domesticated. Nevertheless, in states where the Child's Rights Act has not been fully adopted, the CYPA continues to regulate aspects of juvenile justice, resulting in disparities in the administration of child justice across the federation.

The philosophy underlying the juvenile justice system is reflected in international instruments to which Nigeria is a party. The Convention on the Rights of the Child (CRC) requires state parties to establish procedures that promote the child's sense of dignity and worthwhile encouraging reintegration into society.[36] Similarly, Article 17 of the African Charter on the Rights and Welfare of the Child (ACRWC) obliges states to ensure that every child accused or found guilty of infringing the penal law receives treatment consistent with his or her age, dignity, and rehabilitation.[37] The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) 1985 and the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines) 1990 further reinforce these principles.

The judiciary plays a significant role in protecting children's rights by ensuring that statutory and constitutional safeguards are effectively enforced. Nigerian courts have consistently recognized that the welfare and best interests of the child must guide judicial decision-making. In *Olowu v Olowu*[38] the Supreme Court affirmed that in matters affecting children, the welfare of the child remains the paramount consideration. Likewise, in *Alabi v Alabi*[39] the Court reiterated that the child's welfare supersedes the personal interests of disputing parties. Although these decisions arose in custody disputes, the principle has broader application in all matters involving children, including those arising from conflict situations.

In conflict-affected areas, the juvenile justice system performs an even broader protective function. Children rescued from abduction or armed violence often require judicial protection, temporary care orders, witness protection, rehabilitation, and, in some cases, diversion programs where they have been compelled to participate in criminal activities during captivity. Courts are therefore expected to ensure that such children are treated primarily as victims requiring protection rather than as offenders deserving punishment.

Despite these legal safeguards, significant challenges continue to affect juvenile justice administration in Nigeria. These include the limited number of Family Courts, inadequate specialized training for judicial officers, delays in judicial proceedings, insufficient child-friendly facilities, and uneven domestication of the Child's Rights Act across the states. These shortcomings often impede effective access to justice for children, particularly those living in conflict zones where judicial institutions may be weakened by insecurity.

[33] Section 149 Child Rights Act 2003.
[34] Ibid.
[35] Ibid.
[36] Article 40 Convention on the Rights of the Child.
[37] Article 17 African Charter on the Rights and Welfare of the Child.
[38] (1985) 3 NWLR (pt 13) 372.
[39] (2007) 9 NWLR (pt 1039) 297.

Custodial Centers

Custodial centers play an important role in the protection, rehabilitation, and reintegration of children who are in need of care or who have come into conflict with the law. Unlike adult correctional facilities, custodial institutions established for children are intended to provide a safe and child-friendly environment where the welfare, education, rehabilitation, and psychological development of the child remain the primary considerations. Their objective is not punishment but the restoration of the child to society as a responsible and productive member.[40]

The Child's Rights Act 2003 discourages the detention of children except as a measure of last resort and for the shortest appropriate period. Consistent with international standards, the Act requires that where detention is unavoidable, children must be separated from adults and kept in facilities suitable for their age, sex, and developmental needs. The Convention on the Rights of the Child (CRC), provides that no child shall be deprived of his or her liberty unlawfully or arbitrarily and that every child deprived of liberty shall be treated with humanity and respect for his or her inherent dignity.[41]

In Nigeria, custodial centers for children include remand homes, approved schools, borstal institutions, rehabilitation centers, and government-owned child care institutions established for the care and rehabilitation of vulnerable children.[42] These institutions are supervised by the relevant Ministries of Women Affairs and Social Development and other child welfare authorities. They are expected to provide accommodation, education, vocational training, healthcare, counselling, and psychosocial support necessary for the child's recovery and reintegration.

In conflict-affected areas, the role of custodial centers extends beyond juvenile justice. Children rescued from armed groups, kidnappers, or other criminal networks often require temporary institutional care before they can be safely reunited with their families. During this period, government has the responsibility of ensuring that such children receive adequate medical attention, trauma counselling, educational support, and protection from further abuse or exploitation. Where reunification with family members is not immediately possible, temporary placement in appropriate child care institutions may become necessary in the best interests of the child.

Children rescued from captivity are frequently exposed to severe psychological trauma, anxiety, emotional distress, and interrupted education. Consequently, government intervention should not end with their rescue. Appropriate rehabilitation programs, including psychosocial care, educational reintegration, family tracing, and continuous monitoring, are essential to restoring their dignity and facilitating their return to normal life.

However, concerns have been raised regarding the condition of many children custodial and rehabilitation centers in Nigeria. Scholars and child rights advocates have observed that several institutions are characterized by inadequate funding, overcrowding, poor infrastructure, shortage of trained personnel, and limited rehabilitation facilities. In some instances, children have reportedly been subjected to prolonged detention or housed in conditions inconsistent with both domestic legislation and international human rights standards. Such practices undermine the very objectives for which these institutions were established.

The Use of Force in Restoring Order

The maintenance of law and order is one of the primary responsibilities of every government. In carrying out this responsibility, government may, through its security agencies, employ reasonable force to suppress violence, restore peace, rescue victims of criminal activities, and protect lives and property. In conflict-affected areas, the use of force often becomes necessary due to the activities of terrorists, bandits, kidnappers, and other armed groups whose actions threaten national security and the rights of citizens, particularly children.

The authority of government to maintain security is derived from the Constitution which provides that the security and welfare of the people shall be the primary purpose of government.[43] This provision imposes a constitutional obligation on government to take necessary measures to prevent insecurity and ensure the safety of all persons within Nigeria. In discharging this responsibility, government relies on security agencies such as the Nigerian Armed Forces, the Nigeria Police Force, the Department of State Services (DSS), the Nigeria Security and Civil Defence Corps (NSCDC), and other security agencies established by law. These agencies are empowered to prevent crime, maintain public order, rescue victims, arrest offenders, and prosecute persons responsible for criminal activities.

However, the use of force by security agencies is not without legal limitations. Both domestic and international law require that force should be exercised only where it is necessary and proportionate to the circumstances. The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990) provide that law

[40] Administration of Criminal Justice Act 2015.
[41] Article 37 (b-c) Convention on the Rights of the child (CRC).
[42] United Nations Rules for the Protection of Juveniles Deprived of their Liberty 1990.
[43] Section 14 (2) (b) Constitution of the Federal Republic of Nigeria 1999.

enforcement officers should, as far as possible, apply non-violent means before resorting to the use of force.[44] Where force becomes unavoidable, it must be proportionate to the legitimate objective sought to be achieved.

Similarly, the Geneva Conventions of 1949 and their Additional Protocols recognize that even during armed conflict, civilians, especially women and children, are entitled to special protection against violence.[45] Security operations must therefore be conducted in a manner that minimizes harm to civilians and respects their dignity and fundamental rights.
In Nigeria, the increasing incidence of banditry, insurgency, and school abductions has necessitated the deployment of military and other security personnel to various conflict-prone communities. Security agencies have undertaken rescue operations, intelligence gathering, surveillance, and joint military operations aimed at dismantling criminal groups responsible for attacks on schools and communities.

It is therefore evident that while government possesses the legal authority to use force in restoring order, such force must always be exercised lawfully, reasonably, and with due regard to the rights and welfare of children who are often the greatest victims of conflict.

The Rate of Engagement and Human Rights Violation
The involvement of government in addressing insecurity within conflict-affected areas is an important aspect of its constitutional responsibility to protect lives and property. The extent to which government responds to armed conflict, banditry, insurgency, kidnapping, and other security threats largely determines the level of protection available to vulnerable groups, particularly children. Government engagement therefore includes military operations, law enforcement activities, humanitarian interventions, rescue missions, rehabilitation programs, and the prosecution of offenders responsible for violations of children's rights.

The Constitution of the Federal Republic of Nigeria 1999 (as amended) places the responsibility for the security and welfare of the people upon government. This constitutional obligation requires government to adopt effective measures capable of preventing child rights violations and responding promptly whenever such violations occur. In addition, the Child's Rights Act 2003 guarantees every child the right to survival, development, dignity, education, and protection from all forms of abuse, neglect, violence, and exploitation. These statutory guarantees impose corresponding obligations upon government institutions to ensure their effective implementation.

Government engagement in conflict situations has assumed greater significance in recent years due to the increasing incidence of insurgency, armed banditry, communal conflicts, and mass school abductions across parts of Nigeria. In response, various security operations have been undertaken by the Nigerian Armed Forces, the Nigeria Police Force, the Department of State Services (DSS), the Nigeria Security and Civil Defense Corps (NSCDC), and other relevant agencies. Government has also introduced initiatives such as the Safe Schools Initiative, strengthened intelligence gathering, and collaborated with state governments and international partners to improve the protection of schools and vulnerable communities.

Despite these interventions, concerns have continued to arise regarding the effectiveness of government engagement. Several incidents of school attacks and child abductions have raised questions about the adequacy of intelligence gathering, response time, coordination among security agencies, and the implementation of preventive security measures. Human rights organizations have equally expressed concern over instances where security operations have allegedly resulted in arbitrary arrests, prolonged detention, destruction of property, and excessive use of force against civilians.

International human rights law requires that even while combating insecurity, governments must respect the fundamental rights of all persons. The Convention on the Rights of the Child (CRC) obliges state parties to protect children against all forms of violence,[46] while the African Charter on the Rights and Welfare of the Child (ACRWC) requires African States to take all necessary measures to protect children affected by armed conflict and other emergencies.[47] Likewise, the Geneva Conventions of 1949 require parties to every conflict to distinguish between combatants and civilians and to accord children special protection during military operations.[48]

It is therefore imperative that government engagement in conflict zones should not be measured solely by the deployment of security personnel or military operations. Equal attention must be given to compliance with human rights standards, accountability of security agencies, protection of civilians, and long-term support for victims. Effective protection of children's rights can only be achieved where government combines robust security measures with respect for the rule of law and the fundamental rights guaranteed under domestic and international legal instruments.

[44] The United Nations Basic Principles on the use of Force and Firearms by Law Enforcement Officials 1990.
[45] Geneva Conventions of 1949.
[46] Article 19 Convention on the Rights of the Child.
[47] Article 22 African Charter on the Rights and Welfare of the Child.
[48] Geneva Conventions 1949.

4. Non-Governmental Organizations

Non-governmental organizations (NGOs) are voluntary, non-profit organizations established independently of government to promote social welfare, protect human rights, and provide humanitarian and developmental services. Their activities are usually driven by public interest rather than profit, and they often serve as a bridge between government and vulnerable communities. In the area of child protection, NGOs play significant roles in preventing child abuse, promoting access to education, providing legal aid, offering psychosocial support, documenting human rights violations, and advocating for stronger child protection laws and policies. The importance of non-governmental organizations is recognized in several international instruments. The Convention on the Rights of the Child (CRC) encourages cooperation between governments and competent organizations in the promotion of children's welfare.[49] Likewise, the African Charter on the Rights and Welfare of the Child (ACRWC) envisages the participation of civil society and other stakeholders in advancing the rights and well-being of African children. In Nigeria, many of these organizations work closely with government agencies, international partners, and local communities in implementing programs aimed at safeguarding children's rights.

In conflict-affected areas, the contribution of non-governmental organizations becomes even more significant. They often provide emergency relief materials, temporary shelter, medical care, trauma counselling, educational support, family tracing, and reintegration services for children affected by armed conflict and mass abductions. Where government institutions are overstretched or inaccessible, these organizations frequently serve as first responders, ensuring that affected children receive immediate assistance while advocating for accountability and long-term solutions. Accordingly, the role of non-governmental organizations in child protection extends beyond humanitarian assistance. They also contribute to policy advocacy, legal reform, public enlightenment, capacity building, and the promotion of accountability.

Roles of Parents

Parents occupy the foremost position in the protection and promotion of children's rights. The family is universally recognized as the natural and fundamental unit of society and the first environment within which a child develops physically, emotionally, intellectually, and morally.[50] Consequently, parents owe both legal and moral responsibilities to provide care, protection, guidance, education, and support for their children. Their role becomes even more critical in conflict zones where insecurity exposes children to risks such as abduction, displacement, recruitment by armed groups, trafficking, sexual exploitation, and psychological trauma. The responsibility of parents is recognized under both domestic and international legal instruments. The Child's Rights Act 2003 places parental responsibility at the center of child welfare by requiring parents or guardians to provide necessary guidance, education, maintenance, healthcare, and protection for their children.[51] The Act equally recognizes that every child has the right to parental care and protection, while imposing corresponding duties on parents to act in the best interests of the child. Similarly, Article 18 of the Convention on the Rights of the Child (CRC) provides that parents have the primary responsibility for the upbringing and development of the child, while governments are expected to render appropriate assistance to enable parents discharge these responsibilities effectively. The African Charter on the Rights and Welfare of the Child (ACRWC) equally recognizes the family as the primary custodian of the child and encourages states to support families in fulfilling their obligations.

In conflict-affected communities, parental responsibilities extend beyond the provision of food, shelter, and education. Parents are expected to remain vigilant regarding the security of their children, cooperate with community leaders and security agencies, report suspicious activities, and educate their children on personal safety and emergency response measures. They also play an indispensable role in providing emotional support and helping children recover from the psychological effects of violence and displacement.

Despite these responsibilities, many parents residing in conflict-prone communities face enormous challenges, including poverty, displacement, limited access to education, and inadequate security. These factors often reduce their capacity to provide adequate protection for their children. It therefore becomes necessary for government and humanitarian organizations to support parents through economic empowerment, psychosocial services, public awareness programs, and improved security arrangements.

It is therefore evident that parents remain the first line of defense in the protection of children's rights. Their cooperation with government agencies, schools, civil society organizations, and local communities significantly enhances efforts aimed at safeguarding children from the dangers associated with armed conflict and insecurity.

[49] Article 44-53 CRC.
[50] Michael Freeman, *A Commentary on the United Nations Convention on the Rights of the Child* 2007.
[51] Child Rights Act 2003.

Civil Societies

Civil society organizations constitute one of the most important non-state actors in the protection and promotion of children's rights. They consist of voluntary organizations established by individuals or groups to advance public interest, protect human rights, promote accountability, and complement governmental efforts in addressing social problems. Unlike government institutions, civil society organizations operate independently and often possess greater flexibility in responding to humanitarian emergencies and advocating for vulnerable groups. In Nigeria, civil society organizations have contributed immensely to the development of child protection laws and policies. Many organizations actively participated in advocacy efforts leading to the enactment of the Child's Rights Act of 2003 and have continued to campaign for its domestication in states where it has not yet been fully adopted. They also engage in legislative advocacy, public enlightenment, strategic litigation, policy monitoring, and capacity building for institutions involved in child protection.

The significance of civil society participation is recognized under international human rights law. The Convention on the Rights of the Child (CRC) encourages cooperation between states and competent organizations in ensuring the protection and welfare of children.[52] Likewise, the African Charter on the Rights and Welfare of the Child (ACRWC) acknowledges the contribution of communities, institutions, and organizations in promoting children's rights and welfare. In conflict-affected areas, civil society organizations perform numerous humanitarian and advocacy functions. They provide relief materials to displaced families, establish child-friendly spaces in internally displaced persons' camps, offer legal assistance to victims, facilitate psychosocial counselling, support family reunification, monitor violations of children's rights, and advocate for the rescue and rehabilitation of abducted children. Through research and documentation, they also generate valuable information that assists government agencies and international organizations in designing effective child protection interventions.

Several civil society organizations have distinguished themselves in promoting children's rights in Nigeria. Organizations such as the Civil Society Legislative Advocacy Centre (CISLAC), International Federation of Women Lawyers (FIDA Nigeria), Save the Children Nigeria, Women's Rights Advancement and Protection Alternative (WRAPA), and numerous community-based organizations have consistently advocated for stronger legal protection of children, particularly in conflict-prone communities. Their programs include legal aid, child rights awareness campaigns, education support, anti-trafficking initiatives, and community sensitization against harmful practices affecting children.

Nevertheless, the effectiveness of civil society organizations is sometimes constrained by inadequate funding, insecurity, limited access to conflict areas, and dependence on donor support. Despite these challenges, their contribution remains indispensable. By working collaboratively with government institutions, traditional leaders, international agencies, and local communities, civil society organizations continue to strengthen the protection of children's rights and promote a more coordinated response to humanitarian crises in Nigeria.

Pressure Groups

Pressure groups are organized bodies that seek to influence government policies, legislation, and public opinion without necessarily seeking political power. They perform an important democratic function by advocating for policy reforms, monitoring government actions, creating public awareness, and ensuring that governments remain accountable to their legal and constitutional obligations. In matters relating to children's rights, pressure groups have contributed significantly to legal reforms, policy implementation, and public advocacy aimed at improving the welfare and protection of children. In Nigeria, pressure groups have consistently advocated for the enactment, domestication, and effective implementation of child protection laws. Through campaigns, media engagements, policy dialogues, peaceful demonstrations, public interest litigation, and legislative advocacy, these organizations have influenced governmental responses to issues affecting children. Their activities have also increased public awareness regarding child abuse, child trafficking, early marriage, sexual exploitation, child labour, and attacks on schools in conflict-affected communities.[53]

Many child rights advocacy groups collaborated with development partners and members of the National Assembly during the legislative process that culminated in the enactment of the Child's Rights Act 2003. Since its enactment, several organizations have continued to advocate for the domestication of the Act by states that are yet to fully implement its provisions. These advocacy efforts have contributed significantly to strengthening the legal framework for child protection in Nigeria.

Pressure groups have also played an active role in responding to insecurity in Nigeria. Following several incidents of school abductions, various child rights organizations, professional associations, women's groups, youth organizations, and human rights advocates called on government to strengthen school security, improve intelligence gathering, expedite

[52] Convention on the Rights of the Child.

[53] Amnesty International, *Nigeria Reports*, available at: https://www.amnesty.org.

rescue operations, and provide adequate rehabilitation for affected children.[54] These advocacy efforts helped to sustain national attention on the plight of abducted children and encouraged greater governmental commitment towards their protection.

Furthermore, pressure groups frequently collaborate with international organizations, civil society organizations, traditional rulers, and religious institutions in promoting public awareness on children's rights and conflict prevention. Through seminars, workshops, community dialogues, media campaigns, and legal education programs, they educate parents, teachers, and community leaders on their responsibilities towards children and encourage prompt reporting of child rights violations.

Despite these contributions, pressure groups often encounter challenges such as inadequate funding, insecurity, political interference, and limited access to conflict-prone communities. Nevertheless, their continued advocacy remains essential in promoting accountability and ensuring that government fulfils its legal obligations towards children affected by armed conflict and insecurity.[55]

The Role of Traditional Institutions and Religious Bodies

Traditional institutions and religious bodies occupy unique positions within Nigerian society due to their influence over cultural values, moral conduct, and community leadership. As respected custodians of customs and social order, traditional rulers and religious leaders often possess considerable authority that enables them to mobilize communities, resolve disputes, influence public opinion, and promote peaceful coexistence. Their involvement is therefore indispensable in protecting children's rights, particularly in rural and conflict-affected communities where government presence may be limited.

The Child's Rights Act 2003 encourages community participation in promoting the welfare of children, while the African Charter on the Rights and Welfare of the Child recognizes the important role of the family and community in ensuring the survival, development, and protection of children. These legal instruments acknowledge that effective child protection cannot be achieved by government alone but requires the active participation of all sectors of society.[56]

Traditional rulers contribute to child protection by promoting peaceful dispute resolution, discouraging harmful traditional practices, facilitating community policing initiatives, and cooperating with law enforcement agencies in maintaining security within their domains. They also assist in identifying vulnerable children, supporting internally displaced families, and mobilizing community members to respond to emergencies affecting children. In many rural communities, traditional rulers serve as the first point of contact between government authorities and local populations during periods of insecurity.[57]

Religious bodies equally perform significant humanitarian and social functions. Churches, mosques, faith-based organizations, and other religious institutions regularly provide shelter, food, healthcare, educational assistance, counselling, and spiritual support to children affected by violence and displacement. Through their teachings and community outreach programs, religious leaders also promote respect for human dignity, peaceful coexistence, protection of vulnerable persons, and the rejection of violence against children.[58]

In conflict-affected areas, traditional institutions and religious organizations frequently collaborate with government agencies, civil society organizations, and international humanitarian organizations to facilitate dialogue, negotiate peaceful resolutions, support victims, and rebuild community trust.[59] Their close relationship with local communities often enables them to identify security threats early, encourage cooperation with security agencies, and support reconciliation efforts following violent conflicts.

Notwithstanding these important contributions, traditional and religious institutions are sometimes constrained by limited financial resources, insecurity, declining traditional authority in some communities, and occasional cultural practices that conflict with internationally recognized child rights standards. Consequently, continuous collaboration between these institutions and government remains necessary to ensure that cultural and religious values are harmonized with the legal principles governing the protection of children's rights.

[54] Civil Society Legislative Advocacy Centre (CISLAC) Publications, available at: https://cislac.org.
[55] Social-Economic Rights and Accountability Project (SERAP) Report, available at: https://serap-nigeria.org.
[56] O. S. Akinwumi, Legal Impediments on the Practical Implementation of the Child Rights Act 2003, *International Journal of Legal Information* (2009) 37 (3) 385-396.
[57] UNICEF Community Engagement Reports, available at: https://www.unicef.org.
[58] Ibid.
[59] Ibid.

5. Conclusion and Recommendations

The protection of children's rights in conflict zones remains both a legal obligation and a moral responsibility. A nation that fails to protect its children jeopardizes not only their future, but also its own social, economic, and political development. It is therefore imperative that Nigeria continues to strengthen its legal institutions, improve security governance, invest in preventive child protection strategies, and promote meaningful collaboration between government and civil society. Only through such coordinated efforts can the rights guaranteed to every Nigerian child be effectively realized, even in periods of conflict and insecurity.

The study established that the protection of children's rights in conflict zones cannot be achieved through governmental action alone. Contemporary security challenges require a collaborative approach involving public institutions, civil society organizations, humanitarian agencies, local communities, and development partners. Sustainable child protection therefore depends upon effective cooperation among these stakeholders, supported by strong political commitment, institutional accountability, community participation, and respect for the rule of law. To achieve this, the following recommendations are respectfully submitted.

1. Improving Access to Child-Friendly Justice: Government should strengthen the administration of justice by institutionalizing and enhancing the capacity of family courts, ensuring the prompt investigation and prosecution of offences against children, protection of child witnesses, and reducing delays in criminal proceedings. A more responsive justice system will improve accountability and reinforce public confidence in the enforcement of child rights.
2. Developing a National Child Protection Policy for Conflict Zones: Government should formulate a comprehensive national policy specifically focused on protecting children in conflict-affected areas. Such a policy should integrate legal protection, security, humanitarian response, education, healthcare, rehabilitation, and community participation into a unified framework capable of preventing future incidents of school abduction, recruitment of children into armed conflict and other child rights violation discussed herein.
3. Adoption of Preventive Security Measures: Government should adopt a more preventive approach to protecting children in conflict-prone communities by investing in intelligence gathering, early warning systems, community policing, and improved security around schools. Existing initiatives such as the Safe Schools Initiative should be strengthened and expanded to reduce the likelihood of future school abduction.
4. Strengthening Institutional Coordination: The Nigeria Police Force, the Armed Forces, NAPTIP, the National Human Rights Commission, the Federal and State Ministries of Women Affairs, and other relevant agencies should operate within a coordinated framework that encourages information sharing, joint planning, and integrated emergency responses during child protection crises.
5. Strengthening International Cooperation: Nigeria should strengthen collaboration with international organizations and development partners in the areas of humanitarian assistance, technical support, capacity building, education, and psychosocial rehabilitation while maintaining national ownership of child protection policies.