

# IN THE HOUSE OF REPRESENTATIVES

## **A BILL FOR AN ACT TO PROCLAIM A “GENOCIDE MEMORIAL DAY” IN NIGERIA**

*To provide for the enactment of a Massacre and Mass-Killings Memorial Law; to document the memories and construct and maintain the memorials of the events, occurrences, victims and descendants; establish the Massacre and Mass-Killings Commission of Nigeria and for other purposes.*

### **BE IT ENACTED BY THE HOUSE OF REPRESENTATIVE OF NIGERIA THAT:**

#### **Preamble:**

**WHEREAS** the several Massacres and Mass-Killings in Nigeria were state-sponsored or by errant agents of the State or non-State agents, and this horrific events and realities are part of our common history as Citizens of Nigeria and of this earth; and the citizens Nigeria abhor the Mass-Killings and Massacres that have fouled this Country and human history in all ages and parts of the world;

**WHEREAS** the United Nations Convention on the Prevention and Punishment of the Crime of Genocide came into force on January 12, 1951. Article II of the Convention defines genocide (or mass-killing) as any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such: Killing members of the group; Causing serious bodily or mental harm to members of the group; Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; Imposing measures intended to prevent births within the group; Forcibly transferring children of the group to another group;

**WHEREAS** the repressive regimes of the Country or errant agents of the State or non-State actors murdered thousands of citizens of Nigeria during that time of Massacre and Mass-Killing and the perpetrators of most of these deaths have not been brought to book or account;

**WHEREAS** the Asaba Massacre, for instance, occurred in between the 5<sup>th</sup> to the 7<sup>th</sup> days of October 1967, during the Civil War; as in August 1967, and 3 months into the Civil War, rebel troops invaded the Midwest Region of Nigeria, of which Asaba was part, west of the River Niger; and the rebel invasion spread west, taking Benin City and reaching Ore, where they were pushed back by the Nigerian Army; unfortunately, the Federal Government troops pursuing the rebel army entered the town of Asaba and over a course of three days, massacred its male population of Nigerian citizens at the time leaving the survivors traumatized to date;

**WHEREAS**, there are other several Massacres and Mass-Killings in Nigeria (as presently listed out in Schedule A hereto) which have been a dark and tragic

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aspect of the history of Nigeria and of humankind; and many other of citizens of Nigeria have lost loved ones to the said Massacres and Mass-Killings and have personally felt the horrors of the listed Massacres and Mass-Killings;

**WHEREAS** a Massacre and Mass-Killings Memorial Day would provide all citizens of Nigeria an opportunity to mourn the victims of such Massacres and Mass-Killings and to study and learn from the past to ensure that those injustices do not happen again;

**WHEREAS** it is accordingly fitting and right pursuant to the spirit and letters of Section 1(2), 4(2), 4(4), 11(1)(2), 14(2)(b), 15, 17, 21(a), 33, 34 of the 1999 Constitution, As Amended, 2023, to observe the 7<sup>th</sup> Day of the Month of October each Year, the date the Asaba Massacre ended, as a day to remember the victims and survivors and descendants of the several Massacres and Mass-Killings in Nigeria and to honour those who fought to save them or defeat their murderers;

**WHEREAS** observing 7<sup>th</sup> Day of the Month of October each Year, the date the Asaba Massacre ended, as a day to remember the victims and survivors and descendants of the several Massacres and Mass-Killings in Nigeria will provide Nigerians with the opportunity:

- i. To look within themselves, reflect on the enduring lessons of the several Massacres and Mass-Killings in Nigeria and educate their children, their colleagues and their fellow citizens on the perils of hatred and sanctity of life and dignity of the person;
- ii. To consider other times and incidents of systematic violence, genocide, persecution, tribalism and hatred that call out to us from the past or continue today; and
- iii. To reaffirm their commitment to uphold the human rights of all and to value diversity and the multicultural richness of the Nigerian society and State;

**WHEREAS** the 7<sup>th</sup> Day of the Month of October each Year, the date the Asaba Massacre ended, we will remember, for we must never forget to remember the events and occurrences and victims and survivors and descendants of the several Massacres and Mass-Killings in Nigeria (as presently listed out in Schedule A hereto or as shall unfortunately be required to be listed out in any event subsequent to such amendment as may be necessary to include same);

**THEREFORE**, the President of the Federal Republic of Nigeria, by and with the advice and consent of the National Assembly of Nigeria, **ENACTS AS FOLLOWS:**

**Massacre and Mass-Killings Memorial Day:**

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1. The 7<sup>th</sup> Day of the Month of October each Year is proclaimed as Massacre and Mass-Killings Memorial Day.

## **Establishment of Massacre and Mass-Killing Memorial Commission:**

2. There shall be established the Massacre and Mass-Killing Memorial Commission of Nigeria composed of Nine members, as follows:
  - i. Two members appointed by the Federal Government. At least one of whom shall be a member of the Federal Executive Council and the other shall be a genocide survivor or a descendant of genocide survivor.
  - ii. Two members appointed by the affected State Government. At least one of whom shall be a member of the State Executive Council and the other shall be a genocide survivor or a descendant of genocide survivor.
  - iii. Two members appointed by the appointed by the affected Local Government. At least one of whom shall be a member of the Local Government Council and the other shall be a genocide survivor or a descendant of genocide survivor.
  - iv. Two members appointed by the appointed by the affected Community. At least one of whom shall be a member of the Community and the other shall be a genocide survivor or a descendant of genocide survivor.
3. The members shall elect one of their number to serve as Chairperson.
4. The members appointed by the Federal Executive Council shall serve on the Commission as ex officio members without vote and shall participate in the activities of the Commission.
5. Members of the Commission may select representatives to attend Commission activities if they themselves are unable to attend.
6. Members of the Commission shall receive no compensation but shall receive per diem and expenses while engaged in commission activities.

## **Functions:**

7. To promote, authorize, facilitate and join in organizing the ceremonies required or scheduled to hold on the 7<sup>th</sup> Day of the Month of October each Year to commemorate the said Massacre and Mass-Killings Memorial Day.
8. To promote, authorize, facilitate and implement the construction of memorials and monuments to the Massacre and Mass-Killings events and

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occurrences or victims and/or survivors (as presently listed out in Schedule A hereto or as shall unfortunately be required to be listed out in any event subsequent to such amendment as may be necessary to include same).

9. To promote, authorize, facilitate and implement the exhumation of the remains of the Massacre and Mass-Killings for a dignified and befitting burial at proclaimed memorial sites or monuments.
10. To promote, authorize, facilitate and implement a national census of mass census of Massacre and Mass-Killings in Nigeria since the date of the Asaba Massacre and Mass-Killing, the delineation in a map of the graves, and a proper documentation of the lives and times the various victims.

## **Funding of the Commission:**

11. Funds for the construction of the memorial or monument shall be provided through private contributions. The Commission may solicit and receive contributions for this purpose.
12. No State funds shall be expended for any of the purposes specified in this Act. Funds for the construction of the memorial or monument shall be provided exclusively through private contributions for this purpose
13. If the memorial or monument is constructed, the Commission shall maintain the memorial by providing for all necessary funding and resources.

## **Construction of Memorial and Monuments:**

14. With respect to the design and construction of the memorial and monuments, the Commission may do all of the following:
  - i. Establish a schedule for design, construction, and dedication of the memorial or monument.
  - ii. Implement procedures to solicit designs for the memorial or monument and devise a selection process for the choice of the design.
  - iii. Select individuals or organizations to provide fundraising services and to construct the memorial or monument.
  - iv. Review and monitor the design and construction of the memorial or monument and establish a program for the dedication of the memorial or monument.

## **Commencement:**

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15. This Act comes into force on the day it receives Assent.

**Short Title:**

16. The Short Title of this Act is the Massacre and Mass-Killing Memorial Act, 2023.

## **SCHEDULE A**

The List of Massacre and Mass-Killings Victims Events and Occurrences in Nigeria

- i. The Asaba Massacre
- ii. The End-SARS Massacre
- iii. The Odi Massacre
- iv. The Kaduna Massacre
- v. The Benue Massacre
- vi. Etc.

### **EXPLANATORY NOTE**

The Bill proclaims the 7<sup>th</sup> Day of the Month of October each Year as Massacre and Mass-Killings Memorial Day and establishes the Massacre and Mass-Killing Memorial Commission of Nigeria.