

CHAPTER V

CLOSING

A. Conclusion

Common article 3 to Geneva Convention 1949 as a “mini-convention” for non-international armed conflict (NIAC) regulated the protection of civilian population in the hostilities in all conditions. Moreover, the legal protections of civilian population in NIAC are regulated under the Fourth Geneva Convention 1949 and Additional Protocol II 1977. The rule for this armed conflict is the Distinction Principle. The application of International Humanitarian Law in Nigeria was not fully implemented. Both of them have violated the Distinction Principle in the hostilities of non-international armed conflicts. Boko Haram has violated common article 3 common to Geneva Convention 1949, article 27, 30, 34, 50 of Geneva Convention 1949. Meanwhile, Nigerian Government also violated article 3 common to the Geneva Convention 1949, article 27, 31, 32, 50 of Geneva Convention 1949. Nigerian Government violates article 7 of Additional Protocol 1977. In carrying out the duty, ICRC was assisted by the human assistance in Nigeria, such as food and water assistance, intensive care on medical for to the civilians, internally displaced person and other regions that had suffered due to the impacts hostilities.

B. Recommendation

Nigeria may report the case to the Human Rights Council of The United Nations. After that, Human Rights Council of The United Nations will investigate the case to find out the facts in that case and sent back the reports to the government. If they unable and unwilling to handle the insurgency of Boko Haram, the government should bring the case to the International Criminal Court (ICC) in The Hague to solve the case of Boko Haram uprising because Nigeria is the party of the Rome Statute.