

# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE FOR PEACE SUPPORT OPERATIONS AND HUMANITARIAN STUDIES (NIPSOHS) AND FOR RELATED MATTERS

*Sponsored by Hon. Amimu Ashiru Mani*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 PART 1 - ESTABLISHMENT OF THE NIGERIAN INSTITUTE FOR PEACE  
2 SUPPORT OPERATIONS AND HUMANITARIAN STUDIES

3 1.-(1) There is hereby established a Nigerian Institute For Peace  
4 Support Operations And Humanitarian Studies (in this Bill referred to as  
5 "the Institute") which shall be charged with responsibility of conducting  
6 research on peace support systems and proffer solutions to challenges of  
7 peacekeeping operation, humanitarian crisis, and disaster management at  
8 both local and international levels;

Establishment of the Institute

9 2. Governing Board of the Institute-

10 (a) The administration of the Institute shall vest in the Board of  
11 Governors of the Institute (in this Act referred to as "the Board");

Establishment of the Governing Board

12 (b) Without prejudice to the generality of the subsection one of this  
13 section and subject to this Act, it shall be the responsibility of the Board to  
14 consider and approve-

15 (a) The long-term plan of the activities of the Institute;

16 (b) The programme of studies, courses and research to be  
17 undertaken by the Institute in line with her objectives;

18 (c) The annual budget of the Institute;

19 (d) The investment plans of the Institute;

20 (e) The Board shall have the powers to approve curricula and

1 programmes to be taught in the Institute in line with the objectives of the  
2 Institute;

3 (f) The decisions of the Board on all matters pertaining to training,  
4 assessment, certifications, award of fellowships and withdrawal of participants  
5 shall be final.

Membership of  
the Board

6 3. Membership of the Board-

7 (a) the Board shall consist of:

8 (b) A chairman who shall be a retired ambassador or a retired military  
9 officer, or a Professor;

10 (c) A representative of Ministry of Defence;

11 (d) Director of Peacekeeping Defence Headquarters;

12 (e) A representative of Ministry of Humanitarian Affairs;

13 (f) A representative of the Ministry of Foreign affairs;

14 (g) A representative of the Ministry of Environment;

15 (h) A representative from the Civil Society Humanitarian Experts  
16 Forum or Civil Society Security Sector Expert Forum;

17 (i) The Permanent Secretary, Political affairs, Office of the Secretary  
18 to the Government of the Federation; to serve as a member as well as secretary  
19 to the Board;

20 (j) The Director - General of the Institute;

21 (k) Permanent Secretary Ecological Department, The Presidency;

22 (l) National Oil Spill Detection and Response Agency;

23 (m) Representative of Niger Delta Development Commission;

24 (n) Representative of North East Development Commission;

25 (o) Representative of National Emergency and Management Agency;

26 (p) Observer status membership of the board shall be given to the  
27 following:-

28 (i) United Nations Development Programmes representative in  
29 Nigeria;

30 (ii) United Nations Office for Coordination of Humanitarian Affairs

1 representative in Nigeria;

2 (iii) International Organisation for Migration, Nigeria;

3 (iv) International Committee of the Red Cross;

4 (v) UN High Commission for Refugees Representative in Nigeria.

5 (d) Observer status membership of the board shall attend only  
6 board meetings specifically arranged for their attendance on request by the  
7 Director-General.

8 4. A member of the Board shall be paid such emoluments,  
9 allowances and benefits as the President of the Federal Republic of Nigeria  
10 may, from time to time approve.

Allowances

11 5.-(a) Notwithstanding the provisions of subsection (1) of this  
12 section, the Institute shall-

Objectives and  
functions of the  
Institute

13 (a) Develop a sustainable and comprehensive peace and security  
14 formula as a global agenda for the future;

15 (b) Organise and facilitate researches, studies and training on  
16 national, regional and global basis in the fields of conflict and conflict  
17 resolution, peace-making, peace keeping, peace enforcement, peace  
18 building and capacity building, preventive diplomacy, negotiation and  
19 mediation, protection of civilians and gender-based violence;

20 (c) Initiate such actions and take such other steps which will  
21 enhance the resolution of conflicts, with regards to refugees, internally  
22 displaced persons and migration both domestically and internationally;

23 (d) Co-ordinate peace keeping training programmes and policy  
24 framework in Nigeria, and activities related on this with ECOWAS, AU, the  
25 UN as well as other partners;

26 (e) Observe international peacekeeping day and honour heroes of  
27 peacekeeping;

28 (f) Enter into collaborative ventures, affiliation with and establish  
29 linkages with other institutions for the purposes of building capacity in the  
30 area of peacekeeping and humanitarian services;

- 1 (g) Develop and run programmes which shall promote excellence of  
2 the institute;
- 3 (h) Engage with national and international organisations such as  
4 NEMA, ECOWAS, AU and UN to address critical issues of peacekeeping and  
5 humanitarian affairs;
- 6 (i) Conduct training programmes for all category of staff; and serve as  
7 a postgraduate training tertiary institution;
- 8 (j) Disseminate by way of production of books, journals, records,  
9 reports or otherwise information about any part of its activities, to the extent  
10 deemed justified by the board in the interest of Nigeria;
- 11 (k) Promote or undertake any other activities which in the opinion of  
12 the board is intended to help achieve the objectives of the Institute;
- 13 (l) provide inter - ministerial synergy between relevance ministries  
14 such as the Ministry of Defence, foreign affairs, environment and humanitarian  
15 affairs, for effective management of the challenges of peacekeeping, internally  
16 displaced persons, environment, migration and refugees questions;
- 17 (m) Explore and document for posterity, Nigeria's roles and  
18 contributions to peace keeping in particular and international peace and  
19 security in general;
- 20 (n) provide enabling environment for joint research and training with  
21 national and international peace keeping institutions;
- 22 (o) serve as ECOWAS, AU and UN centre of excellence in strategic  
23 peace keeping and humanitarian studies;
- 24 (p) Promote and undertake such other activities which in the opinion  
25 of the Board are necessary or expedient for the purposes of achieving the  
26 objectives of the Institute;
- 27 (q) Conduct research and studies on complex emergencies and  
28 dimension of humanitarian challenges;
- 29 (r) Train and build a corps of volunteers to provide humanitarian  
30 services to victims of disasters, conflict, ecological degradation, pollution

- 1 spillage and desertification challenges;
- 2 (s) Provide profession certification of competence courses in  
3 Humanitarian development, disaster management, peace building and post  
4 conflict reconstruction;
- 5 (t) Undertake research on Child abuse, and Gender based violence  
6 on how to provide to defend their fundamental human rights and provide  
7 succor;
- 8 (u) Conduct research on child abuse, gender-based violence,  
9 reproductive health and gender identity based on African family core values  
10 ethics;
- 11 (v) Relate with and conduct joint research and training with other  
12 national and international humanitarian institutions and associations;
- 13 (w) Conduct research and training on the impact of human security  
14 on national development and democratic governance;
- 15 (y) Develop and conduct post-graduate and advanced certification  
16 courses in climate change and development, poverty and development,  
17 desertification, ecological erosion, sustainable development goals,  
18 humanitarian technology and disaster management, human security and  
19 democratic governance, security sector reforms, and the reforms of health,  
20 education, youth and women sector as well as the vulnerable in the society,
- 21 (z) Provide opportunities for researchers and specialists such as  
22 visiting Fellow/Scholars, Visiting Professors, Emeritus Professorial Chair  
23 and Sabbatical Fellows to assist in the development of research and training  
24 in the institute;
- 25 (aa) endow a professorial chair for the conduct of research,  
26 development of Doctrine and generating innovative ideas and production of  
27 knowledge.
- 28 6. The Centre for Peace Research and Conflict Resolution  
29 established under section 5 of the National War College Act LFN 2004 is  
30 hereby consequentially repealed;

Transfer of  
Assets and  
Liabilities, Staff  
etc.

1           7.-(a) Accordingly, the statutory functions, rights, interests,  
2 obligations and liabilities of the Centre for Peace Research and Conflict  
3 Resolution existing before the commencement of this Bill under the enactment  
4 repealed by section 6 of this Bill under any contract or instrument or in law or in  
5 equity apart from any contract or instrument shall, by virtue of this Bill, be  
6 deemed to have been assigned or vested in the Institute established by section  
7 (1) of this Bill;

8           (b) Any such contract or instrument as is mentioned in subsection (1)  
9 of this section shall be of the same force and effect against or in favor of the  
10 Institute established by section (1) of this Bill and shall be enforceable as fully  
11 and effectively as if instead of the Centre existing before the commencement of  
12 this Bill, the Institute established by this Bill had been named therein or a party  
13 thereto;

14           (c) the Institute established by this Bill shall be subject to all the  
15 obligations and liabilities to which the Centre existing before the  
16 commencement of this Bill was subject to immediately before the  
17 commencement of this Bill and all other persons shall have the same rights,  
18 powers and remedies against the Institute established by the Bill as if they had  
19 against the Centre existing before the commencement of this Bill;

20           (d) Any proceeding or cause of action existing pending or existing  
21 before the commencement of this Bill, by or against the Centre existing before  
22 the commencement of this Bill may be continued or as the case may be,  
23 commenced against the Institute established by this Bill and any determination  
24 of a court of law or tribunal or other authority or person may be enforced by or  
25 against the Institute established by this Bill to the same extent that such  
26 proceedings or cause of action or determination might have been continued,  
27 commenced or enforced by or against the Centre existing before the  
28 commencement of this Bill;

29           (e) All assets, funds, resources and other movable and immovable  
30 property in the temporary site of the College, which immediately before the

1 commencement of this bill, were vested on the Centre existing before the  
2 commencement of the Act, shall by virtue of this Bill and without further  
3 assurance, be vested in the Institute established by this Bill including all  
4 facilities in the temporary or present location;

5 (f) Any person who immediately before the commencement of this  
6 Act is a holder of any office in the Centre existing before the commencement  
7 of this Act shall on the commencement of this Act, continue in office and be  
8 deemed to have been appointed by the Institute established by this Act,  
9 unless the authority by which the person was appointed terminates the  
10 appointment;

11 8. The Institute shall establish and maintain a library comprising  
12 such books, records, reports and other publications as may be directed by the  
13 Board for the advancement of knowledge in the areas of work undertaken by  
14 it, for research purposes and for other purposes connected with the functions  
15 conferred on the Institute by or in pursuance of this Bill;

Provision of  
Library facilities

16 PART II - STRUCTURE/STAFF OF THE INSTITUTE

17 9. The Institute shall have the following academic departments to  
18 be headed by a Director:

Structure of the  
Institute

19 (i) Department of Emergency and Disaster Management;

20 (ii) Department of Conflict and Humanitarian Studies;

21 (iii) Department of Peacekeeping and Peacebuilding;

22 (iv) Department of International cooperation and development;

23 (v) Department of Programmes and Publications;

24 (vi) Department of Negotiations and Mediation

25 (vii) Department of Finance and Administration;

26 (viii) The Board will determine the requisite qualification required  
27 for each position;

28 (ix) The Board may create other Department as it may deem  
29 necessary in furtherance of the objectives of the Institute;

Appointment  
of the Director-  
General

1                   10.-(a) There shall be appointed for the Institute an officer to be  
2 known as the Director-General whose appointment and removal from office  
3 shall be at the discretion of the President and Commander in Chief of the  
4 Armed Forces in consultation with the Secretary to the Government of the  
5 Federation (SGF) and who shall be responsible to the Board for and whose  
6 appointment shall be in line with civil service rules;

7                   (b) No serving Director or Senior Staff member of the Institute shall  
8 be appointed the Director- General;

9                   (c) the Director-General shall be the chief executive and accounting  
10 officer of the Institute;

11                  (d) The Director-General responsible to the Board for the day-to-day  
12 management of the affairs of the Institute;

13                  (e) the Director-General shall hold office for a single term of five  
14 years from the date indicated in the publication of his appointment;

15                  (f) The Dean and Director of Studies shall act as the Director-General  
16 whenever the position is vacant pending the appointment of a substantive  
17 Director-General;

18                  (g) If the position of the dean and Director of Studies is vacant at the  
19 time of vacancy of the position of Director-General, the Director of  
20 Administration and Finance shall assume the responsibility of acting Director-  
21 General pending the appointment of a substantive Director-General;

Powers and  
functions of the  
Director-General

22                   11.-(1a) The Director-General shall be the chief executive officer of  
23 the Institute;

24                  (b) Giving to the board such information as to the activities of the  
25 Institute the chairman of the Board may require;

26                  (c) authorizing programmes and plans for giving effect to policies  
27 approved by the Board or to any direction of the Board, subject to all or any of  
28 the powers in this section as may be delegated to him by the Board;

29                  (d) The fact that any power has been delegated to the Director-  
30 General pursuant to sub-section (1) of this section shall not preclude the Board

1 from exercising the same power in any special case;

2 (e) The powers referred to in subsection (2) of this section shall  
3 include-

4 (f) The supervision of the accounts and records of the Institute;

5 (g) The preparation for approval of programmes and plans  
6 necessary to carry into effect approved policies or any directives of the  
7 Board;

8 (h) The interpretation of such policies to other staff of the Institute;

9 (i) The Director-General shall submit an annual report of the  
10 activities, challenges and recommendations of the Institute to the  
11 Presidency and relevant parastatals for implementation;

12 (j) The making of any staff recommendations to the Board; and

13 (2) The Director-General of the Institute shall possess any or all of  
14 the following qualifications-

15 (a) A serving two star-general with peacekeeping experience;

16 (b) A Professor of Political Science; with specialization in  
17 international relations;

18 (c) A serving ambassador from the ministry of Foreign Affairs with  
19 cognate experience in the workings of the United Nations' System;

20 12.-(1) There shall be appointed for the Institute the position of  
21 Dean/ Director of studies whose appointment and removal from office shall  
22 be in accordance with extant rules;

Appointment to  
the position of  
the Dean of the  
Institute and  
Director of Studies

23 (2) The Dean and Director of studies shall be a professor of  
24 political science with cognitive experience in public policy, humanitarian  
25 studies, international and national security;

26 (3) The Dean and Director of studies shall hold office for a term of  
27 four (4) years from the date indicated in the publication of his appointment;

28 (4) The Dean and Director of Studies shall coordinate and direct on  
29 the guideline provided by the Director -General all academic activities,  
30 curricula and syllabi of studies in the Institute;

1 (5) The appointment shall be made through an external advertisement  
2 in government gazette or any of the public media.

Service in the  
Institute to be  
pensionable

3 13.-(a) Notwithstanding the provisions of Pension Act, it is hereby  
4 declared that service in the Institute shall be approved service for the purpose of  
5 that Act and, accordingly officers and other persons employed in the Institute  
6 shall in respect of their service to the Institute be entitled to pensions, gratuities  
7 and other retirement benefits as are enjoyed by persons holding equivalent  
8 grades in the public service of the federation;

9 So nothing in this Act shall prevent the appointment of a person to any office on  
10 terms which preclude the grant of pension and gratuity in respect of that office:

11 (a) For the purpose of the application of the provisions of the pension  
12 Act in accordance with the provisions of this Act, any power excisable  
13 thereunder by a Minister or any other authority of the Government of the  
14 federation (other than the power to make regulations) is hereby vested in and  
15 shall be excisable by the Board and not by any other authority;

16 PART III - FINANCIAL PROVISIONS:

Funds of the  
Institute t

17 14.-(1) the Institute shall establish and maintain a fund which shall be  
18 applied towards the promotion of the objectives specified in this Act;

19 (2) there be paid and credited to the Fund established pursuant to  
20 subsection one of this section-

21 (a) such sums as may be provided by the government of the federation  
22 or state for payment into the fund;

23 (b) Fees charged for services rendered by the Institute;

24 (c) All sums accruing to the Institute in form of gifts, testamentary  
25 dispositive s and endowments or contributions from philanthropic persons or  
26 organizations or otherwise howsoever.

Power to accept  
gifts

27 15.-(a) The Institute may accept any gifts of land, money or other  
28 property upon such terms and conditions, if any as may be specified by the  
29 persons or organizations making the gift;

30 (b) The Institute shall not accept any gift if the conditions attached by

1 the person or organization making the gift are inconsistent with the aims and  
2 objectives of the Institute or its position as a non-partisan institution free  
3 from any undue external influence;

4 16.-(a) The Board may with the consent or in accordance with any  
5 general authority given by the President borrow by way of loan or overdraft  
6 from any source or any specified amount of money required by the Institute  
7 for meeting its obligations and discharging its functions under this Act, so  
8 however, that where the sum or aggregate of the sums at any point does not  
9 exceed N10,000,000 no such consent or authority shall be required;

Power to borrow  
Funds

10 (b) The Board may, subject to the provisions of this Act and the  
11 conditions of any trust created in respect of any property, invest all or any of  
12 its funds with the like consent or general authority as are mentioned in  
13 subsection (1) of this section;

14 (c) The Board may invest any surplus funds of the Institute in such  
15 securities as may from time to time be approved by the Board.

16 17.-(a) The Board shall cause to be prepared not later than  
17 September 30th in each year, an estimate of the expenditure and income of  
18 the Institute during the next succeeding year and when prepared shall be  
19 submitted through the minister for approval by the President;

Annual Estimates,  
Accounts and Audit

20 (b) The Board shall cause to be kept proper accounts and proper  
21 records in relation thereto; and when certified by the Board such accounts  
22 shall be audited as provided in subsection (3) of this section;

23 (c) The accounts of the Institute shall be audited as soon as directed  
24 or within six months after the end of each financial year by auditors  
25 appointed by from the list of qualified auditors and in accordance with the  
26 guidelines supplied by the Auditor - General of the Federation by the Board  
27 and the fees of the auditors and expenses for the audit generally shall be paid  
28 from the funds of the Institute.

29 18.-(a) The Institute shall be exempted from payment of Income

Exemption from  
Tax

1 Tax or any income accruing from investments made by the Board for the  
2 Institute;

3 (b) The provisions of any enactment relating to the taxation of  
4 companies or trust funds shall not apply to the Institute or the Board.

General restriction  
as to the power  
of the Institute

5 19. Noting in this Act shall be construed as conferring on the Institute  
6 or the Council the power to express on any aspect of peacekeeping,  
7 humanitarian activities, disaster management, peace and conflict resolution  
8 among others on behalf of the Federal Government, except officially  
9 authorised.

Limitation of  
suit against the  
Institute

10 20. Subject to the provisions of this Bill, the provisions of the Public  
11 Officers Protection Act shall apply in relation to any suit instituted against an  
12 officer or employee of the Institute. [Cap. 41]

Service of  
documents

13 21. A notice, summons or other document required or authorised to  
14 be served on the Institute under the provision of this Bill or any other enactment  
15 or law may be served by delivering it to the Director General or by sending it by  
16 registered post addressed to the Director General at the principal office of the  
17 Institute.

Indemnity of  
Officers

18 22. A member of the Council or the Director General or any officer or  
19 employee of the Institute shall be indemnified out of the assets of the Institute  
20 against any liability incurred by him in defending any proceeding, whether  
21 civil or criminal, if the proceeding is brought against him in his capacity as a  
22 member, Director General, officer or employee of the Institute.

Secrecy

23 23.-(1) A member of the Board or the Director General or any other  
24 officer or employee of the Institute shall-

25 (a) not, for his personal gain, make use of any information which has  
26 come to his knowledge in the exercise of his power or is obtained by him in the  
27 ordinary course of his duty as a member of the Council or as the Director  
28 General, officer or employee of the Institute;

29 (b) treat as confidential any information which has come to his  
30 knowledge on the exercise of his powers or is obtained by him in the

1 performance of his duties under this Bill;

2 (c) not disclose any information referred to under paragraph (b) of  
3 this subsection, except when required to do so by a court or in such other  
4 circumstances as may from time to time be prescribed by the Board;

5 (d) Any person who contravenes the provision of the subsection (1)  
6 of this section commits an offence and is liable on conviction to a fine of not  
7 less than one hundred thousand naira (100,000 naira only) or imprisonment  
8 for a term not exceeding 2 years or both such fine and imprisonment.

9 PART IV - MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

10 24.-(a) The Board may subject to the provisions of this Act, employ  
11 such number and category of officers and other employees as may be  
12 expedient and necessary for the proper and efficient conduct of the functions  
13 of the Institute;

Employment of  
Staff

14 (b) The Board may make staff regulations relating generally to the  
15 terms and conditions of service of the employees of the Institute and without  
16 prejudice to the generality of the foregoing, such regulations may provide  
17 for-

18 (a) The appointment, remuneration, promotion and disciplinary  
19 control of employees of the Institute;

20 (b) The remuneration and tenure of office of employees of the  
21 Institute;

22 (c) Appeal by such employees against dismissal or other  
23 disciplinary measures and until such regulations are made, any instrument  
24 relating to the conditions of service of officers in the civil service of the  
25 federation shall be applicable with such modifications as may be necessary  
26 to the employees of the Institute provided that nothing in this Bill shall  
27 preclude the application of the Armed Forces as it applies to the service  
28 personnel of the Institute;

29 (d) The Director - General of the Institute shall have power to  
30 convene and constitute a court-martial in matters of discipline affecting

1 service personnel of the Centre;

Interpretation t

2 25. In this Act, unless the context otherwise requires-

3 "Board" means the Board of Governing Board of the Institute constituted under  
4 section 3 of this Act;

5 "Chairman" means the Chairman of the Board,

6 "Centre" means the Centre for Peace research and Conflict Resolution repealed  
7 in section 5 of this Act;

8 "Dean and Director Studies" means the person placed in charge of academic  
9 activities of the Institute;

\* 10 "Director-General" means the person in charge of both academic and the  
11 administration of the Institute;

12 "the Institute" means the National Institute for Peace Support Operations and  
13 Humanitarian Studies established in section 2 of this Act;

14 "Centre" means the Peace Research and Conflict Resolution Centre repealed in  
15 section (7);

16 "SGF" means the secretary to the government of the Federation;

17 "Minister" means minister charged with the responsibility of Defence matters;

18 "Ministry" can be construed accordingly.

Short title

19 26. This Bill may be cited as the National Institute for Peace Support  
20 Operations and Humanitarian Studies Bill, 2020.

## SCHEDULE

*Proceedings of the Board*

1  
2  
3 1.-(1) Subject to this Act and section 27 of the Interpretation Act,  
4 (which provides for the decisions of a statutory body to be taken by a  
5 majority of the members of the body and for the persons presiding to have a  
6 second or casting vote) the Board may standing orders regulating the  
7 proceedings of the Board or of any committee thereof;

8 (2) The quorum of the Board shall be chairman and four other  
9 members, and the quorum of any committee of the Board shall be  
10 determined by the Board;

11 2.-(1) The Board shall meet not less than two times in each year,  
12 and subject thereto, the Board meet whenever it is summoned by the  
13 chairman and if the chairman is required to do so by a notice given to him by  
14 not less than three other members, he shall summon a meeting of the Board  
15 to be held within seven days on which the notice is given.

16 (2) at any meeting of the Board the chairman shall preside, but if he  
17 is absent, the most senior member present at the meeting shall preside;

18 (3) where the Board wishes to obtain the advice of any person on  
19 any particular matter, the Board may co-opt him as a member for any period  
20 it may deem fit, but a person who is a member by virtue of this sub-  
21 paragraph shall not be entitled to vote at any meeting of the Board and shall  
22 not count towards a quorum;

23 3.-(1) The Board may appoint one or more committees to carry out  
24 on behalf of the Board such of its functions as may be determined by the  
25 Board;

26 (2) any committee appointed under this paragraph shall consist of  
27 such number of persons as may be determined by the Board and not more  
28 than one third of those persons may be persons who not members of the  
29 Board; a person other than a member of the Board shall hold office on the  
30 committee in accordance with the terms of the instruments of his

1 appointment;

2 (3) a decision of a committee of the Board shall have no effect until it  
3 is confirmed by the Board;

4 (4) The fixing of the seal of the Institute shall be authenticated by the  
5 signature of the chairman or some other member authorized generally or  
6 specifically by the Board for that purpose.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Institute for Peace Support Operations and Strategic Studies to serve as a centre of excellence in peacekeeping research and humanitarian support studies in line with international best practices.