

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT GARKI, ABUJA.**

**CLERK: CHARITY ONUZULIKE  
COURT NO. 10**

**SUIT NO: FCT/HC/BW/M/291/22  
DATE: 12/10/2022**

**BETWEEN:**

- 1. VINCENT AGU**
- 2. CLETUS AKPON OGBONNAH**
- 3. MR. JOSEPH NGOZI OKERE**

*(For themselves and as representatives of Mine Victims of the Nigerian Civil war,  
Including all the 493 victims pre-enumerated by the Ministry of Defence  
Through R.S.B. Holdings as well as Communities where  
these victims come from which were contaminated by  
landmines and other Explosive Remnants of War except  
any person of Community dissenting)*

**AND**

- |  |   |                   |
|--|---|-------------------|
| <ol style="list-style-type: none"><li><b>1. FEDERAL REPUBLIC OF NIGERIA</b></li><li><b>2. ATTORNEY GENERAL OF THE FEDERATION</b></li><li><b>3. MINISTRY OF DEFENCE</b></li><li><b>4. HONOURABLE MINISTER FOR DEFENCE</b></li></ol> | } | <b>DEFENDANTS</b> |
|--|---|-------------------|

**IN THE APPLICATION DIRECTING THE CHIEF REGISTRAR OF THIS  
HONOURABLE COURT FOR REGISTRATION OF JUDGMENT BROUGHT  
BY:**

- |   |   |                   |
|---|---|-------------------|
| <ol style="list-style-type: none"><li><b>1. R.S.B. HOLDING NIGERIA LIMITED</b></li><li><b>2. DEMINERS CONCEPT NIGERIA LIMITED</b></li></ol> | } | <b>APPLICANTS</b> |
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**RULING**

**(DELIVERED BY HON. JUSTICE SULEIMAN B. BELGORE)**

In this Motion *Exparte* - M/291/2022, the Applicants prayed this Honourable Court for the following relief:

- (1) **AN ORDER** of this Honourable Court directing the Chief Registrar or any other proper officer of this Court to FORTHWITH register the judgment obtained on the 30<sup>th</sup> of October, 2017 from the Court of Economic Community of West African States (ECOWAS) in Judgment NO: ECW/CCJ/JUD/14/17 – BETWEEN VINCENT AGU & ORS. VS. FEDERAL REPUBLIC OF NIGERIA & ORS. by entering the particulars of the said judgment in the “Nigeria Register of Judgments’ kept before this Court.
- (2) **AND** for such further Order(s) as this Honourable Court may deem fit to make in the circumstances.

The application brought pursuant to **Section 104 and 105** of the **Sheriff & Civil Process Act** and **Section 6 (6) (b) and Section 12 of the 1999 Constitution** (as amended) is premised on the following 12 grounds:

- (1) The Federal Republic of Nigeria being conscious of the civil war which happened between 1967-1970 acknowledged presence of abandoned land mines, explosives and other remnants of war which littered some part of the South East, South-South and part of North Central region of Nigeria and the inherent danger posed thereof.
- (2) The same Federal Republic of Nigeria, being mindful of her constitutional responsibilities to safeguard lives and properties of citizens in addition to her obligations under the Ottawa Convention, Contracted the Applicants herein in 2009 for the purpose of demining the areas of South East, South-South and part of the North Central region affected by the civil war.
- (3) In the course of execution of the contract which includes the pre-enumeration of Land mines victims for possible assistance, clearance and destruction of all landmines by Government in the mined areas in the South East, South-

South and part of North Central region of Nigeria, the Applicants found large quantities of anti-personnel land mines, explosive remnants that have injured several citizens and continue to injure persons leaving several victims unattended to.

- (4) Some of these victims instituted legal proceedings against the Federal Government to enforce their fundamental rights and to claim compensation at the Court of Economic Community of West African States (ECOWAS) in Abuja.
- (5) After series of deliberation and meetings towards amicable resolution, Terms of Settlement was executed between these victims, the Applicants herein and the Federal Republic of Nigeria which culminated in the consent judgment of 30<sup>th</sup> of October, 2017 with Judgment No: ECW/CCJ/JUD/14/17 BETWEEN VINCENT AGU & ORS. VS. FEDERAL REPUBLIC OF NIGERIA & ORS. from the ECOWAS Court.
- (6) The treaty establishing the ECOWAS Court and other protocol and supplementary protocols have been ratified by the Nigerian Government through section 12 of the Constitution of the Federal Republic of Nigeria.
- (7) That this application is necessitated by the desire of the Applicants to ensure that justice is served and for registration of the judgment in line with sections 104 and 105 of Sheriffs and Civil Process Act LFN 2004.

In support of the application is a 12 paragraphs affidavits deposed to by one Ademola Ajayi, the legal adviser to the applicant. There is also a written address. Attached to the affidavits are three (3) exhibits marked as Exhibit A, B & C.

**Exhibit A:** Is the Terms of Settlement

**Exhibit B:** Consent Judgment of ECOWAS

**Exhibit C:** Application for Registration of the Consent Judgment directed to the Chief Registrar of this Court.

A few minutes ago, learned Counsel to the applicants, Mr. D. A. Awosika SAN moved the application summarily.

I have considered the application as summarily as it was moved.

On the strength of the statutory provisions and the depositions in the accompanying affidavits coupled with the Exhibit A, B, C attached and written arguments of Counsel and the authorities of **WEMA BANK VS. GEORGES & ORS. (2021) LPELR 56432**, I found merit in this application and it is hereby granted as prayed.

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**S. B. Belgore**  
(Judge) 12/10/22