

**INTERNATIONAL REVIEW  
OF  
LAW AND  
JURISPRUDENCE**

**Volume 2 (3) September, 2020**

**INTERNATIONAL REVIEW  
OF  
LAW AND  
JURISPRUDENCE**

**Volume 2 (3) September, 2020**



A PUBLICATION OF THE  
INTERNATIONAL CENTRE FOR LAW  
AND DEMOCRACY STUDIES,  
IN CONJUNCTION WITH THE FACULTY OF LAW,  
NNAMDI AZIKIWE UNIVERSITY, AWKA, NIGERIA

**Citation: (2020) 2 (3) IRLJ**

© International Centre for Human Rights and Peace Studies (ICHRPS)

Published, September 2020

All rights reserved. No part of this journal should be reproduced, stored in a retrieval system or transmitted in any form or by any means in whole or in part without the prior written permission of the copyright owner.

**ISSN: 2632-702X**

**Printed and Published by:**

Amaka Dreams Ltd  
106, Arthur Eze Avenue  
Awka, Nigeria  
**Tel:** 08037449926

## TABLE OF CONTENTS

<i>Employing International Standards in Advancing the Enforcement of Economic, Social and Cultural Rights in Domestic Jurisdictions: Nigeria in View</i> <b>ESENIASU UDU, HENRY C. ALISIGWE &amp; AJIBOLU AFOLABI</b>	<b>1</b>
<i>Understanding Foreign Investment Regulations in Nigerian Mining Industry</i> <b>MUHAMMAD RABIU MUSA</b>	<b>11</b>
<i>Compulsory Retirement of Ranking Police Officers on Appointment of an Inspector General: Labour Law Perspectives</i> <b>CHINEZE SOPHIA IBEKWE &amp; PEREOWEI SUBAI</b>	<b>20</b>
<i>Need For Establishment of a Single Institution as a Paradigm Shift for Africa's Trade Growth</i> <b>DANIEL IDIBIA OBIDA</b>	<b>28</b>
<i>Public Accountability in Federal States: The Gap between Nigeria and the United States of America</i> <b>UWADINEKE C. KALU &amp; ODINAKACHUKWU E. OKEKE</b>	<b>36</b>
<i>Interpretation of Statutes and the Retrospective Application of the Fourth Alteration Act Number 21, 2017 by the Supreme Court of Nigeria</i> <b>JUDITH E. JESSAH</b>	<b>42</b>
<i>Air Pollution Control in South-East Zone of Nigeria as a Sine-Qua-Non for Sustainable Development in the Zone: Legal Evaluation</i> <b>JUDE O. EZEANOKWASA</b>	<b>51</b>
<i>Medical Negligence and Emerging Innovative Treatments and Procedures</i> <b>OLAITAN OLUWASEYI OLUSEGUN &amp; UNYIME ANIETI AKPAN</b>	<b>62</b>
<i>The Jurisdictional Question on the Status of Tax Appeal Tribunal: Reflections on CNOOC Exploration and Production (Nig) Ltd &amp; Anor V NNPC</i> <b>KACHIDOBELU JOHN BIELU</b>	<b>70</b>
<i>Transitioning from a Regulated Economy to a Competition Regime: Nigeria as a Case Study</i> <b>CHIDIEBELE KENE EZEAMA &amp; SOMTOCHUKWU D. OJUKWU</b>	<b>76</b>
<i>Revisiting the Definition of Rape under the Nigerian Criminal Jurisprudence</i> <b>B.E. EWULUM</b>	<b>85</b>
<i>Diplomatic Law and Practice of Diplomacy in a New Global Environment: Challenges and Opportunities</i> <b>CHUKWUKA ONYEAKU</b>	<b>90</b>
<i>Nigeria in Search of Sustainable Healthcare Wastes Management Strategies: Any Legal and Institutional Prospects</i> <b>LIVINUS I. NWOKIKE</b>	<b>97</b>

---

<i>An Appraisal of International Humanitarian Law</i> <b>VITUS MAZI UDEGBULEM</b>	<b>106</b>
<i>Current Issues Affecting Women in Nigeria Vis-a-Vis Beijing at Twenty-Five</i> <b>HELEN OBIAGELI OBI</b>	<b>116</b>
<i>Efficacy of the Legal Framework on the Environmental Impact of Crude Oil Theft in Nigeria</i> <b>IRENE AIREN AIGBE &amp; ERIC OMO ENAKIRERU</b>	<b>122</b>
<i>The Legal Regime for Refugee Child Protection in Nigeria</i> <b>LINDA AMARACHI OTI-ONYEMA</b>	<b>130</b>
<i>Prisoners' Right to Vote in Nigeria: A Review of Victor Emenuwe and Ors V Independent National Electoral Commission (INEC) and Comptroller General of Nigeria Prisons</i> <b>CHIMERE ARINZE OBODO &amp; PRESIDENT AIGBOKHAN</b>	<b>139</b>
<i>The Effect of Stabilization Clauses in Petroleum Contracts in Developing Countries like Nigeria</i> <b>OBIOMA HELEN ONYI-OGELLE &amp; PAUL MUSA</b>	<b>145</b>
<i>Rule of Law, Human Rights and National Security in Nigeria</i> <b>TAIYE JOSHUA OMIDOYIN &amp; BOLADE DAMILOLA AWOSUSI</b>	<b>155</b>
<i>Genetically Modified Organisms: A Case for Sustainable Development in an Anti-Globalisation Era</i> <b>CHIDIMMA DORATHY UMEGO &amp; CHINWE FRANCISCA UDE</b>	<b>160</b>
<i>Plea Bargain and Anti-Graft War in Nigeria</i> <b>FIDELIS C. UWAKWE</b>	<b>167</b>
<i>Issues in the Nigerian Senate's Confirmation of Presidential Appointments: the Case of the EFCC Chairman</i> <b>FEMI OLORUNYOMI</b>	<b>173</b>
<i>Regulation of Insider Trading In Nigeria and USA: A Comparative Analysis</i> <b>MESHACH N. UMENWEKE &amp; ONYEKA CHRISTIANA ADUMA</b>	<b>180</b>

**EDITORIAL TEAM**

**EDITOR-IN-CHIEF/GENERAL EDITOR:**

Ikenga K. E. ORAEGBUNAM, PhD (Law), PhD (Phil.), PhD (Rel. & Soc.), MEd, BL, Reader, Faculty of Law, Nnamdi Azikiwe University

**BOARD OF EDITORS:**

Evode KAYITANA, LLB (NUR), LLM (Unisa), LLD (NWU, Potchefstroom), Professor, School of Law, University of Rwanda

C. J. UBANYIONWU, LLB, LLM, PhD, BL, Professor of Law, Faculty of Law, Chukwuemeka Odumegwu Ojukwu University

Maurice O. IZUNWA, M.A. (Rel.), PGDE, LLB, LLM, PhD (Phil.), BL, Lecturer, Faculty of Law, Nnamdi Azikiwe University

Aloy OJILERE, LLB, LLM, PhD, BL, Lecturer, Faculty of Law, Imo State University

M. K. AMID, LLB, LLM, Lecturer, School of Law, Mettu University, Ethiopia

Chinemelum N. ARINZE-UMOBI, LLB, LLM, BL, Lecturer, Faculty of Law, Nnamdi Azikiwe University

**EDITORIAL CONSULTANTS:**

Ifeoma P. ENEMO, Professor of Law, University of Nigeria

Mashood BADERIN, Professor of Law, SOAS, University of London

Edward Kofi QUASHIGAH, Professor of Law, University of Ghana

U.S.F. NNABUE, Professor of Law, Imo State University

A. O. POPOOLA, Professor of Law, Obafemi Awolowo University

Tahir MAMMAN, Professor of Law, Baze University

A. W. Oguttu, Professor of Law, University of South Africa

Dakas C.J. DAKAS, SAN, Formerly Professor of Law, University of Jos

S. A.M. EKWENZE, Professor of Law, Chukwuemeka Odumegwu Ojukwu University

Meshach N. UMENWEKE, Professor of Law, Nnamdi Azikiwe University

Israel N. E. WORUGJI, Professor of Law, University of Calabar

Ogugua IKPEZE, Professor of Law, Nnamdi Azikiwe University

## JOURNAL POLICY

*International Review of Law and Jurisprudence (IRLJ)* is a scholarly, peer-reviewed and fully refereed journal that publishes high quality research papers in law and jurisprudence including socio-legal issues of contemporary significance. The Review is abstracted and indexed with Nigerian Journals Online and Google Scholar. *IRLJ* seeks for papers based on doctrinal or empirical or mixed research methodologies. It provides a forum for theoretical cum policy analysis, debate and critique aimed at solving developmental problems. The Review is also dedicated to presenting and reporting research findings on system-wide trends on law and jurisprudence, international or municipal. Well researched and original papers on topical and relevant subject matters, and case/book reviews are therefore welcome. *IRLJ* appears three times a year in January, May and September, which articles promptly appear in Google scholar. Submission of manuscripts can be made all through the year.

### Guidelines to Contributors

#### 1. Language

The language of the manuscript must be English (British standards).

#### 2. Originality

Articles must be original and must not have been submitted for consideration and publication elsewhere.

#### 3. Length of paper

The length of the paper should not exceed 7000 words including tables, figures, references and appendices (if any). Articles should be typed in 1.5 line spacing (footnotes and references should appear in single line spacing) on one side of A4 paper only with wide margins. Authors are urged to write as concisely as possible, but not at the expense of clarity.

#### 4. Title Page

The title page should include: (i) The name(s) of the author(s), (ii) A concise and informative title, (iii) The affiliation(s) and address (es) of the author(s), (iv) The e-mail address, and telephone numbers of the corresponding author.

#### 5. Abstract

Please provide an abstract of 150 to 200 words which must include the objectives of the study, methodology, findings/results, method of data collection and summary of recommendations. The abstract should not contain any undefined abbreviations or unspecified references.

#### 6. Keywords

Please provide 4 to 6 keywords which can be used for indexing purposes.

#### 7. Subdivision of the article

Divide your article into clearly defined and numbered sections. Subsections should be numbered 1, 2. (then 1.1, 1.1.1, 1.1.2), 1.2, etc). The abstract is not included in section numbering.

#### 8. References and Documentation

Author(s) should adhere strictly to Nigerian Association of Law Teachers Uniform Citation and Documentation Standards accessible at [naltnng.org](http://naltnng.org).

9. Names of authors cited in the footnotes should start with initials and end with the surname.

10. Online sources should indicate the site and date of visit.

### Submission of Manuscripts

Interested contributors are to submit their manuscripts/papers to [irlj2019.edu.org@gmail.com](mailto:irlj2019.edu.org@gmail.com) and copy to the Editor-in-Chief at [ik.oraegbunam@unizik.edu.ng](mailto:ik.oraegbunam@unizik.edu.ng).