COMMUNITY COURT OF JUSTICE,
ECOWAS
COUR DE JUSTICE DE LA COMMUNATE,
CEDEAO
TRIBUNAL DE JUSTICA DA COMMUNIDADE,
CEDEAO

No. 1164 JOSEPH GOMWALK
STREET, GUDU 900110 FCT, ABUJA-
NIGERIA. PMB 567 GARKI, ABUJA
TEL: 234-9-78 22 801
Website: wwwcourtecowas.org

THE COMMUNITY COURT OF JUSTICE OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)

In the Matter of

INCORPORATED TRUSTEES OF SOCIOECONOMIC RIGHTS PROJECT
(APPLICANT)

v

FEDERAL REPUBLIC OF NIGERIA
(RESPONDENT)

Application No. **ECW/CCJ/APP/05/22;** *Judgt No.* **ECW/CCJ/JUD/34/26**

JUDGMENT

ABUJA

24 JUNE 2026

THE COMMUNITY COURT OF JUSTICE OF THE
ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)
HOLDEN AT ABUJA, NIGERIA

Application No: **ECW/CCJ/APP/05/22;** *Judgment No.* **ECW/CCJ/JUD/34/26**

BETWEEN

INCORPORATED TRUSTEES OF SOCIOECONOMIC RIGHTS PROJECT

(APPLICANT)

AND

FEDERAL REPUBLIC OF NIGERIA

(RESPONDENT)

COMPOSITION OF THE COURT:

Hon. Justice Sengu Mohamed **KOROMA** - Presiding
Hon. Justice Gberi-Be **OUATTARA** - Member
Hon. Justice Edward Amoako **ASANTE** - Judge Rapporteur

ASSISTED BY:
Dr. Yaouza **OURO-SAMA** - Chief Registrar

REPRESENTATION OF PARTIES:

Mr. Oluwadare Kolawole - Counsel for APPLICANT

Mrs. Maimuna Lami Shiru -Counsel for RESPONDENT

I. JUDGMENT

1. This is a judgment of the Court read virtually in open court pursuant to Article 8(1) of the Practice Directions on Electronic Case Management and Virtual Court Sessions, 2020.

II. DESCRIPTION OF THE PARTIES

2. The Applicant, the Incorporated Trustees of Socioeconomic Rights Project (SERAP) is a non-governmental organisation (NGO) registered and operating in Nigeria dedicated to the promotion and protection of human rights.

3. Respondent, the Federal Republic of Nigeria is an ECOWAS Member State and a party to the African Charter on Human and Peoples' Rights ("African Charter") and the International Covenant on Economic, Social and Cultural Rights ("ICESCR").

III. INTRODUCTION

Subject Matter of the Proceedings

4. Applicant alleges that the Government of Nigeria has been engaged in persistent and unsustainable borrowing that has left the country heavily indebted, and led to an economic crisis impairing the Government's ability to deliver essential public services such as quality healthcare, education, and clean water to the most vulnerable and marginalised sections of the population. Applicant contends, and requests the Court to declare, that the persistent and unsustainable borrowing by the Respondent and its adverse economic effects violate the rights of the Nigerian people including their rights to health, education, and economic and social development under the African Charter and other human rights instruments ratified by the Respondent.

IV. PROCEDURE BEFORE THE COURT

5. The Applicant commenced these proceedings by an Application dated 14 January 2022 which was filed at the Registry of the Court on 17 January 2022 and served on the Respondent the same day.

6. On 28 February 2023, the Respondent filed an application for extension of time together with its prepared Statement of Defence. Both documents were served on the Applicant on 1 March 2023.

7. At a session of the Court on 27 September 2024 during which both parties were represented, Applicant's counsel indicated that he had not received the documents filed by the Respondent. The Court therefore adjourned the hearing of the matter.

8. On 25 October 2024, the Applicant filed a Reply to the Respondent's Statement of Defence which was served on the Respondent the same day.

9. At the session of the Court on 12 March 2025 during which both parties were represented, the Court granted the Respondent's application for extension of time and deemed its documents as regularly filed. It then proceeded to hear the parties on the merits of the case and adjourned for deliberations and judgment.

V. APPLICANTS' CASE

A. Summary of Facts

10. The Applicant says that on 14 and 15 December 2021, the Respondent, through the National Assembly, approved loans amounting to USD 5,803,364,553.50 and a grant

of USD 10 million under the Federal Government's 2018–2020 External Borrowing Plan.

11. According to the Applicant, the National Assembly approved several loans amounting to billions of dollars and euros in 2021 under various borrowing plans. The Applicant states that the country's Debt Management Office (DMO) confirmed Nigeria's foreign debt stock at USD 37.9 billion, including USD 3.59 billion owed to China. The Applicant further states that the United Nations Independent Expert on Foreign Debt and Human Rights expressed concern that Nigeria's debt servicing exceeded 20% of tax revenues and contributed to rising social tensions arising from poverty and inequality.

12. According to the Applicant, the DMO disclosed that Nigeria's public debt rose to 38 trillion naira by the third quarter of 2021, representing an increase of 2.54 trillion naira within three months. The Applicant says that this reflects plans by the Respondent to accumulate approximately 12 trillion naira in debt between 2021 and 2023.

13. The Applicant further states that the Respondent was ranked fifth among the ten countries with the highest debt risk exposure globally by the World Bank, with a debt exposure of USD 11.7 billion as contained in the International Development Association Fiscal Year 2021 Financial Statement. The external debt increased from USD 7.36 billion in 2015 to USD 28.57 billion in 2020, representing an increase of almost 300% while domestic debt also increased from 8.84 trillion naira to 16.02 trillion naira within the same period.

14. According to the Applicant, as of October 2021, Nigeria's debt service-to-revenue ratio stood at 73%, based on the African Development Bank's estimates. Data from the World Bank also showed that Nigeria became the world's poverty capital in 2018, with approximately 82.9 million people, representing 40.1% of the population, living in extreme poverty. The Applicant further states that unemployment rose from 27.1% in 2020 to 33.3% by March 2021.

15. Further, the Applicant states that between 2015 and 2021, the Respondent increased the retail price of petrol on five occasions and announced plans to remove fuel subsidies in 2022, a measure projected to increase fuel prices from 160 naira to 345 naira per litre. The Applicant says that analysts warned that the policy could trigger inflation and increase the cost of consumer goods. The Applicant also states that the Respondent devalued the Naira against the United States Dollar on 31 December 2021 and increased electricity tariffs four times between 2020 and 2021, thereby worsening poverty levels and undermining the economic, social and cultural rights of Nigerians.

16. On 18 December 2021, the Applicant says that it wrote a letter to the President of Nigeria calling for urgent measures to address the country's debt crisis and mitigate its impact on vulnerable Nigerians. Although the letter was delivered on 29 December 2021, the President neither responded to the letter nor took any steps to address the concerns raised in it.

17. The Applicant contends that the Respondent's unsustainable borrowing has diverted substantial portions of the national budget to debt servicing, resulting in stringent economic measures and worsening socio-economic conditions. It alleges that the Respondent's continued reliance on loans and persistent borrowing have

progressively diminished the welfare and living conditions of Nigerians and have resulted in violations of their economic, social and cultural rights.

18. Accordingly, the Applicant contends that further unchecked borrowing and rising debt levels are likely to impair the ability of the Federal Government and the component States to provide essential services such as healthcare, education and access to clean water, thereby worsening the conditions of vulnerable and marginalized groups. It asserts that the rights to education, health, housing and work are under threat as millions of Nigerians continue to experience worsening living conditions.

B. Pleas in Law

19. The Applicant states that it relies on the provisions of the following legal instruments for its case:

(i) Articles 1, 5, 15, 16, 17, 21, 22 and 24 of the African Charter on Human and Peoples' Rights.

(ii) Articles 1 (2), 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13 and 14 of the International Covenant on Economic, Social and Cultural Rights.

(iii) Articles 1, 3, 22, 23 (3), 25(1) and 26 of the Universal Declaration of Human Rights 1948.

(iv) Articles 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of the Declaration on the Right to Development 1986.

(v) Articles 6, 15, 31, 63 and 64 of the Revised Treaty of the Economic Community of West African States.

(vi) Article 33 of the Rules of the Court

(vii) Article 10 of the Protocol of the Court (as amended).

C. Reliefs Sought

20. The Applicant requests the Court for the following reliefs:

(i) A declaration that the failure of the [Respondent] to halt its continuous borrowing amounts to breach of the Applicant's and other Nigerians' rights to enjoyment of socio economic and cultural rights, social security, adequate standard of living, health, education, economic, social and cultural development and general satisfactory environment favourable for development guaranteed respectively under Articles 2, 9, 11, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, and Articles 15, 16, 17, 22 and 24 of the African Charter on Human and Peoples' Rights.

(ii) A declaration that the failure of the [Respondent] to halt its continuous borrowing amounts to breach of the Respondent's legal obligations, particularly under Articles 15, 16, 17, 22 and 24 of the African Charter on Human and Peoples' Rights, and Articles 2, 9, 11, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights.

(iii) An order directing and compelling the [Respondent] to issue an immediate moratorium on borrowing and immediately halt further borrowing by the Federal Government and the 36 states to address a systemic debt crisis, prevent retrogressive economic measures, and the disproportionately negative impact of unsustainable debt on the most vulnerable and marginalized Nigerians.

(iv) An order directing and compelling the [Respondent] to conduct assessment of the borrowing by governments since 1999 to address the dire

consequences of unsustainable debts on people and communities across Nigeria, and to ensure that borrowing at all levels of government considers the human rights impacts.

(v) An order directing and compelling the [Respondent] to publish details of spending of loans obtained by the Nigerian Government since 1999 including the list of projects and locations of any such projects on which the loans have been spent.

(vi) An order directing and compelling the [Respondent] to adopt effective measures to address transparency and accountability gaps in spending of loans, and the systemic and widespread corruption in ministries, departments and agencies, as documented by the Office of the Auditor-General of the Federation, including in the 2019 Audited Report.

(vii) An order of perpetual injunction restraining the [Respondent] and its agents from continuously embarking on unsustainable borrowing except the human rights impact assessment of the previous borrowings is conducted and recommendations fully implemented.

(viii) Such further orders the Honourable Court may deem fit to make in the circumstances of this suit.

VI. RESPONDENT'S CASE

A. Summary of Facts

21. The Respondent denies each and every material allegation contained in the Applicant's Initiating Application. It maintains that it is a sovereign State governed

by the rule of law and that it conducts its affairs in accordance with the Constitution of the Federal Republic of Nigeria, 1999 (as amended), the treaties and protocols establishing ECOWAS, the African Charter on Human and Peoples' Rights, and other applicable regional and international instruments.

22. The Respondent states that the Debt Management Office (DMO), among its statutory functions, maintains a reliable database of all loans contracted or guaranteed by the Federal Government, State Governments, and their agencies. According to the Respondent, by a letter dated 17 January 2023, Ref. No. DMO/PMD/531/260, the DMO furnished the Office of the Attorney-General of the Federation with official data relating to loans, borrowings, and other relevant information in connection with the present Application, upon which the Respondent relies.

23. The Respondent denies the Applicant's averments concerning the approval of loans and grant components by the National Assembly on 14 and 15 December 2021 and puts the Applicant to the strictest proof thereof.

24. The Respondent further denies the Applicant's allegations regarding previous approvals by the National Assembly of loans in various currencies and grant components. It states instead that the approval granted by the National Assembly related to multilateral fund projects under the 2018–2020 Federal Government External Borrowing (Rolling) Plan, as contained in the Approval of Multilateral Fund Projects dated 2 December 2021, which reflected ongoing negotiations for external borrowing in the sum of USD 16,354,577,718, EUR 1,020,000,000, and a grant component of USD 125,000,000.

25. The Respondent rejects the Applicant's assertion that Nigeria and its thirty-six constituent States are trapped in a debt crisis. It states that as of 30 September 2021,

Nigeria's external debt stock, including that of the States and the Federal Capital Territory, stood at USD 37.9 billion, approximately fifty-five percent of which was contracted on concessional terms with low interest rates and long repayment periods. The Respondent further states that loans obtained from China amounted to USD 3.59 billion, representing only 9.47 percent of the total external debt stock.

26. The Respondent acknowledges that the debt service-to-revenue ratio is relatively high but attributes this to the growth in debt stock and comparatively low revenue generation. It maintains that the Government has implemented measures to increase both oil and non-oil revenues.

27. The Respondent further states that Nigeria's total public debt as of September 2021 stood at ₦37.9 trillion, representing an increase of ₦2.5 trillion from the figure of ₦35.4 trillion recorded as of 30 June 2021. It denies that this increase supports the Applicant's allegation that the Government intended to accumulate approximately ₦12 trillion in debt between 2021 and 2023.

28. The Respondent denies that Nigeria was listed among countries with the highest debt risk exposure. According to the Respondent, the World Bank report relied upon by the Applicant concerned the Single Borrower Limit (SBL) applied by the International Development Association (IDA) to manage concentration risk within its loan portfolio. The Respondent states that the SBL for the 2021 financial year was fixed at USD 42 billion, representing twenty-five percent of the IDA's equity of USD 168.2 billion, and that Nigeria's outstanding IDA loans of USD 11.7 billion as of 30 June 2021 were well within that limit. It further maintains that the report did not constitute an assessment of Nigeria's debt stock.

29. The Respondent admits the authenticity of the debt records maintained by the Debt Management Office but explains that the increase in Nigeria's debt stock between 2015 and 2020 resulted from the financing of budget deficits through domestic and external borrowing in accordance with the prevailing Debt Management Strategy. It adds that the reasons for such borrowing are set out in the relevant Appropriation Acts, which are public documents.

30. The Respondent maintains that although debt stock and debt servicing obligations have increased, this does not amount to a systemic debt crisis. It states that the Government's economic and social objectives are articulated in Fiscal Strategy Papers accompanying each annual budget and reflected in the Appropriation Acts. The Respondent further denies receiving the letter relied upon by the Applicant and puts the Applicant to strict proof thereof.

31. With respect to the protection and promotion of human rights, the Respondent states that expenditure by the Federal Government on social and economic programmes is provided for in the Appropriation Acts, while State Governments are independently responsible for implementing and financing their own social welfare programmes.

32. The Respondent denies that debt servicing constitutes an impediment to the realization of human rights. It states that borrowing was undertaken to finance critical programmes in education, healthcare, and infrastructure where available resources were insufficient and maintains that such borrowing has not diminished the Government's capacity to create conditions necessary for the realization of human rights and development.

33. The Respondent further contends that the Applicant has failed to produce any authentic records from the Budget Office of the Federation to support the allegation

that the Respondent has not devoted the maximum available resources to the realization of economic, social, and cultural rights, including the rights to health, education, and water.

34. The Respondent also disputes the Applicant's reliance on the African Development Bank's reported debt service-to-revenue ratio of 73 percent. It states that the figure was extracted from a paper titled "Nigeria's Economic Resurgence," presented by the President of the African Development Bank Group at the Mid-Term Ministerial Performance Review Retreat held in Abuja on 11 October 2021. According to the Respondent, the paper did not suggest that Nigeria's debt profile would undermine the realization of social and economic rights but rather emphasized the need to address structural constraints affecting productivity and revenue generation in the non-oil sector.

35. The Respondent further challenges the Applicant's assertion that Nigeria is the poverty capital of the world and contends that no authentic data from the National Bureau of Statistics has been produced in support of that allegation.

36. The Respondent denies that debt relief conditions necessarily result in reductions in government expenditure on basic social services and maintains that no such conclusion can be drawn as a matter of course.

37. Further, the Respondent challenges the Applicant's allegations regarding fuel prices, currency devaluation, and electricity tariffs. It contends that no supporting evidence has been produced from the National Bureau of Statistics, the Ministry of Petroleum Resources, or any relevant agency by the Applicant. It states that the Applicant has failed to provide credible evidence establishing any causal link between Nigeria's

borrowing and debt servicing activities and the alleged violations of rights protected under international and regional human rights instruments.

38. The Respondent concludes that the Applicant has failed to disclose any actionable wrong capable of warranting the reliefs sought. It contends that the claims are speculative, unsubstantiated, frivolous, and constitute an abuse of the process of the Court, and therefore urges the Court to dismiss the Application in its entirety.

B. Pleas in Law

39. The Respondent submits the following pleas in law:

(i) That the Applicant has failed to disclose a reasonable cause of action to entitle it to the reliefs sought.

(ii) That the Applicant has failed to discharge the evidential burden placed on it in proof of its claims.

(iii) That the rights allegedly claimed by the Applicant as contained in relevant provisions of the African Charter are not absolute but rather subject to limitations permitted by law.

C. Reliefs Sought

40. The Respondent requests the Court to dismiss the Application for being unsubstantiated and lacking merit.

VII. JURISDICTION OF THE COURT

41. Article 9(4) of the Protocol of the Court (as amended) vests the Court with "jurisdiction to determine cases of violation of human rights that occur in any Member State." Under the Court's long-standing jurisprudence, this jurisdiction is properly invoked when an application alleges that human rights violations have occurred in a member state and that the state is responsible for those violations, subject to a determination on the merits. (See *Mohammed Morlu v Republic of Sierra Leone* [ECW/CCJ/JUD/04/24], para 29).

42. In this case, the Applicant alleges that the Respondent's policy or practice of unsustainable borrowing and its attendant economic effects are violating multiple rights of Nigerians including their rights to health, education and economic and social development contrary to the Respondent's obligations under various human rights instruments including the African Charter and ICESCR. Given that these claims implicate the Respondent's international human rights obligations, the Court holds that it has jurisdiction consistent with Article 9(4) of the Protocol of the Court (as amended).

VIII. ADMISSIBILITY OF THE APPLICATION

43. Article 10(d) of the Court's Protocol requires that an application alleging human rights violations must satisfy three main admissibility criteria: (a) the applicant's victim status or standing, (b) the non-anonymity of the application; and (c) the non-pendency of the matter before another international court or tribunal. (*Aziagbede Kokou & Others v Republic of Togo* [2013] CCJELR 167, para 18).

44. Regarding standing, the general position as confirmed by the Court's precedents is that Applicants must demonstrate that they are, *prima facie*, victims of human rights violations attributable to the Respondent. (See *Amnesty International Togo and Others v The Togolese Republic* [ECW/CCJ/JUD/09/20], paras 31-33). That said, the Court has recognised three broad exceptions to the above general rule on standing to allow persons who are not direct victims of human rights violations to bring cases before the Court. These are:

(a) actions brought by indirect victims, that is, persons closely related to the direct victim and who potentially suffer indirect consequences of the human rights violation (see *Kehinde Enagameh v The Gambia* [ECW/CCJ/JUD/34/23], para 30; and *Attipoe Kuaku v Republic of Sierra Leone* [ECW/CCJ/JUD/07/23], paras 42-45);

(b) a representative action brought by an individual or NGO on behalf of an individual victim or a group with the authorisation of such individual or group (see *Bakary Sarre and 28 Others v Mali* [2011] CCJELR 57, para 37); and

(c) public interest actions (*actio popularis*) brought by NGOs or public-spirited individuals (see *Patrick Eholor v Federal Republic of Nigeria* [ECW/CC/JUD/51/23], paras 51-52 and *Isaac Mensah v Republic of Ghana* [ECW/CCJ/JUD/30/24], paras 76-77).

45. In this case, the Court notes that by the nature of the claims made by the Applicant and the reliefs sought, the Applicant is suing as a public interest litigant. In *Incorporated Trustees of Prince & Princess Charles Offokaja Foundation v Federal*

Republic of Nigeria [ECW/CCJ/JUD/14/25] (para 39), the Court held that in a public interest action, "an Applicant need not obtain any mandate or authorization, as doing so would be impractical or impossible. What matters is that: (i) the claim is brought to protect or enforce a collective or public right, or, in some cases, an individual right whose alleged breach has harmed the public or a large and indeterminate section of the public; and (ii) the reliefs sought are intended for the benefit of the public as a whole."

46. The Applicant alleges human rights violations that potentially affects a significant percentage of the Nigerian population and seeks reliefs that are objectively not for its own benefit, but for the benefit of all Nigerians. In the circumstances, the Court concludes that it has standing as a public interest litigant.

47. Also, the Court notes that the case has not been presented anonymously, nor is there evidence that the matter is pending before another international court, contrary to the admissibility requirements of Article 10(d) of the Protocol of the Court. For these reasons, the Court concludes that the Application is admissible.

IX. MERITS

48. The Court notes that, in its narration of the facts, the Applicant sets out certain data on Nigeria's external and domestic debts and proceeds to describe the economic hardships allegedly being experienced by Nigerians as a result of the Respondent's borrowing. The Applicant then cites various provisions of the African Charter, the ICESCR, the ECOWAS Revised Treaty 1993, and other instruments, including the Universal Declaration of Human Rights 1948 and the United Nations Declaration on the Right to Development 1986, to ground a broad and generalized claim that the

Respondent's unsustainable borrowing has resulted in multiple violations of human rights protected under those instruments.

49. Some specific points that could be deduced from this generalized claim are:

a) that excessive public debt contributes to poverty, inequality, and broader socio-economic hardship, thereby adversely affecting the enjoyment of socio-economic rights;

b) that the Respondent's increasing and unsustainable borrowing has created a growing debt burden that threatens the realization of economic, social and cultural rights;

c) that the repayment and servicing of public debt divert resources that ought to be allocated to essential public services, including healthcare, education, employment, and other socio-economic programmes;

d) that the continued accumulation of debt by the Respondent is likely to impair its capacity to provide basic social services and promote socio-economic development; and

e) that the Respondent's borrowing practices are inconsistent with its international human rights obligation to utilize the maximum available resources for the progressive realization of socio-economic rights.

50. The Court notes that the Applicant does not separately address the normative content of any of the rights allegedly violated, the causal link between the Respondent's conduct and the alleged violation, or the specific legal injuries suffered by sections of the Nigerian population, supported by concrete evidence. Rather, the Applicant

merely presents economic data relating to public debt, poverty, and inequality, which it attributes to the Respondent's alleged unsustainable borrowing, without demonstrating how such borrowing has translated into actual violations of human rights. No evidence or legal arguments are presented on real and demonstrable conditions, such as deteriorating hospitals or schools, or the lack of potable water in specific communities, and how they are directly attributable to the Respondent's borrowing.

51. In *Registered Trustees of Gan Allah Fulani Development Association of Nigeria v Federal Republic of Nigeria* [ECW/CCJ/JUD/06/23] (para 76) the Court, in dismissing the Applicant's claim relating to the subjection of certain Fulani communities to inhuman and degrading treatment, noted as follows:

> 76. [T]he Court observes that apart from merely citing the prohibition of degrading and dehumanizing treatment under Article 5 of the African Charter and Article 7 of the ICCPR in the application, Applicant made no specific submissions on this claim. It did not explicate the normative content of the prohibition of degrading and dehumanizing treatment in any form relevant to its case. Nor did it provide any particulars of the specific treatment or conditions that amount to degrading and dehumanizing treatment in the context of this case and how Respondent bears responsibility for them. Consequently, the Court finds that Applicant has not proven its claim of degrading and dehumanizing treatment. It is accordingly dismissed.

52. Similarly, in *Gregory J. Todd v Federal Republic of Nigeria* [ECW/CCJ/JUD/41/23] (paras 72-73) where certain generalized and vague allegations of human rights violations were advanced, the Court had occasion to remind applicants appearing before it of the burden of proof required of them in human rights cases. It stated that:

> 72. [A]n applicant who alleges violations of human rights bears the burden of establishing their case by pleading and explaining the relevant international legal obligations of the Respondent claimed to have been violated and presenting sufficient evidence to prove the violation. (See *Registered Trustees of Gan Allah Fulani Development Association v Federal Republic of Nigeria* ECW/CCJ/JUD/06/23, para 76). This principle applies with greater force in cases

where the Respondent state has categorically denied the alleged violations and put the Applicant to strict proof.

73. In this case, the Court observes that besides the mere recital of certain provisions of the African Charter that pertain to the aforementioned rights, and a plea for a declaration of their violation, the Applicant made no specific submissions on these claims. The Application did not clarify the normative elements of these rights in a manner relevant to the Applicant's case. Nor did it offer any details on how the actions of the Respondent's agents…led to the alleged violation of each of this multitude of rights.

74. Consequently, the Court finds that Applicant has not proven his claims relating to the alleged violations of the right to life, freedom of association, freedom of speech, right to fair hearing, dignity of the human person and the right to earn a livelihood. Those claims are accordingly dismissed.

53. Upon assessing the Application in light of these standards, the Court considers that the Applicant has presented a very generalized claim. It did not identify each human right allegedly violated, articulate its normative content and the corresponding obligations of the Respondent, or demonstrate how the Respondent's alleged unsustainable borrowing resulted in violations of those rights. Nor did it provide concrete evidence of specific communities or identifiable sections of the population where the impact of these alleged violations has actually been felt.

54. In view of this, the Court considers the Application to be speculative. It essentially presents generalized economic and political grievances that do not satisfy the applicable standards of legal and factual proof established in the Court's jurisprudence. Accordingly, the Application is dismissed in its entirety.

X. COSTS

55. Pursuant to Article 66(1) of the Rules of the Court, the Court decides that each party shall bear their own costs.

XI. OPERATIVE CLAUSE

56. For the foregoing reasons, the Court sitting in public and after hearing the parties:

On jurisdiction

i. *Declares* that the Court has jurisdiction over the Application.

On admissibility

ii. *Finds* that the Application is admissible.

On the merits

iii. *Finds* that the Application is unsubstantiated both in law and in fact and dismisses it in its entirety.

On costs

iv. *Decides*, pursuant to Article 66(1) of the Rules of the Court, that each party shall bear their own costs.

Done at Abuja this 24th day of June 2026 in English and translated into French and Portuguese.

Hon. Justice Sengu Mohamed **KOROMA**
Presiding

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Hon. Justice Gberi-Be **OUATTARA**
Member

.....

Hon. Justice Edward Amoako **ASANTE**
Judge Rapporteur

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ASSISTED BY:
Dr. Yaouza **OURO-SAMA** (Chief Registrar)

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