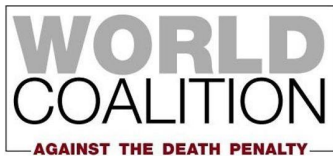


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Nigeria
Stakeholder Report for the United Nations Universal Periodic Review:
The Death Penalty

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status

The World Coalition Against the Death Penalty,
and
Avocats Sans Frontières/Lawyers without Borders France

for the 45th Session of the Working Group on the Universal Periodic Review
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Founded in 1983, **The Advocates for Human Rights** (“The Advocates”) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty (WCADP), an alliance of more than 150 NGOs, bar associations, local authorities, and unions, was created in Rome on 13 May 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

Avocats Sans Frontières/Lawyers without Borders France (ASF France) is a French non-governmental organization that promotes and defends fundamental human rights and the establishment of the rule of law.

EXECUTIVE SUMMARY

1. Nigeria has not had an execution since 2016, yet Nigerian courts continue to sentence people to death. Nigeria's Criminal Code does not limit the death penalty to the "most serious" crimes – those crimes in which a person intended to kill and did in fact kill – and the death penalty is an available sentence for those individuals who commit nonlethal crimes. For several of these crimes, the death penalty is mandatory.
2. This report examines the current state of the death penalty in Nigeria and provides recommendations to address death penalty issues in Nigeria, including that (1) Nigeria should abolish the death penalty and replace it with a fair and proportionate sentence in line with international human rights standards; (2) until complete abolition, Nigeria should impose a formal moratorium on the death penalty and should otherwise limit the death penalty to lethal crimes in which the defendant had the intent to kill, and; (3) Nigeria should continue reforming various aspects of its legal and institutional frameworks to improve the criminal justice system.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

A12 Acceptance of international norms

Status of Implementation: Not Accepted, Not Implemented

3. Nigeria received nine recommendations during its Third Cycle review in 2018 to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) with an aim toward abolishing the death penalty.¹
4. Nigeria noted these recommendations, but has not made any steps to voluntarily ratify the Second Optional Protocol.²

D23 Death penalty

Status of Implementation: Not Accepted, Not Implemented

5. In Nigeria's Third Cycle Review, Member States made 21 recommendations related to Nigeria's use of the death penalty, including recommendations to abolish the death penalty, establish a moratorium on executions, and reduce the number of crimes to which the death penalty applies.³ Nigeria noted all but Mexico's recommendation to "Establish a moratorium on the use of the death penalty and step-up national discussions on the question of its abolition."⁴
6. During the Third Review Cycle, Nigeria noted that "efforts were ongoing between the Federal Government and the state governments to formalize a moratorium on the death penalty."⁵ There is a *de facto* moratorium resulting from State governors not signing death warrants,⁶ but no formal moratorium has been established, nor has Nigeria implemented Mexico's recommendation.⁷ Although the Government has not carried out an execution since 2016, courts continue to sentence people to death.⁸
7. Section 33(1) of the Nigerian Constitution allows the State to carry out the death sentence when it is "in execution of the sentence of a court in respect of a criminal offence of

which he has been found guilty in Nigeria.”⁹ Moreover, the death penalty is allowed in Nigeria under several federal and state laws which operate alongside each other.¹⁰ These laws remain in effect.

8. There are a variety of crimes that may result in a death sentence. Many of these crimes, which include treason,¹¹ kidnapping,¹² blasphemy,¹³ rape,¹⁴ and “homosexuality,”¹⁵ do not rise to the level of “most serious crimes,” or committing an intentional killing, the established criteria for use of the death penalty under Article 6(2) of the ICCPR.
9. Further, the death penalty is mandatory for some offenses in Nigeria. In Nigerian states applying Sharia law, rape committed by a married person and adultery by a married person carries a mandatory death penalty by stoning.¹⁶ “Homosexual sodomy” and blasphemy also carry a mandatory death sentence in states governed by Sharia law.
10. Under the Criminal Code Act, killing someone unintentionally, without any intention to hurt another person, also carries a mandatory death penalty,¹⁷ as does armed robbery or robbery resulting in harm to a victim.¹⁸
11. In certain states, courts may also sentence individuals who were younger than 18 at the time the crime was committed to death, owing to the vague definition of “child” under Sharia law. Although Nigerian law prohibits sentencing children to death, in those states applying Sharia law, individuals who have reached puberty are no longer considered children, even if they are under 18 years of age.¹⁹
12. The Nigerian Correctional Service Act passed on August 14, 2019, contains a provision which allows a Chief Judge to commute a death sentence to life imprisonment where the person who is imprisoned has exhausted all legal procedures for appeal and a period of 10 years has passed without the execution of the sentence.²⁰
13. In July 2021, the Minister of the Interior called on state governors to sign the death warrants of the 3,008 prisoners awaiting execution, as part of measures to reduce prison congestion across Nigeria.²¹
14. In April 2023, the Nigerian Correctional Service reported that at least 3,298 individuals were on death row.²²
15. According to the Nigerian Correctional Service, in 2021, 61 women were on death row. Many of these crimes involve murders of close family members in a context of gender-based violence.
16. Some of the women sentenced to death in the country had been forcibly married at a young age as Maimuna Abdulmumini. Married at the age of 13 she was charged with murder of her husband and languished in prison for six years before her trial where she has been sentenced to death. The ECOWAS court ruled that Nigeria had violated its international human rights obligations, ordered a stay of execution and Maimuna was released from prison in 2016.²³
17. After murder, armed robbery is the crime for which women are most frequently sentenced to death in Nigeria, after murder.²⁴
18. Despite the moratorium on executions, courts continue to sentence people to death. On July 1, 2022, a court in Nigeria’s northern state of Bauchi sentenced three men to death by stoning after convicting them on charges of engaging in “homosexuality.”²⁵

19. On August 10, 2020, Nigerian singer Yahaya Sharif-Aminu was sentenced to death for circulating a song via WhatsApp considered to be blasphemous.²⁶ The Court of Appeal ordered his retrial in August 2022, but he remains in detention at the custodial center.²⁷
20. On January 16, 2023, a court in Osogbo sentenced six men to death after convicting them of armed robbery and murder.²⁸

D25 Prohibition of torture and cruel, inhuman or degrading treatment

Status of Implementation: Accepted, Not Implemented

21. Nigeria supported five recommendations related to the prohibition of torture and cruel, inhuman or degrading treatment, including recommendations to provide rehabilitative services to people who experienced torture and to create a national torture prevention mechanism.²⁹
22. The Anti-Torture Act expressly prohibits torture and other cruel, inhuman or degrading treatment or punishment by law enforcement agents in Nigeria and mandates that anyone who does engage in this behavior be punished.³⁰ The Act, however, requires states to adopt complementary legislation to make it binding and ensure enforceability.
23. Despite the enactment of the Anti-Torture Act, torture and other ill treatment remains pervasive in the criminal justice system. Amnesty International documented at least 82 cases of torture and ill treatment by the Special Anti Robbery Squad (SARS) between January 2017 and May 2020.³¹ The Government has not prosecuted any SARS officers for these alleged actions.³²
24. In 2022, police allegedly tortured at least 21 #EndSARS protesters while they were in detention. Victims reported to Amnesty International that police allegedly tortured at least two of the protesters to death.³³
25. On August 29, 2021, police in Uyo, Akwa Ibom state allegedly tortured Kubiak Akpan to death within hours of his arrest.³⁴

D26 Conditions of detention

Status of Implementation: Accepted, Partially Implemented

26. During its Third Cycle review, Switzerland recommended that Nigeria “[i]mplement the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) to improve conditions of detention and to end the ill treatment of detainees.”³⁵ Nigeria supported this recommendation. Nigeria, however, has not implemented the Nelson Mandela Rules.
27. Georgia recommended that Nigeria “[s]peed up the implementation of the Nigerian Prisons and Correctional Service Bill.”³⁶ The Government of Nigeria also supported this recommendation. On August 14, 2019, the Nigerian Correctional Services Bill was signed into law. The Act repeals the sections of the Prison Act and enacts a Nigerian Correctional Services Act to address issues that were not covered under the repealed sections and improve on prison administration.³⁷
28. Some of the objectives of the new Act include ensuring compliance with international human rights standards, providing a platform for the implementation of non-custodial

measures and promoting the reformation, rehabilitation, and reintegration of offenders.³⁸

29. Despite the new Act, however, there have been continued complaints about prison congestion in part due to the number of people under sentence of death and the number of individuals awaiting trial.³⁹
30. Nigerian custodial centers suffer from poor infrastructure, with four of out of every five custodial center having been built before 1950,⁴⁰ and as such, lack modern drainage systems, and instead use open drains which create a serious health risk for people who are incarcerated.⁴¹
31. Individuals on death row face especially poor custodial conditions,⁴² as their cells are dark and lack proper ventilation.⁴³
32. Women on death row have specific needs, including sexual and reproductive health care, medical and mental health care, and protection from gender-based violence, among others. These needs are not systematically considered and covered in prisons, which can turn detention into torture. For example, prisons in Nigeria take pregnant inmates to a nearby hospital for delivery and antenatal care. Also, family visits are limited, and Nigeria's prison guards stand watch over visitations between families and death row inmates; it is unclear whether this practice is true for legal visits as well.⁴⁴

D51 Administration of justice and fair trial

Status of Implementation: Accepted, Partially Implemented

33. Nigeria supported four recommendations aimed at strengthening and reforming its justice system.⁴⁵ These recommendations have been partially implemented.
34. The population held in detention in Nigeria's custodial centers is approximately 74,000, with more than 50,000 people awaiting trial. Many of the people awaiting trial will spend more time in pretrial detention than the the length of the sentence for the crime of which the individual is accused.⁴⁶
35. In May 2023, the Assistant Controller-General of Nigerian Correctional Service stated that some individuals had been incarcerated without trial for more than 10 years.⁴⁷
36. In Nigeria, the vast majority of women on death row cannot pay for counsel and are illiterate and have been denied their right to a fair trial.⁴⁸
37. In April 2023, a correctional officer explained that "[i]nmates awaiting execution live on what we call death row; some offenders have been executed more than 15 years after their convictions."⁴⁹ Despite the *de facto* moratorium on executions resulting from State Governors not signing death warrants, individuals who are under sentence of death continue to be housed on death row and their sentences are not formally commuted.⁵⁰
38. The Government has been postponing trials for hundreds of Boko Haram suspects since 2019.⁵¹ Most of the charges against the more than 200 defendants were based on alleged confessions and the Government charged them with vague accusations of supporting Boko Haram by repairing members' vehicles, laundering their clothes, or supplying them with food and other items.⁵²
39. The Anti-Torture Act and the Administration of Criminal Justice Act prohibit the admission of confessions obtained under torture, however, the Committee Against

Torture reported that police and courts continue to accept coerced confessions.⁵³

II. RECOMMENDATIONS

29. The co-authors of this report suggests the following recommendations for the Government of Nigeria:

- Abolish the death penalty and replace it with a fair and proportionate sentence in accordance with international human rights standards.
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.
- Prohibit the death penalty for all persons under the age of 18, in compliance with federal and international human rights law, including in the states that operate under Sharia law.
- In the interim, formalize the moratorium on executions for all crimes.
- In the interim, commute all death sentences in accordance with the provisions set out in the Correctional Service Act.
- In the interim, limit the death penalty to only the “most serious” crimes in which the defendant had the intent to kill, and did in fact kill, to comply with Article 6 of the ICCPR, including in states that operate under Sharia law.
- In the interim, commute all death sentences where the individual was not convicted of a “most serious” crime as defined in the ICCPR.
- Commute the sentences of women sentenced to death for killing close family members who perpetrated gender-based violence including domestic violence, against them and for women sentenced to death for drug trafficking and other offenses that do not involve the loss of human life.
- Remove mandatory sentencing regimes so that courts may properly consider mitigation evidence for every woman charged with a capital offense, and order resentencing of all women sentenced to death without full consideration of mitigating circumstance.
- Ensure that the criminal justice system takes full account of any mitigating factors related to women's backgrounds, including evidence of trauma, economic pressures, child marriage, domestic and gender-based violence, as well as psycho-social and intellectual disabilities.
- Continue to elevate efforts to improve detention conditions, particularly relating to sanitation and hygiene, food, and access to medical care, and operate all detention centers in accordance with the Nelson Mandela and Bangkok Rules.
- Enforce the Anti-Torture Act and investigate and prosecute all individuals involved in the torture or harm of others.
- Prohibit the admission of confessions obtained under torture.
- Ensure that the duration of pretrial detention does not exceed the legally established maximum; is as short as possible; and that its use is exceptional, necessary, and proportionate.

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria*, (26 December 2018), U.N. Doc. A/HRC/40/7 ¶ 148.1 Ratify the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty (Benin) ¶ 148.2 Ratify the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty (Estonia); ¶ 148.3 Ratify the Second Optional Protocol to the ICCPR (Liechtenstein); ¶ 148.4 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro); ¶ 148.5 Ratify the Second Optional Protocol on the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Togo); ¶ 148.6 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ukraine); ¶ 148.7 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights and reform the Constitution in order to prohibit the death penalty and establish, until that time, an indefinite moratorium (Spain); ¶ 148.8 Consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Georgia); and ¶ 148.9 Adhere to the human rights instruments to which it is not yet a party, in particular the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) (Honduras).

² United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria Addendum*, A/HRC/40/7/Add.1, February 25- March 22, 2019.

³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria*, (26 December 2018), U.N. Doc. A/HRC/40/7 ¶ 148.124 Abolish the death penalty (Cabo Verde); ¶ 148.125 Consider the abolition of the death penalty (Romania); ¶ 148.126 Abolish the death penalty, especially for persons under 18 years of age, and progressively reduce the number of crimes punishable by capital punishment, as previously recommended (Uruguay); ¶ 148.127 Take concrete measures to introduce a de jure moratorium on the death penalty with a view towards its total abolition (Rwanda); ¶ 148.128 Abolish the death penalty, adopt an immediate de facto moratorium and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal); ¶ 148.129 Implement a moratorium on the death penalty and take steps to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Republic of Moldova); ¶ 148.130 Introduce a moratorium on the death penalty with a view to abolishing it (Sweden); ¶ 148.131 Work towards the abolition of the death penalty (Holy See); ¶ 148.132 Consider abolishing the death penalty or introducing a moratorium on sentencing convicted persons to capital punishment (Hungary); ¶ 148.133 Consider speeding up the process that will lead to the abolition of the death penalty (Mozambique); ¶ 148.134 Formally establish a moratorium on executions and work towards the abolition of the death penalty, including through ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (New Zealand); ¶ 148.135 Establish a moratorium on executions, commute all death sentences to terms of imprisonment and abolish the death penalty for all crimes (Iceland); ¶ 148.136 Establish a moratorium on executions with a view to the complete abolition of the death penalty and commute all existing death sentences (Liechtenstein); ¶ 148.138 Restore the moratorium on the use of death penalty with a view to abolishing it (Italy); ¶ 148.139 Consider signing a moratorium on the death penalty (Greece); ¶ 148.140 Establish a formal moratorium on the death penalty as a step towards complete abolition of this practice (Australia); ¶ 148.141 Renew the death penalty moratorium and as a next step, abolish capital punishment (Czechia); ¶ 148.142 Sign a moratorium on execution of death sentences (Denmark); ¶ 148.143 Institute a moratorium on the death penalty with a view to its abolition (France); ¶ 148.144 Ensure that the moratorium on the death penalty is upheld at the federal and state levels with a view to abolishing the death penalty (Austria).

⁴ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria*, (26 December 2018), U.N. Doc. A/HRC/40/7 ¶ 148.137; United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria Addendum*, A/HRC/40/7/Add.1, February 25- March 22, 2019.

⁵ U.N. Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria*, ¶ 20, A/HRC/40/7, Dec. 26, 2018.

⁶ Written Communications from Avocats Sans Frontières to The Advocates for Human Rights, (July 17, 2023) (on file with authors).

⁷ Cornell Law School, Cornell Center on the Death Penalty Worldwide, Nigeria, Section 2.6, <https://deathpenaltyworldwide.org/database/#/results/country?id=53#fn-8135-W10S92S358583>

⁸ Cornell Law School, Cornell Center on the Death Penalty Worldwide, Nigeria, Section 2.5, <https://deathpenaltyworldwide.org/database/#/results/country?id=53#fn-8135-W10S92S358583>

⁹ Constitution of the Federal Republic of Nigeria, Section 33(1)

¹⁰ The Penal Code (Northern States) Federal Provisions Act Cap P3; The Criminal Code Act Cap C38 Laws of the Federation of Nigeria 2004; Robbery and Firearms Act Cap RII Laws of the Federation of Nigeria, 2004.

¹¹ Ise-Oluwa Ige, *Death Penalty: Why Nigeria can no longer sit on the fence*, Vanguard (January 26, 2023),

<https://www.vanguardngr.com/2023/01/death-penalty-why-nigeria-can-no-longer-sit-on-the-fence-lawyers/#:~:text=Even%20though%20the%20death%20sentence,and%20involvement%20with%20militia%20group> s.

¹² Amnesty International, *Amnesty International Report 2022/23, The State of the World's Human Rights*, POL 10/5670/2023, March 27, 2023, <https://www.amnesty.org/en/location/africa/west-and-central-africa/nigeria/report-nigeria/>.

¹³ Amnesty International, *Amnesty International Report 2022/23, The State of the World's Human Rights*, POL 10/5670/2023, March 27, 2023, <https://www.amnesty.org/en/location/africa/west-and-central-africa/nigeria/report-nigeria/>; AFP, *Nigeria judge sentences imam to death over blasphemy*, The Guardian, December 15, 2022, <https://guardian.ng/news/nigeria-judge-sentences-imam-to-death-over-blasphemy/>.

¹⁴ Amnesty International, *Amnesty International Report 2021/22, The State of the World's Human Rights*, POL 10/4870/2022, March 29, 2022, <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>.

¹⁵ Reuters, *Uganda's anti-gay law: how restricted are LGBTQ rights in Africa?*, Reuters, May 29, 2023, <https://www.reuters.com/world/africa/africas-restrictions-lgbtq-rights-2023-05-29/>.

¹⁶ Center for Islamic Legal Studies of Ahmadu Bello University, Zaria, *Harmonised Sharia Penal Code Annotated*, sec. 128(b), Mar. 2002. Zamfara State Shari'ah Penal Code, sec. 129(b), Jan. 2000.

¹⁷ Criminal Code Act of Nigeria, sec. 316, Jun. 1, 1916, in *Laws of the Federation of Nigeria* (in force on the 31st day of December 2002), Ch. 38, Rev. Ed. 2004.

¹⁸ Criminal Code Act of Nigeria, sec. 402, Jun. 1, 1916, in *Laws of the Federation of Nigeria* (in force on the 31st day of December 2002), Ch. 38, Rev. Ed. 2004.

¹⁹ Center for Islamic Legal Studies of Ahmadu Bello University, Zaria, *Harmonised Sharia Criminal Procedure Code Annotated*, Sections 1, 238, p. 234 n. 115, Oct. 2005; *see also*, Official Website of the Islamic Movement in Nigeria, *Sheikh Addresses Children who attain the Age of Taklif*, https://www.islamicmovement.org/index.php?option=com_content&view=article&id=1115:sheikh-address-children-who-attain-the-age-of-taklif&catid=41:frontpage, last accessed Sep. 6, 2018.

²⁰ Section 12(c) of the Nigeria Correctional Service Act, 2019

²¹ Amnesty International, *Amnesty International Report 2021/22, The State of the World's Human Rights*, POL 10/4870/2022, March 29, 2022, <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>.

²² *Why Nigerian State Governors Refused To Sign Warrant For 3,298 Inmates On Death Row – Correctional Service*, Sahara Reporters, April 19, 2023, <https://saharareporters.com/2023/04/19/why-nigerian-state-governors-refused-sign-warrant-3298-inmates-death-row-correctional>.

²³ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, (September 2018), available at: <https://deathpenaltyworldwide.org/publication/judged-more-than-her-crime/>.

²⁴ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, (September 2018), available at: <https://deathpenaltyworldwide.org/publication/judged-more-than-her-crime/>.

²⁵ Ardo Hazzad, *Nigerian Islamic court orders death by stoning for men convicted of homosexuality*, Reuters, July 2, 2022, <https://www.reuters.com/world/africa/nigerian-islamic-court-orders-death-by-stoning-men-convicted-homosexuality-2022-07-02/>.

²⁶ Amnesty International, *Amnesty International Report 2022/23, The State of the World's Human Rights*, POL 10/5670/2023, March 27, 2023, <https://www.amnesty.org/en/location/africa/west-and-central-africa/nigeria/report-nigeria/>.

²⁷ Amnesty International, *Amnesty International Report 2022/23, The State of the World's Human Rights*, POL 10/5670/2023, March 27, 2023, <https://www.amnesty.org/en/location/africa/west-and-central-africa/nigeria/report-nigeria/>.

²⁸ Ise-Oluwa Ige, *Death Penalty: Why Nigeria can no longer sit on the fence*, Vanguard (January 26, 2023), <https://www.vanguardngr.com/2023/01/death-penalty-why-nigeria-can-no-longer-sit-on-the-fence-lawyers/#:~:text=Even%20though%20the%20death%20sentence,and%20involvement%20with%20militia%20group> s.

²⁹ United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review– Nigeria*, A/HRC/40/7, February 25- March 22, 2018, ¶ 148.25 Modify the Constitution and Force Order 237 regarding the Police, and ensure that the Anti-Torture Act is applied at the national level (Spain); ¶ 148.153 Create conditions conducive to preventing torture, including by creating a central database or register of all places of detention

(Hungary); ¶ 148.155 Notify the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as a State party to the Optional Protocol to the Convention against Torture of a national preventive mechanism for independent monitoring in all detention facilities (Czechia); ¶ 148.156 Establish a national preventive mechanism in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ukraine); ¶ 148.154 Modify the law against torture to provide rehabilitation for victims (Chile).

³⁰ United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review– Nigeria*, A/HRC/40/7, February 25- March 22, 2018.

³¹ Time to End Impunity: Torture and other human rights violations by special anti-robbery squad (Index: AFR 44/9505/2020), 26 June 2020, <https://www.amnesty.org/en/documents/AFR44/9505/2020/en/>

³² Nigeria: Submission to the UN Committee Against Torture (Index: AFR 44/4872/2021), October 5, 2021, <https://www.amnesty.org/en/documents/afr44/4872/2021/en/>

³³ Amnesty International, *Amnesty International Report 2022/23, The State of the World's Human Rights*, POL 10/5670/2023, March 27, 2023, <https://www.amnesty.org/en/location/africa/west-and-central-africa/nigeria/report-nigeria/>.

³⁴ Amnesty International, *Amnesty International Report 2021/22, The State of the World's Human Rights*, POL 10/4870/2022, March 29, 2022, <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>.

³⁵ United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review– Nigeria*, A/HRC/40/7, February 25- March 22, 2018, ¶148.158. United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria Addendum*, A/HRC/40/7/Add.1, February 25- March 22, 2019.

³⁶ United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review– Nigeria*, A/HRC/40/7, February 25- March 22, 2018, ¶148.157. United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nigeria Addendum*, A/HRC/40/7/Add.1, February 25- March 22, 2019.

³⁷ Policy and Legal Advocacy Center, *President Buhari signs Nigerian Correctional Services Bill into Law* (September 2, 2019), <https://placng.org/Legist/president-buhari-signs-nigerian-correctional-services-bill-into-law/>

³⁸ Policy and Legal Advocacy Center, *President Buhari signs Nigerian Correctional Services Bill into Law* (September 2, 2019), <https://placng.org/Legist/president-buhari-signs-nigerian-correctional-services-bill-into-law/>

³⁹ Mohammed Momoh, *Inmates awaiting trial, death row convicts fill Nigeria Prisons*, The East African (May 11, 2023), <https://www.theeastafrican.co.ke/tea/rest-of-africa/inmates-awaiting-trial-congest-nigeria-prisons-4230850>

⁴⁰ Damian Ugwu, *To Kill or Not to Kill: Unending debate about death penalty in Nigeria*, Sahara Reporters (Oct. 10, 2022), <https://saharareporters.com/2022/10/10/kill-or-not-kill-unending-debate-about-death-penalty-nigeria-damian-ugwu>

⁴¹ Damian Ugwu, *To Kill or Not to Kill: Unending debate about death penalty in Nigeria*, Sahara Reporters (Oct. 10, 2022), <https://saharareporters.com/2022/10/10/kill-or-not-kill-unending-debate-about-death-penalty-nigeria-damian-ugwu>

⁴² The Human Rights Law Service (HURILAWS), *HURILAWS Statement on World Day against the Death Penalty*, <http://www.hurilaws.org/publications/press-releases/101-hurilaws-statement-on-world-day-against-the-death-penalty>, Oct. 10, 2018.

⁴³ Damian Ugwu, *To Kill or Not to Kill: Unending debate about death penalty in Nigeria*, Sahara Reporters (Oct. 10, 2022), <https://saharareporters.com/2022/10/10/kill-or-not-kill-unending-debate-about-death-penalty-nigeria-damian-ugwu>

⁴⁴ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, (September 2018), available at: <https://deathpenaltyworldwide.org/publication/judged-more-than-her-crime/>.

⁴⁵ United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review– Nigeria*, A/HRC/40/7, February 25- March 22, 2018,

¶ 148.159 Continue to strengthen the legal and institutional frameworks to improve the effectiveness, accessibility, accountability, transparency and fairness of the justice system (South Africa); ¶ 148.160 Continue to review and reform its criminal justice system so as to strengthen the rule of law in Nigeria (Singapore); ¶ 148.161 Invest in the training of its justice sector officials to remain current with the reforms in the criminal justice system (Singapore); ¶ 148.162 Further guarantee the impartiality and effectiveness of the judicial system (Afghanistan).

⁴⁶ Ope Adetayo and Emmanuel Akinwotu, *Stuck in limbo: endless wait for justice for those in Nigeria's prisons* (Oct. 28, 2021), <https://www.theguardian.com/global-development/2021/oct/28/stuck-in-limbo-endless-wait-for-justice-for-those-in-nigerias-prisons>

⁴⁷ Mohammed Momoh, *Inmates awaiting trial, death row convicts fill Nigeria Prisons*, The East African (May 11, 2023), <https://www.theeastafrican.co.ke/tea/rest-of-africa/inmates-awaiting-trial-congest-nigeria-prisons-4230850>

⁴⁸ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, (September 2018), available at:

<https://deathpenaltyworldwide.org/publication/judged-more-than-her-crime/>,

⁴⁹ *Why Nigerian State Governors Refused To Sign Warrant For 3,298 Inmates On Death Row – Correctional Service*, Sahara Reporters, April 19, 2023, <https://saharareporters.com/2023/04/19/why-nigerian-state-governors-refused-sign-warrant-3298-inmates-death-row-correctional>.

⁵⁰ Written Communications from Avocats Sans Frontières to The Advocates for Human Rights, (July 17, 2023) (on file with authors).

⁵¹ Human Rights Watch, *World Report, Nigeria Events of 2021*, 2021, <https://www.hrw.org/world-report/2022/country-chapters/nigeria>.

⁵² Human Rights Watch, *World Report, Nigeria Events of 2021*, 2021, <https://www.hrw.org/world-report/2022/country-chapters/nigeria>.

⁵³ United Nations, Committee Against Torture: Nigeria, CAT/C/NGA/COAR/1 (21 Dec. 2021).