

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	788
Land:	Nigeria
Kilde:	UK Home Office
Titel:	Country Policy and Information – Nigeria: Actors of protection
Udgivet:	24. august 2024
Optaget på baggrundsmaterialet:	25. november 2024



Home Office

Country Policy and Information Note

Nigeria: Actors of protection

Version 3.0

August 2024

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Executive summary

Nigeria has a Constitution and other legislation that protect fundamental human rights and penalise criminal activity.

There is a functioning police force and judiciary, which are generally accessible.

In general, the state is both willing and able to offer sufficient protection to persons fearing non-state actors, including 'rogue' state actors.

However, the state may be unwilling to offer protection where a person fears a member of a vigilante group. Additionally, protection is likely to be difficult to access for those living in areas of armed conflict or areas where some territory is under the de facto control of criminal gangs. Protection may also be difficult to access for women, those without financial means or those belonging to certain groups (see relevant [Country Policy and Information Notes](#) for specific guidance and information).

All cases must be considered on their individual facts, with the onus on the person to demonstrate that they are not able to obtain sufficient protection from the state.

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Assessment

About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**, a person:

- is able to obtain protection from the state (or quasi state bodies)

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
 - 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
 - 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).
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2. Protection

- 2.1.1 In general, the state is both willing and able to offer sufficient protection to persons fearing non-state actors, including 'rogue' state actors. The onus is on the person to demonstrate otherwise.
- 2.1.2 However, the state may be unwilling to offer protection where a person fears a member of a vigilante group. Protection may not be accessible for those living in areas of armed conflict or areas where territory is under the de facto control of criminal gangs. Protection may also be difficult to access for women, those without financial means or those belonging to certain groups (see relevant [country policy and information notes](#) for further guidance and information).
- 2.1.3 The state has taken steps to establish and operate an effective criminal justice system for the detection, prosecution and punishment of acts constituting persecution or serious harm. The system's effectiveness in providing protection is hampered by inefficiency, a lack of resources and training, poor pay and corruption, particularly in the police. The effectiveness of the criminal justice system may also vary from place to place, depending on levels of crime and civil conflict and the size and capability of the security forces and judiciary locally (see [Security forces](#), [Judicial system](#) and Country Policy and Information Note [Nigeria: Islamic extremist groups in North East Nigeria](#)).
- 2.1.4 Nigeria's Constitution and other legislation protect fundamental human rights and penalise various forms of criminal activity. However, there are some gaps in the legal framework, which is a mix of English common and statutory law, customary law and Islamic law (sharia) in the 12 northern states. The criminal justice system is composed of the security forces – police, armed forces and intelligence services – and judiciary – comprising federal and state courts, and the Supreme Court sitting above various subordinate courts, as well as sharia courts in the north of the country (see [Legal framework](#), [Security forces](#) and [Judicial system](#)).
- 2.1.5 The government generally maintains control over the security forces and has some mechanisms in place to investigate and punish abuse and corruption. However, one source, the German independent foundation, Bertelsmann Stiftung, reports that the military has some influence over the government behind the scenes (see [Security forces](#) and [Oversight and accountability](#)).
- 2.1.6 The Nigerian Police Force (NPF) is the primary law enforcement agency with approximately 370,000 officers across the country. The ratio of police officers to citizens – one to approximately every 600 citizens – is lower than the UN-recommended rate of one to every 450 people. Significant numbers of police are seconded to protect wealthy individuals. Sources indicate the

police are low paid, lacking in equipment and in need of training. Corruption and bribery are commonplace and the NPF is perceived as corrupt by the majority of the population. A police reform initiative is reportedly underway with the support of the United Nations Development Program and the German Embassy in Nigeria (see [Security forces](#)).

- 2.1.7 Sources suggest police response to crimes is variable and often slow. In some cases, police reportedly do not respond at all or provide minimal investigative support. However, the police continue to arrest and detain individuals for breaches of the law, albeit with a low rate of frequency. One source reports that 31,912 suspects were arrested nationwide in a 12-month period for offences including armed robbery, murder and kidnapping. This equates to a rate of 0.14 suspects arrested per 1,000 people. By comparison similar statistics for England and Wales, which are based on the number of arrests rather than the number of suspects (a suspect might be arrested more than once), indicate a rate of 11.2 arrests per 1,000 people in the year to March 2023 (see [Police – resources and efficacy](#)).
- 2.1.8 The army is deployed in all 36 states. The armed forces are used for internal security in areas where there is ongoing conflict and serious violence, including in the North East, South East, Niger Delta, Middle Belt and North West (see [Security forces](#)). Sources report there are pockets of territory in the North East and North West that are under the de facto control of extremist groups or armed gangs, where state security forces have no or limited reach (see [State authority and territorial control](#)).
- 2.1.9 Vigilante groups, including some funded by state governments, are used in some areas to fulfil the role of the police. Their deployment has raised questions over their constitutionality (see [Vigilante groups – role and structure](#)).
- 2.1.10 Sources report human rights violations by the security forces and vigilante groups, including enforced disappearances, unlawful killings and use of excessive force in dispersing protestors and apprehending criminals, and the use of arbitrary arrest and detention. Sources also report some air strikes by the military in countering insurgent groups and gangs in the North West have been indiscriminate or have killed civilians in error. Human Rights Watch reports that members of the military and other authorities sexually abused women and girls in camps for displaced people. Prison guards reportedly engaged in gender-based violence against women prisoners. Human rights violations are more frequent in areas where the military has been deployed to counter non-state armed groups, specifically in the North East, North West and South East (see [Human rights violations](#)).
- 2.1.11 Detention conditions generally are reportedly harsh, with significant overcrowding in prisons, and there are reports of torture of detainees and deaths in custody (see [Human rights violations](#)).
- 2.1.12 The National Human Rights Commission (NHRC) and the Public Complaints Commission provide extrajudicial oversight of human rights breaches and abuses of administrative procedure or law by the the government. However, the NHRC reportedly faces challenges in assuring accountability for human rights violations. The Police Service Commission oversees police conduct

(see [Oversight and accountability](#)).

- 2.1.13 Mechanisms are in place to investigate reports of abuse and corruption by the police and the armed forces. These are sometimes used to address misconduct and violations: for example a police officer was reportedly sentenced to death for killing a woman in the course of his duty. However, the authorities have yet to hold anyone accountable for abuses during the ‘#EndSARS’ protests in 2020, and judicial panels set up to investigate the protests have not made their findings public. In general, sources suggest police officers and members of the security forces responsible for misconduct and human rights violations are rarely held to account either through the courts or by extrajudicial oversight bodies. One source, the US State Department, suggests state-sponsored vigilante groups operate with near impunity (see [Oversight and accountability](#)).
- 2.1.14 Nigerian law provides for an independent judiciary. The judiciary does operate with some degree of independence, but political interference and corruption remain problems. The effectiveness of the courts is undermined by a lack of funding, training and equipment, and by low pay for court officials. Sources suggest access to the courts and legal redress are also hampered by the high costs of litigation and delays in the processing of cases, which has resulted in a large backlog of pending cases and prolonged periods of pre-trial detention. Legal aid is available through the Nigerian Legal Aid Council and is generally for those earning below the minimum wage. However, the number of defendants who need legal advice exceeds the resources available (see [Judicial system](#)).
- 2.1.15 Women and girls often face obstacles to gaining access to justice because of discrimination, particularly in respect of gender-based violence. Spousal rape is not criminalised and police often do not investigate domestic abuse. There are low rates of reporting and prosecution in respect of gender-based violence. Sharia courts usually accord less weight to the testimony of women than that of Muslim men (see [Constitution and criminal law](#), [Security forces](#) and [Judicial system](#)).
- 2.1.16 There is limited data on the number and grounds of arrest, and no published data on the number of prosecutions, convictions or sentences in the sources consulted. However, despite delays in the judicial process, courts continue to hear cases and convict people leading to their imprisonment, with over 60,000 people in prison. In some cases, alternative dispute resolution may be available (see [Prison and detention centre conditions](#) and [Judicial system](#)).
- 2.1.17 For general guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **July 2024**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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3. Legal framework

3.1 Legal system

- 3.1.1 The Australian Government's Department of Foreign Affairs and Trade's (DFAT) 'Country Report for Nigeria (DFAT Nigeria report 2020), dated 3 December 2020, based on various sources, stated: 'Nigeria's legal system is a hybrid of English common and statutory law, customary law and sharia. Judicial precedents, legislation and the Constitution also influence Nigeria's body of law and legal system.'¹
- 3.1.2 The Netherlands Ministry of Foreign Affairs, in its 'General Country of Origin Information Report Nigeria' (Netherlands MoFA COI report 2023), dated January 2023, based on various sources including a fact-finding mission to Nigeria in October 2022, stated: 'Nigeria is a federal state with a pluralistic legal system. On certain matters, laid down in the "concurrent legislative list", states can adopt their own legislation, as long as it does not conflict with the constitution. Federal legislation on matters on the concurrent legislative list must first be formally adopted by a state before it takes effect in that state.'²

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3.2 Constitution and criminal law

- 3.2.1 Privately-owned Nigerian newspaper³, the Punch, in an article dated 12 April 2023, stated that the Constitution came into force in 1999 and was amended in 2010, 2018 and 2023⁴. The [Constitution](#) provides for:
- the right to life, except where the death penalty is imposed⁵

¹ DFAT, '[Country Information Reports - Nigeria](#)' (5.14), 3 December 2020

² Netherlands MoFA, '[General Country of Origin Information ...](#)' (section 3.1.1), January 2023

³ The Punch, '[About us - Punch Newspapers](#)', no date

⁴ The Punch, '[A review of constitutional alterations ...](#)', 12 April 2023

⁵ PLAC, '[Constitution ...](#)' (Chaper IV, 33(1)), last amended 2023

- respect for the dignity of the person, which includes not being subjected to torture or to inhuman or degrading treatment⁶
- humane actions by the government⁷
- equality of rights and obligations before the law⁸
- the establishment of the Nigeria Police Force and armed forces⁹
- the establishment of a judicial system¹⁰
- the independence and impartiality of courts of law, and easy access to them¹¹
- a presumption of innocence until a person is proven guilty¹²
- the right to a fair hearing within a reasonable time¹³

3.2.2 The Netherlands MoFA COI report 2023 stated:

‘Nigeria’s Criminal Code Act applies throughout Nigeria, except where it deviates from the Penal Code (Northern States) Federal Provisions Act, which applies to the states of the former Northern Region. The Criminal Code is based on British law, and the Penal Code is inspired by the Indian and Sudanese penal codes. The Penal Code was introduced in 1960 because of the major contradictions between British law and the Islam-based customary law in the North.’¹⁴

3.2.3 The Policy and Legal Advocacy Centre (PLAC), a Nigerian independent, non-profit organisation¹⁵, featured the Criminal Code Act and Penal Code among a range of legal texts in the searchable [Documents](#) section of its website.

3.2.4 The US State Department’s ‘2023 Country Reports on Human Rights Practices’ (USSD human rights report 2023) stated that the Constitution and the law ‘prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court.’¹⁶

3.2.5 The same report stated ‘The law defined and criminalized torture and cruel, inhuman, or degrading treatment of arrestees but failed to prescribe penalties for violators. The law prohibiting torture and cruel, inhuman, or degrading treatment of arrestees applied only to the Federal Capital Territory and federal agencies unless the individual states adopted legislation compliant with it. Thirty of the country’s 36 states had adopted either the law itself or compliant legislation at year’s end.’¹⁷

⁶ PLAC, ‘[Constitution ...](#)’ (Chaper IV, 34(1)(a)), last amended 2023

⁷ PLAC, ‘[Constitution ...](#)’ (Chaper II, 17(2)(c)), last amended 2023

⁸ PLAC, ‘[Constitution ...](#)’ (Chaper II, 17(2)(a)), last amended 2023

⁹ PLAC, ‘[Constitution ...](#)’ (Part III B, 214(1)), last amended 2023

¹⁰ PLAC, ‘[Constitution ...](#)’ (Part III B, 217(1)), last amended 2023

¹¹ PLAC, ‘[Constitution ...](#)’ (Chaper II, 17(2)(e)), last amended 2023

¹² PLAC, ‘[Constitution ...](#)’ (Chaper IV, 36(5)), last amended 2023

¹³ USSD, ‘[Nigeria](#)’ (section 1C), 23 April 2024

¹⁴ Netherlands MoFA, ‘[General Country of Origin Information ...](#)’ (section 3.1.1), January 2023

¹⁵ PLAC, ‘[PLAC Profile](#)’, 2021

¹⁶ USSD, ‘[Nigeria](#)’ (section 1C), 23 April 2024

¹⁷ USSD, ‘[Nigeria](#)’ (section 1C), 23 April 2024

3.2.6 The USSD human rights report 2023 further stated: ‘The law required [arrested] subjects be brought before a magistrate within 48 hours and have access to lawyers and family members ... The law required an arresting officer to allow the suspect to obtain counsel, and post bail for some crimes.’¹⁸

3.2.7 With regard to the legal framework on corruption, the DFAT Nigeria report 2020 stated:

‘Article 15(5) of the Constitution commits the State to abolishing all corrupt practices and abuse of power, while other provisions specify requirements for asset disclosure and regulations governing the offering and receiving of gifts for members of the executive, parliament and legislature. The Criminal Code criminalises corruption and the abuse of office, while the Corrupt Practices and Other Related Offences Act (2000) criminalises active and passive bribery, as well as attempted corruption, fraud, extortion and money laundering. Penalties apply both to individuals and companies, and include fines and/or up to seven years’ imprisonment. Accepting or giving gifts or facilitation payments is illegal ...’¹⁹

3.2.8 With regard to gender-based protections, the DFAT Nigeria report 2020 stated:

‘The VAPP [Violence Against Persons (Prohibition)] Act cites spousal battery, forceful ejection from the home, forced financial dependence or economic abuse, harmful widowhood practices, female genital mutilation/cutting (FGM/C ...), other harmful traditional practices, substance attacks (such as acid attacks), political violence, and violence by state actors (especially government security forces) as offences. It provides for a public register of convicted sex offenders, and mandates penalties for conviction of rape and/or sexual assault ranging from 12 years’ to life imprisonment for offenders older than 14 and a maximum of 14 years’ imprisonment for all others. It also provides for up to three years’ imprisonment, a maximum fine of 200,000 naira (AUD737) [GBP101.26 at the exchange rate prevailing on 9 July 2024²⁰], or both for conviction of spousal battery.

‘The VAPP Act offers some protections to victims and survivors of [gender-based violence] GBV in the jurisdictions in which it applies. For example, it provides for the appointment of protection officers at the local government level to coordinate with courts and provide for victims to receive medical, psychosocial, legal, rehabilitative and reintegration assistance. The VAPP Act also authorises court to issue protection orders upon application by a victim, and includes provisions to protect the identity of rape victims and a provision empowering courts to award appropriate compensation to victims of rape. Under the VAPP Act, victims and survivors of GBV are entitled to comprehensive medical, psychological, social and legal assistance by accredited service providers and government agencies, with their identities protected during court cases.’²¹

¹⁸ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹⁹ DFAT, ‘[Country Information Reports - Nigeria](#)’ (5.1), 3 December 2020

²⁰ Xe.com, ‘[Currency converter](#)’, converted 9 July 2024

²¹ DFAT, ‘[Country Information Reports - Nigeria](#)’ (3.83, 3.84), 3 December 2020

- 3.2.9 The USSD human rights report 2023 stated: ‘The law criminalized the rape of women but not of men. Spousal rape was not criminalized. The law criminalized various forms of domestic violence. The government did not effectively enforce the law.’²²
- 3.2.10 The USSD human rights report 2023 stated:
 ‘Sentences for persons convicted of rape and sexual assault were inconsistent and often minor. Federal law provided penalties ranging from 12 years to life imprisonment for offenders older than 14 and a maximum of 14 years’ imprisonment for offenders age 14 and younger. It also provided for survivors to receive various forms of assistance (e.g., medical, psychosocial, legal, rehabilitative, and for reintegration). The law also included provisions to protect the identity of rape survivors and empowered courts to award appropriate compensation to survivors. Because the relevant federal law had not been adopted in all states, state law governed most rape and sexual assault cases and typically allowed for lesser sentences. While some states enacted laws prohibiting some forms of gender-based violence or sought to safeguard certain rights, most states did not have such legislation.’²³
- 3.2.11 The same report stated: ‘No statutes prohibited sexual harassment, but assault statutes provided for prosecution of violent harassment, with penalties of up to three years’ imprisonment. The law criminalized stalking as well as emotional, verbal, and psychological abuse and acts of intimidation.’²⁴
- 3.2.12 For information on the application of human rights law in practice, see [Human rights violations](#) and [Effectiveness](#).

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4. State authority and territorial control

- 4.1.1 The Global Initiative Against Transnational Organized Crime (GI-TOC), ‘an independent civil-society organization, headquartered in Geneva, Switzerland’²⁵, in their Organised Crime Index 2023 Nigeria profile (GI-TOC Organised Crime Index 2023), stated: ‘... [I]nsurgents are gaining control of ungoverned spaces, establishing their own forms of governance, and challenging the government’s monopoly on violence.’²⁶
- 4.1.2 The New Humanitarian, an independent non-profit news organisation²⁷, in an article, ‘“Everyone knows somebody who has been kidnapped”: Inside Nigeria’s banditry epidemic’ (New Humanitarian article 2023), dated 30 January 2023, stated: ‘In swathes of rural Zamfara [State, in the North West region], bandits have supplanted both the government and traditional rulers as the de facto authority.’ It quoted a local businessman as saying that in rural Shinkafi, north of the state capital Gusau, bandit leader Bello Turji ‘has absolute authority – his directives are unquestioned ...’²⁸

²² USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

²³ USSD, ‘[Nigeria](#)’ (section 6), 23 April 2024

²⁴ USSD, ‘[Nigeria](#)’ (section 6), 23 April 2024

²⁵ GI-TOC, ‘[Catalyzing the Building Blocks of a Global Strategy](#)’, no date

²⁶ GI-TOC, ‘[Criminality in Nigeria - The Organized Crime Index](#)’ (page 6), 2023

²⁷ The New Humanitarian, ‘[About The New Humanitarian](#)’, 2024

²⁸ The New Humanitarian, ‘[Inside Nigeria’s banditry epidemic](#)’, 30 January 2023

4.1.3 The article added:

‘[Turji] administers locally popular customary law – with rape in particular severely punished. He has also ordered the people of Shinkafi not to vote in February’s [2023] general election ...

‘Turji also hires local labourers to work in his farms. He pays them well, but failure to attend “means he can kill you – [don’t forget] he’s a criminal,” said the businessman. The protection he offers against rival bandits also comes at a price ...

‘There has been a slow-motion collapse of state authority in Zamfara, and communities these days have few options. Local district political leadership is weak and underfunded, and the largely ceremonial traditional authorities are easily co-opted or intimidated.’²⁹

4.1.4 The BBC, in an article, ‘Nigeria’s mass abductions: What lies behind the resurgence?’ (BBC abductions article 2024), dated 9 March 2024, quoted Alex Vines, director of the Africa programme at the Chatham House think tank, as saying: ‘In large swathes of these areas [Borno in the North East and Kaduna in the North West], armed gangs have supplanted both the government and traditional rulers as the de facto authority.’³⁰

4.1.5 GI-TOC and Armed Conflict Location and Event Data (ACLED), an international non-profit organisation that collects data on violent conflict and protest in countries worldwide³¹, in a joint report, ‘Armed bandits in Nigeria’, dated July 2024, stated:

‘While bandit groups are too heterogenous to make generalized conclusions regarding their provision of “governance”, tracing the behaviour of a number of bandit groups in the focus areas indicates that groups do exhibit some behaviours falling within these forms of governance in their interactions with communities – predominantly in regulating behaviour and controlling local economies. These are too often ignored because bandits’ overarching objectives typically remain focused on revenue generation, with the provision of services or “governance” a collateral result ...

‘... [T]he situation with Nigerian bandits illustrates a spectrum ranging from predation to control, cooperation and even governance. Analyzing the position of armed groups on this spectrum requires a nuanced approach to the distinction between “criminal” and “political” activities.’³²

4.1.6 With regard to territorial control by extremist groups, ACLED, in a report, ‘A Decade After Chibok: Assessing Nigeria’s Regional Response to Boko Haram’, dated 16 April 2024, stated: ‘... Boko Haram continues to control territories in the Lake Chad Basin islands [in the North East] ...’³³

4.1.7 The Institute for Security Studies, ‘Africa’s leading multidisciplinary human security organisation’, based in South Africa³⁴, in an article, ‘Boko Haram

²⁹ The New Humanitarian, ‘[Inside Nigeria’s banditry epidemic](#)’, 30 January 2023

³⁰ BBC, ‘[Nigeria’s mass abductions: What lies behind the resurgence?](#)’, 9 March 2024

³¹ ACLED, ‘[ACLED \(Armed Conflict Location and Event Data\)](#)’, no date

³² GI-TOC/ACLED, ‘[Armed bandits in Nigeria](#)’, July 2024

³³ ACLED, ‘[A Decade After Chibok: Assessing Nigeria’s Regional Response ...](#)’, 16 April 2024

³⁴ ISS, ‘[How we work](#)’, no date

factional violence worries Islamic State', dated 25 April 2024, stated:

'In October 2023, Boko Haram's JAS faction (Jama'atu Ahlis-Sunna Lidda'Awati Wal-Jihad) launched major offensives against the group's other faction – Islamic State West Africa Province (ISWAP). This forced ISWAP fighters to evacuate many of their island territories in the Lake Chad area, according to ongoing Institute for Security Studies (ISS) research.

'... Those familiar with the clashes say JAS now occupies as much as 40% of the islands previously controlled by ISWAP. But ISWAP maintains control over the mainland in these areas.'³⁵

- 4.1.8 For more information on areas of crime and insecurity, see the Country Policy and Information Note [Nigeria: Internal relocation](#).

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5. Security forces

5.1 Structure and responsibilities

- 5.1.1 The DFAT Nigeria report 2020 stated: 'Security and law enforcement in Nigeria is managed at the federal level through the Nigerian Armed Forces (NAF), the Department of State Services (DSS) and the Nigerian Police Force (NPF). The government also utilises groups created for specific purposes, such as the CJTF [Civilian Joint Task Force] (which supports security operations against Boko Haram).'

- 5.1.2 The Overseas Security Advisory Council (OSAC), 'a public-private partnership provided by the US Department of State's Diplomatic Security Service and security professionals from U.S. organizations operating abroad'³⁷, in its 'Nigeria Country Security Report' (OSAC report 2024), last updated 25 January 2024, stated:

'The Nigeria Police Force, which reports to the Ministry of Police and is overseen by the Police Service Commission, is the primary civilian law enforcement agency and enjoys broad jurisdiction throughout the country. The Ministry of Interior also conducts security and law enforcement activities. The Department of State Services, which reports to the national security advisor in the Office of the President, is responsible for counterintelligence, internal security, counterterrorism, and surveillance, as well as protection of senior government officials. The Nigerian Armed Forces, which reports to the minister of defense, also shares domestic security responsibilities in the case of insufficient capacity and staffing of domestic law enforcement agencies or as ordered by the president. Many states, in response to increased violence, insecurity, and criminality that exceeded the response capacity of government security forces, utilize local "security" vigilante forces. These local forces usually reported to the state governor. Civilian authorities do not always maintain effective control over the security services.'

³⁵ ISS, '[Boko Haram factional violence worries Islamic State](#)', 25 April 2024

³⁶ DFAT, '[Country Information Reports - Nigeria](#)' (5.1), 3 December 2020

³⁷ OSAC, '[About Us](#)', no date

³⁸ OSAC, '[Nigeria Country Security Report](#)' (Law Enforcement ...), updated 25 January 2024

5.1.3 With regard to the armed forces, the DFAT Nigeria report 2020 stated:

‘Chapter 6 Part 3 C of the Constitution (Articles 217-220) sets out the roles and responsibilities of the Nigerian Armed Forces (NAF), which report to the Ministry of Defence. The NAF consists of an Army, Navy and Air Force ... Article 217(3) of the Constitution requires that the composition of the officer corps and other ranks reflect the federal character of Nigeria ... The military ruled Nigeria for much of the period following independence in 1960 until the return to civilian rule in 1999. While it has not involved itself in politics since that time, many senior political figures ... are former generals and the NAF continues to occupy a prominent role in national life.

‘In addition to being responsible for Nigeria’s external security, Article 217(2)(c) authorises the President (with support of the National Assembly) to use the NAF to suppress insurrection and act in aid of civil authorities to restore order ...’³⁹

5.1.4 The CIA World Factbook stated:

‘[T]he Army and Air Force are focused largely on internal security and face a number of challenges; the Army is deployed in all 36 of the country’s states; in the northeast, it is conducting counterinsurgency/counterterrorist operations against the Boko Haram (BH) and Islamic State of Iraq and ash-Sham in West Africa (ISIS-WA) terrorist groups ... ; in the northwest, it faces growing threats from criminal gangs – locally referred to as bandits – and violence associated with long-standing farmer-herder conflicts, as well as BH and ISIS-WA terrorists ... ; the military also continues to protect the oil industry in the Niger Delta region against militants and criminal activity; since 2021, additional troops and security forces have been deployed to eastern Nigeria to quell renewed agitation for a state of Biafra ...

‘[T]he Navy is focused on security in the Gulf of Guinea ...’⁴⁰

5.1.5 With regard to the police, the DFAT Nigeria report 2020 stated:

‘Chapter 6 Part 3 B of the Constitution (Articles 214-216) sets out the role and functions of the NPF, which is the country’s principal law enforcement agency. Article 214 prohibits constituent parts of the federation from forming their own police forces. The NPF maintains law and order in each state and engages in border security, maritime and counter-terrorism operations. An inspector general of police, appointed by and reporting directly to the president, commands the NPF.’⁴¹

5.1.6 The Netherlands MoFA COI report 2023 stated:

‘Options for reporting a crime

‘In Nigeria it is necessary to go to a police station to report a crime. The report may be made orally, with the police officer taking the details down in writing. In this case the person reporting the crime has little or no influence on how the report is formulated. It is also possible for a person to write the report in person, but in this case he or she will generally need a lawyer. It

³⁹ DFAT, ‘[Country Information Reports - Nigeria](#)’ (5.4, 5.5), 3 December 2020

⁴⁰ CIA, [World Factbook - Nigeria](#) (Military and Security), updated 3 July 2024

⁴¹ DFAT, ‘[Country Information Reports - Nigeria](#)’ (5.4, 5.5), 3 December 2020

was a common occurrence for a police officer to ask for money to help prepare the report ... In general, the person who made the report did not receive written confirmation of the report. However, he or she was given a reference number and told which police officer was responsible for the case ...

‘There was an emergency number, 999, for reporting a crime while it was in progress. This number could be called from anywhere in the country. Calls to it were not always answered ... In addition, the police had serious capacity problems ...’⁴²

5.1.7 For more information on the Nigerian Police Force, see the [NPF](#) website.

5.1.8 With regard to vigilante groups, the International Crisis Group, ‘an independent organisation working to prevent wars and shape policies that will build a more peaceful world’⁴³, in an article, ‘Managing Vigilantism in Nigeria: A Near-term Necessity’ (International Crisis Group article 2022), dated 21 April 2022, based on various sources including serving and retired police officers and other local observers, stated:

‘The spread of vigilante organisations across Nigeria, encompassing volunteers as well as state-sponsored groups, is both helping authorities fight crime and insurgency, and exacerbating those problems. In many parts of the country, vigilantes essentially fill in for the Nigeria Police Force, which is under federal rather than local control. They have become so important to providing security that for now the country has little choice but to rely on them.’⁴⁴

5.1.9 For information on police capacity and resources, see [Resources and effectiveness](#), below.

5.1.10 The International Crisis Group article 2022 noted that the vigilante groups’ legal status is unclear and that critics argue it may be unconstitutional for states to introduce such groups to operate in parallel to the National Police Force⁴⁵.

5.1.11 The GI-TOC organised crime index 2023 stated that the emergence of state-sponsored vigilante groups ‘carries noteworthy implications for human rights norms, communal relations, and the state’s monopoly over the utilization of force’⁴⁶.

5.1.12 In relation to such groups’ prevalence, the International Crisis Group article 2022 reported:

‘There is no comprehensive database of vigilante organisations in Nigeria and thus no reliable way to offer a precise figure for their numbers countrywide. But credible anecdotal evidence suggests that thousands of groups exist at the state, local government area, community and neighbourhood levels ... They differ significantly from one another in terms of membership, organisational structure, means of recruitment, training and

⁴² Netherlands MoFA, ‘[General Country of Origin Information ...](#)’ (section 3.2.1), January 2023

⁴³ ICG, ‘[Preventing War. Shaping Peace.](#)’, 2024

⁴⁴ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

⁴⁵ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

⁴⁶ GI-TOC, ‘[Criminology in Nigeria - The Organized Crime Index](#)’ (page 7), 2023

oversight, as well as in their relations to federal security agencies and local authorities. The sheer variety of groups poses a major challenge for regulating and managing the vigilantism phenomenon across the country.’⁴⁷

- 5.1.13 The article further stated: ‘Some groups, particularly those sponsored by state governments, have well-defined administrative structures at the state, zonal, local government area and community levels, as well as clear operational procedures. But numerous others, especially smaller groups in rural areas, work with no particular guidelines.’⁴⁸
- 5.1.14 The USSD human rights report 2023 stated: ‘Some state governments created quasi-independent security forces. These forces tended to be from the same geographic area or ethnic group. Support from the federal government varied from tacit acceptance to outright hostility ... In the South West region, the Western Nigeria Security Network, known as Amotekun, operated in the states of Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo ...’⁴⁹
- 5.1.15 The Netherlands MoFA COI report 2023 stated that since the Netherlands MoFA’s previous report in 2021⁵⁰ – which referred to ‘Amotekun (South-West Nigeria), the CJTF [Civilian Joint Task Force] (North-East Nigeria) and the morality police (hisbah, in the northern states)’ – ‘... the number of militias continued to increase, and the authorities often more or less turned a blind eye to their existence and deployment ...’⁵¹

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5.2 Resources and effectiveness

- 5.2.1 The Netherlands MoFA COI report 2023 stated:
- ‘According to a confidential source, the federal government and the states gave priority in terms of the security situation to the country’s political centres, such as Abuja, Lagos, Kano and Port Harcourt.
- ‘In Lagos, the authorities announced an operation against bandits in early October 2022 after the commercial centre of Lagos was partially closed in August due to a threat of attacks. Abuja, the national capital, has the reputation of being the best-protected city in Nigeria ...’⁵².
- 5.2.2 The USSD human rights report 2023 stated: ‘Criminal gangs killed civilians and conducted mass kidnappings that particularly targeted school-age children in the North West region. Authorities attempted to investigate and prosecute such actions.’⁵³
- 5.2.3 Inter Press Service (IPS) is a non-profit, international, non-governmental association that supports dissemination of information with particular regard to developing countries⁵⁴. In an article, ‘State Fails to Stem Kidnapping For Ransom Crisis in Nigeria’ (IPS kidnapping article 2024), dated 21 March

⁴⁷ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

⁴⁸ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

⁴⁹ USSD, ‘[Nigeria](#)’ (section 1A), 23 April 2024

⁵⁰ Netherlands MoFA, ‘[Country of origin information report Nigeria](#)’, March 2021

⁵¹ Netherlands MoFA, ‘[General Country of Origin Information ...](#)’ (section 1.2.2.7), January 2023

⁵² Netherlands MoFA, ‘[General Country of Origin Information ...](#)’ (section 1.2.3.7), January 2023

⁵³ USSD, ‘[Nigeria](#)’ (Executive summary), 23 April 2024

⁵⁴ IPS, ‘[About Us](#)’, 2024

2024, based on various sources, it cited an IPS interview with Lilian Eze, who fled to Abuja with her children in February 2022 to protect them from frequent attacks by kidnappers in their community in Kaduna State. It stated: '... [S]he explained that the kidnappers would invade the community on foot and with a horde of motorbikes in the evenings with little or no resistance from security agencies.'⁵⁵

5.2.4 The BBC abductions article 2024 stated: 'Those abducted are usually freed after money is handed over, and the perpetrators are rarely arrested. This is despite the fact that paying a ransom to free someone has been made illegal.'⁵⁶

5.2.5 The Amnesty International (AI) Human Rights in Nigeria – Review of 2023 (AI Nigeria annual report for 2023), dated 24 April 2024, claimed: 'The Nigerian state failed to protect educational institutions from attacks and abductions.'⁵⁷ It cited abductions of a total of 45 students from educational institutions in 4 states in 2023 as well as an attack on a grammar school in Oyo State in which pupils and teachers were injured.

5.2.6 With regard to intelligence gathering, the BBC, in an article, 'Nigeria Kuje prison break: More than 400 missing from Abuja jail', dated 6 July 2022, reported that when armed attackers, thought to be Islamist militants, facilitated a mass jailbreak just outside the capital in July 2022, then-President Muhammadu Buhari 'blamed the failure of the country's security forces' intelligence system for the attack.'⁵⁸

5.2.7 The IPS kidnapping article 2024 reported:

'Nigerians have frequently raised concerns about the efficiency of the country's intelligence gathering and have voiced criticism regarding the perceived shortcomings of different security agencies in employing technology to address insecurity. Critics argue that, despite security agencies effectively monitoring and suppressing opposition activities, they have consistently fallen short in tracking down criminals. The police attribute delays in addressing kidnapping cases to a "shortage of tracking machines."

'... For Sadiq Abdulahi, a tech expert with [IT consultancy] Fozy Global Concept based in Abuja, there is sparse collaboration between security agencies, which hampers the fight against insecurity.

"There should be synergy among the various security agencies regarding data sharing," he added, emphasizing the lack of awareness about the potential use of technology to combat crime in the country.

'In 2022, the Nigerian government mandated residents of the country to synchronize their Subscriber Identification Modules (SIMs) with their National Identification Numbers (NINs) to bolster security. However, despite the policy, kidnappers continue to place untraceable calls to the families of their victims. Isa Pantami, the former Nigerian Minister of Communications and Digital Economy who spearheaded the initiative, faced criticism for seeking

⁵⁵ IPS, '[State Fails to Stem Kidnapping For Ransom Crisis in Nigeria](#)', 12 March 2024

⁵⁶ BBC, '[Nigeria's mass abductions: What lies behind the resurgence?](#)', 9 March 2024

⁵⁷ AI, '[Nigeria 2023](#) (Attacks on educational institutions), 24 April 2024

⁵⁸ BBC, '[Nigeria Kuje prison break: More than 400 missing from Abuja jail](#)', 6 July 2022

funds to pay ransom for certain kidnapped victims earlier this year. Pantami, however, shifted blame to security agencies, accusing them of not efficiently utilizing the policy to trace criminals.

'Zainab Dabo, a Nigerian political analyst, argues that a lack of commitment and political will by the government is contributing to the crisis. According to her, the Nigerian security forces are under-equipped to confront rogue non-state actors.

"Security operatives have arms that are not as sophisticated as those of the kidnappers. While our security forces are well-trained, the lack of proper armament turns confronting terrorists into a perilous mission," she told IPS.⁵⁹

5.2.8 With regard to inaction by the security forces, the International Crisis Group article 2022 reported that there were 'misgivings among some groups about the neutrality of federal security forces.' It added: 'Some leaders in the North Central zone and southern states go so far as to allege that troops are complicit in communal violence.'⁶⁰

5.2.9 However, the same article stated: 'In March 2022, Kaduna state [north Nigeria] governor, Nasir El-Rufai, charged that security agencies "have enough intelligence" to move against the armed groups wreaking havoc in his state, but that "the problem is for the agencies to take action".' It added: 'The inadequate response may owe more to under-resourcing and overstretch than to partiality or deliberate inaction. But in any case, trust in the federal security forces continues to erode.'⁶¹

5.2.10 The New Humanitarian article 2023 reported that a local, non state-funded vigilante leader in Zamfara state accused the security forces and politicians of colluding with the bandits. It reported: 'He said he had arrested suspected bandits time and again, only to see them released a few days later.

"We know where the bandits are," he said ... "We go to the security forces and say: 'Let's attack', but they refuse."⁶²

5.2.11 The BBC abductions article 2024 reported that Bulama Bukarti, a senior conflict analyst at the Tony Blair Institute for Global Change, commented that transnational co-operation would be needed to tackle kidnapping by criminal gangs, '[b]ut that alone would not help Nigeria defeat the gangs, Mr Bukarti added. The authorities also need to be willing to bring perpetrators to justice. "We have never seen a gang leader arrested and prosecuted. It's lucrative. More people will join, and impunity will increase," he said.'⁶³

5.2.12 With regard to the armed forces, the CIA World Factbook reported that Nigeria's military expenditure represented 0.7% of its GDP (2023 estimate).⁶⁴

⁵⁹ IPS, '[State Fails to Stem Kidnapping For Ransom Crisis in Nigeria](#)', 12 March 2024

⁶⁰ ICG, '[Managing Vigilantism in Nigeria: A Near-term Necessity](#)', 21 April 2022

⁶¹ ICG, '[Managing Vigilantism in Nigeria: A Near-term Necessity](#)', 21 April 2022

⁶² The New Humanitarian, '[Inside Nigeria's banditry epidemic](#)', 30 January 2023

⁶³ BBC, '[Nigeria's mass abductions: What lies behind the resurgence?](#)', 9 March 2024

⁶⁴ CIA, '[World Factbook - Nigeria](#)' (Military and Security), updated 7 August 2024

- 5.2.13 Noting that ‘information varies’, the same source provided the following personnel figures: ‘approximately 135,000 active-duty armed forces personnel (100,000 Army; 20,000 Navy/Coast Guard; 15,000 Air Force); approximately 80,000 Security and Civil Defense Corps ...’ It reported that ‘at times’ 70,000 troops had been deployed in the North East⁶⁵.
- 5.2.14 Premium Times, a Nigerian privately-owned news outlet⁶⁶, in an article dated 13 February 2023, reported: ‘The Minister of Defence, Bashir Magashi, says the Nigerian armed forces are overburdened because of inadequate manpower and numerous security challenges confronting the nation ...
- “As of 2022, Nigeria with an estimated population of about 220 million people has a total military strength of about 223,000 personnel.
- “This gives a ratio of military personnel to [the] population of approximately 1[:]1,000. This is lower than those of Nigeria’s neighbours except Niger (Republic),” he said ...
- ‘According to the minister, Nigeria also needs consistent recruitment of about 12,000 soldiers bi-annually to enhance the capabilities of the military to meet the security challenges of the country.’⁶⁷
- 5.2.15 The Independent (Nigeria), a privately-owned newspaper⁶⁸, in an article, ‘Military, Law Enforcement Agencies Highlight Massive Operational Successes in June’ (Independent successes article 2024), dated 4 July 2024, reported that a security forces public relations officer told a press briefing that in the previous 3 months, the Nigerian military ‘eliminat[ed] 2,245 terrorists and apprehend[ed] 3,682.’⁶⁹
- 5.2.16 With regard to the law enforcement agencies, the Independent successes article 2024 reported that a security forces press officer told a press briefing that ‘the Law Enforcement Agencies have arrested a total of 2,678 suspects for various offences across the country in the month of June [2024].’⁷⁰
- 5.2.17 In relation to the police specifically, the Cable, a Nigerian privately-owned online newspaper⁷¹, in an article dated 30 August 2023, reported that Kayode Egbetokun, the acting inspector-general of police, stated Nigeria needed to recruit 190,000 officers in addition to the 370,000 already serving. It quoted Egbetokun as saying this would bring the current ratio of one police officer to about 600 citizens into line with the ratio recommended by the United Nations, which it noted was one officer to almost 450 citizens⁷².
- 5.2.18 It quoted him as having also stated: ‘I will recommend to the government the need to increase the annual intake of personnel into the force from 10,000 to 20,000, starting from 2024.’⁷³

⁶⁵ CIA, [World Factbook - Nigeria](#) (Military and Security), updated 3 July 2024

⁶⁶ Premium Times, [‘About Us’](#), 2024

⁶⁷ Premium Times, [‘Nigeria military is overstretched – Defence Minister’](#), 13 February 2023

⁶⁸ The Independent (Nigeria), [‘About Us’](#), 2024

⁶⁹ The Independent (Nigeria), [‘Military, Law Enforcement Agencies ...’](#), 4 July 2024

⁷⁰ The Independent (Nigeria), [‘Military, Law Enforcement Agencies ...’](#), 4 July 2024

⁷¹ The Cable, [‘About Us’](#), 2024

⁷² The Cable, [‘Egbetokun: 190,000 additional police personnel needed ...’](#) 30 August 2023

⁷³ The Cable, [‘Egbetokun: 190,000 additional police personnel needed ...’](#) 30 August 2023

5.2.19 The Financial Times, in an article dated 26 October 2021, reported:

‘As the security situation worsens across Nigeria, escort and guard services for wealthy clients in Lagos are booming. By one count, about 40 per cent of the country’s police officers are working for private services ...

‘Because private guards are not permitted to carry guns in Nigeria ... companies – including the local subsidiaries of foreign-owned groups – strike agreements with the national police, which provides armed officers to ride in trucks provided by the companies, under the supervision of a private security commander.

‘Many of the officers guarding wealthy people are from the Mobile Police (known as Mopol), a paramilitary unit – originally riot squads – of the Nigerian Police Force. Police escorts are procured in one of two ways: via a private security company or, much more cheaply, directly at the local police station, which is the route that more and more middle-class Nigerians are taking for interstate trips as security threats have grown.’⁷⁴

5.2.20 The International Crisis Group’s article 2022 commented that under Nigeria’s policing framework, ‘the federal government in Abuja calls the shots’. It reported:

‘State governors, who are publicly presumed to be the chief security officers in their respective territories (based on their constitutional designation as state chief executives), have no legal power to order police units to respond to major security incidents. State police chiefs also often have to obtain approval from the federal inspector general of police before deploying personnel. This centralised structure often inhibits the police from intervening promptly when the public is in peril.’⁷⁵

5.2.21 The same report noted that the police force ‘is underfunded, understaffed and under-equipped.’⁷⁶

5.2.22 The OSAC report 2024 stated: ‘A lack of basic resources (communications equipment, vehicles, and fuel) severely hampers effective police response. Investigative efforts suffer from similar resource constraints.’⁷⁷

5.2.23 With regard to vehicles, the USSD human rights report 2023 stated: ‘Some detainees had their cases delayed because the Nigeria Police Force and the Nigerian Correctional Service did not have vehicles to transport them to court.’⁷⁸

5.2.24 The Netherlands MoFA COI report 2023 stated: ‘Sometimes the police asked for money because they themselves did not have the resources, such as petrol, to conduct an investigation.’⁷⁹

5.2.25 In relation to police training, Qatari state-owned broadcaster⁸⁰ Al Jazeera, in an article dated 20 October 2022 (Al Jazeera article 2022), quoted Kikelomo

⁷⁴ Financial Times, ‘[Gun for hire: Nigeria security fears spark boom ...](#)’, 26 October 2021

⁷⁵ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

⁷⁶ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

⁷⁷ OSAC, ‘[Nigeria Country Security Report](#)’ (Police Response), updated 25 January 2024

⁷⁸ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

⁷⁹ Netherlands MoFA, ‘[General Country of Origin Information ...](#)’ (section 3.2.1), January 2023

⁸⁰ Al Jazeera, ‘[About Us](#)’, 2024

Shodeko, a senior analyst at Abuja-based security consultancy Horizon West Africa, as saying: 'What we have are officers that are mostly uneducated and are given guns ... They should attend training in crisis, risk and emergency management. That training in itself is critical to how the police handle situations and understand their roles.'⁸¹

5.2.26 The New Humanitarian article 2023 stated: 'Confronting [bandit leaders in Zamfara State], at least in theory, is an under-strength and poorly motivated police force. They know they are no match for the gunmen. In places like Nahuche [near the state capital Gusau], they prefer to hunker down in their stations. "The police are only useful to pick up the bodies after there's been a killing," Abdullahi Lawal, a local peace activist, told The New Humanitarian.'⁸²

5.2.27 Privately-owned Nigerian newspaper⁸³ Vanguard, in an article, 'Police arrest 31,912 suspects over criminal offences in one year' (Vanguard arrests article 2024), dated 29 May 2024, reported that NPF public relations officer Olumuyiwa Adejobi told a media briefing police had arrested 31,912 suspects nationwide in a 12-month period. It did not specify the dates of the reporting period. The article quoted Adejobi as categorising the offences for which the arrests were made as follows:

- armed robbery – 4,826
- cultism – 3,523
- murder – 3,381
- kidnapping – 3,078
- rape – 2,479
- unlawful possession of firearms – 1,243
- other criminal offence – 13,402⁸⁴

5.2.28 Based on the total of 31,912 suspects arrested and the United Nations Population Fund's estimate of the Nigerian population in 2024 (229.2 million⁸⁵), the number of suspects arrested for every 1,000 people in Nigeria was just under 0.14. Arrest statistics for England and Wales, published by the UK government on 3 July 2024, showed an arrest rate of 11.2 per 1,000 people for the year ending 31 March 2023⁸⁶. However, figures are not directly comparable as regards what was being counted. The Vanguard arrests article 2024 reported the number of people arrested⁸⁷, while the figure for England and Wales was based on the number of arrests made. This included instances where the same individual was arrested on more than one occasion, provided the offences were unrelated, according to the

⁸¹ Al Jazeera, '[Two years after #EndSARS, police brutality in Nigeria goes on](#)', 20 October 2022

⁸² The New Humanitarian, '[Inside Nigeria's banditry epidemic](#)', 30 January 2023

⁸³ Vanguard, '[About Us](#)', 2024

⁸⁴ Vanguard, '[Police arrest 31,912 suspects over criminal offences in one year](#)', 29 May 2024

⁸⁵ UNFPA, '[World Population Dashboard - Nigeria](#)', accessed 30 July 2024

⁸⁶ UK government, '[Arrests ...](#)' (section 3), 3 July 2024

⁸⁷ Vanguard, '[Police arrest 31,912 suspects over criminal offences in one year](#)', 29 May 2024

methodology for the UK government data⁸⁸.

- 5.2.29 The Vanguard arrests article 2024 quoted Adejobi as telling the media briefing that during the same 12-month period, the NPF rescued 1,750 kidnap victims⁸⁹.
- 5.2.30 The OSAC report 2024 stated: 'Despite a visible police presence in large cities, police response is variable. Law enforcement authorities usually respond slowly or not at all and provide minimal investigative support to victims.'⁹⁰
- 5.2.31 With regard to rape, Amnesty International, in a report, 'A harrowing journey: Access to justice for women and girls survivors of rape in Nigeria' (AI justice report 2021), dated 17 November 2021, based on desk and field research conducted between March 2020 and August 2021, documented instances of victim-blaming by police and inadequate facilities at police stations⁹¹.
- 5.2.32 In relation to domestic violence, the USSD human rights report 2023 stated: 'Police often refused to intervene in domestic violence cases or blamed the survivor for provoking the abuse. In rural areas, courts and police were reluctant to intervene to protect women who formally accused their husbands of abuse if the level of alleged abuse did not exceed local customary norms⁹².
- 5.2.33 The same report stated that enforcement of laws prohibiting violent harassment was 'uncommon'⁹³.
- 5.2.34 With regard to public opinion on police responses to gender-based violence, Afrobarometer, 'an independent pan-African research network'⁹⁴, in a survey (Afrobarometer survey 2023) dated 11 October 2023, based on interviews with a nationally representative sample of 1,600 adult Nigerians in October and November 2022, found 79% of respondents considered it 'likely that the police will take reports of gender-based violence seriously'⁹⁵.
- 5.2.35 In relation to police reform, Vanguard, in an article, 'NSA, Ribadu, UNDP Rep, German Ambassador seal pact on police reform initiative', dated 19 November 2023, stated:
- 'The Office of the National Security Adviser (ONSA) at the weekend said it has entered into a partnership with the United Nations Development Program (UNDP) and the German Embassy in Nigeria for a comprehensive police reform initiative.
- 'The pact was sealed at a meeting between the National Security Adviser (NSA), Mallam Nuhu Ribadu with the UNDP Resident Representative Mohamed Yahya and the German Ambassador to Nigeria Annett Gunther in Abuja.

⁸⁸ UK government, '[Arrests ...](#)' (section 2), 3 July 2024

⁸⁹ Vanguard, '[Police arrest 31,912 suspects over criminal offences in one year](#)', 29 May 2024

⁹⁰ OSAC, '[Nigeria Country Security Report](#)' (Police Response), updated 25 January 2024

⁹¹ AI, '[Nigeria: A harrowing journey: Access to justice ...](#)' (sections 3.1, 3.5), 17 November 2021

⁹² USSD, '[Nigeria](#)' (section 6), 23 April 2024

⁹³ USSD, '[Nigeria](#)' (section 6), 23 April 2024

⁹⁴ Afrobarometer, '[FAQs – Afrobarometer](#)', no date

⁹⁵ Afrobarometer, '[AD715: Amid growing insecurity, Nigerians fault police ...](#)', 11 October 2023

'A statement by Mr. Zakari Mijinyawa Head, Strategic Communication, ONSA said, "The agreement is expected to support the work of the Special Committee on Police Reform constituted by President Bola Ahmed Tinubu during the last National Police Council meeting.

"During the meeting, the NSA reiterated President Tinubu's commitment to lead a comprehensive police reform process anchored on trust, human rights, rule of law and efficient public service."

'The NSA acknowledged UNDP's ongoing support for the modernization of police training and extensive support for police reform in Nigeria.

'Ribadu also conveyed to the German Ambassador Nigeria's appreciation for Germany's financial and technical support to police reform in Nigeria.'⁹⁶

- 5.2.36 With regard to vigilante groups, the International Crisis Group article 2022 stated: 'Most vigilante groups are strapped for cash. Many rely on donations from well-off patrons or ordinary residents or fund themselves. Members are often poorly remunerated and lack proper equipment and office space. These constraints make the groups less effective ...'⁹⁷

- 5.2.37 The same article reported:

'Membership in the groups ranges from dozens to hundreds of thousands. Some, like neighbourhood watches and community defence groups, may have tens or hundreds of members living in one area or spread out across thousands of towns, with no central hierarchy; others, like the O'odua People's Congress, representing Yoruba in the South West, have an estimated 100,000 members under local leaders, who report to a high command. Organisations established by state governments typically have a few thousand members.

'Most vigilantes are men, but some groups also include women ... In general, a group's gender composition correlates to its mandate – groups that are battling heavily armed insurgents or criminal gangs tend to be more male-dominated than those providing community policing services.'⁹⁸

- 5.2.38 The article further noted: 'The fact that most groups are made up of men may correlate to a seeming tolerance by vigilantes of gender-based crimes including domestic violence.'⁹⁹

- 5.2.39 With regard to recruitment and training, the International Crisis Group article 2022 stated:

'Recruitment practices vary widely ... In the great majority of groups, however, recruitment procedures are ill-defined or inconsistent, leading them to sign up individuals who have been involved in violence or other criminal activities.

'Training is also spotty. Some groups, especially those established by state governments, have fairly elaborate programs ... Few groups offer standardised training in such issues as crime prevention, compliance with

⁹⁶ Vanguard, '[NSA, Ribadu, UNDP Rep, German Ambassador seal pact ...](#)', 19 November 2023

⁹⁷ ICG, '[Managing Vigilantism in Nigeria: A Near-term Necessity](#)', 21 April 2022

⁹⁸ ICG, '[Managing Vigilantism in Nigeria: A Near-term Necessity](#)', 21 April 2022

⁹⁹ ICG, '[Managing Vigilantism in Nigeria: A Near-term Necessity](#)', 21 April 2022

the rule of law, respect for human rights, conflict management or sensitivity in dealing with the differentiated needs of women and children.

‘Relations between the groups and the police, military and Nigerian Security and Civil Defence Corps range from cordial and collaborative to suspicious and hostile ... [M]utual distrust undermines prospects for the vigilante-police cooperation necessary to fight crime and other insecurity more effectively.

‘ ... While some state governments have enacted rules to guide the organisations they established, there is not yet a comprehensive law that would set minimum standards [for vigilante groups] nationwide.’¹⁰⁰

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5.3 Corruption

- 5.3.1 With regard to the National Armed Forces, the DFAT Nigeria report 2020 stated: ‘Corruption within the NAF has contributed to low morale at troop level: frontline soldiers have publicly complained about inadequate equipment and not receiving wages ...’¹⁰¹
- 5.3.2 Temitope B Oriola of the Department of Sociology at the University of Alberta in Edmonton, Canada¹⁰², in an article published online in January 2022, then published in the journal *Armed Forces & Society* in April 2023, stated: ‘Corruption in the Nigerian military has often been treated as non-textured and monochromatic. In reality, corruption primarily benefits a small number of well-placed senior officers and civilian leaders.’¹⁰³
- 5.3.3 In relation to the prevalence of corruption in the armed forces relative to the prevalence in the police, Max Siollun, author and historian¹⁰⁴, in an opinion piece in privately-owned¹⁰⁵ *Foreign Policy* magazine, dated 7 June 2021, commented: ‘Part of the reason why so many soldiers are on the streets is because they are less prone to the sort of extortion police officers routinely practice on the citizenry they are supposed to protect.’¹⁰⁶
- 5.3.4 With regard to the law enforcement agencies, the GI-TOC Organised Crime Index 2023 stated: ‘Corruption and extortion [among the law enforcement agencies] are widespread, with law enforcement personnel known to engage in unlawful practices such as extorting motorists and colluding with criminals ...’¹⁰⁷
- 5.3.5 In relation to the police specifically, the Afrobarometer survey 2023 found:
- ‘About one in 12 Nigerians (8%) say they requested assistance from the police during the previous year, while about eight times as many (62%) encountered the police in other situations, such as at checkpoints, during identity checks or traffic stops, or during an investigation.

¹⁰⁰ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

¹⁰¹ DFAT, ‘[Country Information Reports - Nigeria](#)’ (5.6), 3 December 2020

¹⁰² University of Alberta, ‘[Temitope Oriola, PhD – Directory ...](#)’, 2024

¹⁰³ Oriola, TB, *Armed Forces & Society*, ‘[Nigerian Troops ...](#)’ (page 291), April 2023

¹⁰⁴ FP, ‘[Nigeria’s Military Is the Problem and the Solution ...](#)’, 7 June 2021

¹⁰⁵ FP, ‘[About Us – Foreign Policy](#)’, no date

¹⁰⁶ FP, ‘[Nigeria’s Military Is the Problem and the Solution ...](#)’, 7 June 2021

¹⁰⁷ GI-TOC, ‘[Criminality in Nigeria - The Organized Crime Index](#)’ (page 6), 2023

- Among citizens who requested assistance from the police, 51% say it was easy to get the help they needed. But three-fourths (75%) say they had to pay a bribe.
 - Among those who encountered the police in other situations, 55% say they had to pay a bribe to avoid problems.
 - ‘Almost three-fourths (73%) of Nigerians say “most” or “all” police officials are corrupt, the worst rating among 11 institutions and leaders the survey asked about.’¹⁰⁸
- 5.3.6 The GI-TOC Organised Crime Index 2023 commented that the police force was ‘notorious’ for, among other things, bribery and corruption¹⁰⁹.
- 5.3.7 Freedom House’s report ‘Freedom in the World 2024 – Nigeria’ (FH report covering events in 2023), dated 2024, stated: ‘There have been numerous allegations of extortion and bribe taking within the police force.’¹¹⁰ It did not provide figures in relation to this statement.
- 5.3.8 The Netherlands MoFa country report 2023 stated:
 ‘Money could ... be requested in order to prioritise a particular investigation. People with money and connections, for example in politics or government, could often find ways to cover up a matter ... For example, individuals accused of a crime could use their resources and connections to have the case transferred to Abuja by filing a counter-charge there. This was possible because the Nigerian police are federal. In such cases, those with less knowledge and resources were at an immediate disadvantage because the local police were subordinate to the police in Abuja. This practice is called the “Abuja card”.’¹¹¹
- 5.3.9 The USSD human rights report 2023 stated: ‘Massive and widespread corruption affected all sectors of government, including the ... security services... Numerous detainees stated police demanded bribes to take them to court hearings or to release them.’¹¹² It did not provide a specific figure in relation to such incidents.
- 5.3.10 With regard to tackling corruption, Vanguard, in an article dated 21 June 2023, stated: ‘The new Inspector General of Police, IGP, Kayode Egbetokun has vowed to rid the system of corruption, abuse of power and take necessary action against any form of misconduct from personnel of the Nigerian Police Force, NPF ...’¹¹³
- 5.3.11 In relation to vigilante groups, International Crisis Group article 2022 reported that vigilante groups’ funding constraints, including poor remuneration for members, ‘sometimes’ led members ‘to shake down persons they have arrested for criminal acts’¹¹⁴. The article did not give further details about the nature or scale of this.

¹⁰⁸ Afrobarometer, ‘[AD715: Amid growing insecurity, Nigerians fault police ...](#)’, 11 October 2023

¹⁰⁹ GI-TOC, ‘[Criminology in Nigeria - The Organized Crime Index](#)’ (page 6), 2023

¹¹⁰ FH, ‘[Nigeria: Freedom in the World 2024 Country Report](#)’ (Section F2), 2024

¹¹¹ Netherlands MoFA, ‘[General Country of Origin Information ...](#)’ (section 1.2.3.7), January 2023

¹¹² USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹¹³ Vanguard, ‘[New IGP, Egbetokun, vows to rid system of misconduct, corruption ...](#)’, 21 June 2023

¹¹⁴ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

- 5.3.12 It also stated, without giving further details: ‘Extortion of locals – especially those accused of crimes – is ... widespread.’¹¹⁵

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6. Human rights violations by security forces

6.1 Assaults and excessive force

- 6.1.1 The AI Nigeria annual report for 2023 stated: ‘Security forces used excessive force, including in the dispersal of peaceful protests and assemblies.’¹¹⁶
- 6.1.2 It further stated: ‘On 6 September [2023], armed police officers teargassed and used excessive force on University of Lagos students protesting against an increase in tuition fees ... Olorunfemi Adeyeye and six other students were arrested, beaten and threatened with death by police.’¹¹⁷
- 6.1.3 The same source reported: ‘On 1 November [2023], police – in collusion with the Imo state government – beat and blindfolded Joe Ajaero, president of Nigeria Labour Congress, during a protest in Owerri municipality over workers’ unpaid salaries and pensions.’¹¹⁸
- 6.1.4 The FH report covering events in 2023 stated: ‘Police have ... been accused of using excessive force.’¹¹⁹
- 6.1.5 With regard to public perceptions of excessive force and other police behaviours, the Afrobarometer survey 2023 found: ‘Substantial proportions of respondents say the police ... use excessive force on suspected criminals (46%) and protestors (44%) ...
- ‘Only 13% of citizens say the police “often” or “always” operate in a professional manner and respect all citizens’ rights.’¹²⁰
- 6.1.6 For more information on public opinion of the police, see [Corruption](#).

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6.2 Arbitrary arrest and lack of due process

- 6.2.1 The AI Jazeera article 2022 reported: ‘On October 11, 2020, the Nigerian government announced the disbandment of SARS. But, citizens say, SARS officers are still in service as plainclothes policemen patrolling the streets, extorting, arresting and torturing citizens without reason.’¹²¹
- 6.2.2 The FH report covering events in 2023 stated: ‘Nigerians in the southeast risked arbitrary arrest during the government’s campaign against the IPOB’s [Indigenous People of Biafra] armed wing, which began in 2021.’¹²²

¹¹⁵ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

¹¹⁶ AI, [Nigeria 2023](#) (Unlawful attacks and killings), 24 April 2024

¹¹⁷ AI, [Nigeria 2023](#) (Unlawful attacks and killings), 24 April 2024

¹¹⁸ AI, [Nigeria 2023](#) (Freedom of expression), 24 April 2024

¹¹⁹ FH, ‘[Nigeria: Freedom in the World 2024 Country Report](#)’ (Section F3), 2024

¹²⁰ Afrobarometer, ‘[AD715: Amid growing insecurity, Nigerians fault police ...](#)’, 11 October 2023

¹²¹ AI Jazeera, ‘[Two years after #EndSARS, police brutality in Nigeria goes on](#)’, 20 October 2022

¹²² FH, ‘[Nigeria: Freedom in the World 2024 Country Report](#)’ (Section F2), 2024

- 6.2.3 The same report stated: ‘Federal and state authorities have been criticized for disregarding due process, with prolonged pretrial detention of suspects even after courts ordered their release on bail.’¹²³
- 6.2.4 The USSD human rights report 2023 stated: ‘Security personnel reportedly arbitrarily arrested numerous persons during the year.’¹²⁴
- 6.2.5 The report further stated: ‘Police and other security services had the authority to arrest individuals without a warrant if officials reasonably suspected a person committed a crime. Security forces sometimes abused this authority ...’¹²⁵ The report did not state the number of cases or the frequency with which this occurred.
- 6.2.6 The AI protestors article 2023 stated:
 ‘Three years after violent suppression of nationwide #EndSARS protests against police brutality, at least fifteen protesters arrested in 2020 are still being arbitrarily detained – the majority of them without trial – in Kirikiri Medium Correctional Centre and Ikoyi Medium Security Correctional Centre in Lagos.
 ‘The Nigerian authorities have filed trumped-up charges including theft, arson, possession of unlawful firearms, and murder against many of the protesters.’¹²⁶
- 6.2.7 For information on the treatment of the protestors detained, see [Ill-treatment and torture](#).
- 6.2.8 Premium Times, in an article dated 17 June 2024, reported:
 ‘Despite reports that 15 young Nigerians who participated in the EndSARS protests in 2020 are still being detained without trial, the police said no protester is in its custody.
 ‘The police were reacting to the claim by a former senator, Shehu Sani, that some EndSARS protesters are still being held unlawfully.
 ‘Mr Sani had said during the 2024 Democracy Day Dinner in Abuja on 12 June that some protesters were still being detained ...
 ‘... [I]n a statement on Sunday in Abuja, the Police Spokesperson, Olumuyiwa Adejobi, said Mr Sani’s claim was misleading and urged the public to disregard it ...
 “The Nigeria Police affirm that no individual is being unlawfully detained by the Nigeria Police Force or any other security agency in Nigeria due to the EndSARS protest.
 “All arrested individuals have been processed according to the law, and none remain unlawfully detained. In Lagos, Governor Babajide Sanwo-Olu pardoned approximately 100 suspects arrested by the Police during the protest.

¹²³ FH, ‘[Nigeria: Freedom in the World 2024 Country Report](#)’ (Section F2), 2024

¹²⁴ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹²⁵ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹²⁶ AI, ‘[Nigeria: Three years after #EndSARS at least 15 protesters languish ...](#)’, 20 October 2023

“For emphasis, no one anywhere in Nigeria is under police detention or being wrongly persecuted for participating in the EndSARS protest ... ,” Mr Adejobi said ...

‘ ... [I]n a comment posted on his X account on Monday, the former Senator insisted that there was a list of EndSARS protesters who have been in detention ...

‘It is unclear if Mr Sani was referring to the list of EndSARS detainees released [in the AI protestors article 2023] by Amnesty International (AI) Nigeria.’¹²⁷

- 6.2.9 With regard to journalists, the FH report covering events in 2023 stated: ‘Journalists are often subjected to arbitrary arrests on dubious grounds. In February 2023, journalist Haruna Mohammed Salisu was arrested in Bauchi State while interviewing a group of women protesting against the governor. Salisu was unlawfully detained for more than three days before being charged with “inciting disturbance of public peace”; he was released on bail in March. Salisu’s case remained ongoing as of April [2023].’¹²⁸
- 6.2.10 With regard to a person’s right to challenge the lawfulness of their arrest or detention, the USSD human rights report 2023 stated: ‘The government sometimes did not observe these requirements.’¹²⁹
- 6.2.11 The same report stated that ‘[i]n some instances, government and security employees did not adhere to’ the legal requirement that those arrested be brought before a magistrate within 48 hours and have access to lawyers and family members. It did not provide further information on the number or frequency of such cases. The report added: ‘At times, authorities kept detainees incommunicado for long periods.’¹³⁰
- 6.2.12 The USSD human rights report 2023 further stated: ‘In some cases, police detained suspects without informing them of the charges against them or allowing access to counsel. Human rights groups stated the government did not permit all terrorism suspects detained by the military their rights to legal representation, due process, and to be heard by a judicial authority. Some individuals whose cases were dismissed reportedly remained in detention without clear legal justification.’¹³¹
- 6.2.13 The same source reported: ‘In their prosecution of corruption cases, law enforcement and intelligence agencies did not always follow due process, arresting suspects without appropriate arrest and search warrants.’ It did not provide further information on the number or frequency of corruption prosecutions in which due process was not followed, but it gave the following example:
- ‘On June 10, the DSS detained suspended Central Bank Governor Godwin Emefiele “for investigative reasons.” On July 25, the Federal High Court in Lagos granted Emefiele bail and ordered he be held at the Ikoyi Correctional Centre until the bail was made. However, the DSS immediately attempted to

¹²⁷ Premium Times, [‘#EndSARS: Police deny continued detention of protesters ...’](#), 17 June 2024

¹²⁸ FH, [‘Nigeria: Freedom in the World 2024 Country Report’](#) (Section D1), 2024

¹²⁹ USSD, [‘Nigeria’](#) (section 1A), 23 April 2024

¹³⁰ USSD, [‘Nigeria’](#) (section 1D), 23 April 2024

¹³¹ USSD, [‘Nigeria’](#) (section 1D), 23 April 2024

arrest Emefiele again, and a fight reportedly broke out between DSS agents and Nigerian Correctional Service officers as each group tried to take Emefiele into custody. Emefiele was released on bail on November 8. Emefiele was later charged with corruption.¹³²

- 6.2.14 The report further stated: ‘At times, police entered homes without judicial or other appropriate authorization.’¹³³
- 6.2.15 With regard to bail, the report stated: ‘Provision of bail was often arbitrary or subject to extrajudicial influence.’ The report added: ‘In many areas with no functioning bail system, suspects were incarcerated indefinitely in investigative detention ...’¹³⁴

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6.3 Ill-treatment and torture

- 6.3.1 The DFAT Nigeria country report 2020 stated:
- ‘Despite [the] strong legislative framework [in relation to torture], local and international human rights groups have regularly accused the security services of conducting inhuman treatment and torture against criminal suspects, militants, detainees and prisoners. Such treatment may include beatings with sticks and machetes, being suspended from ropes, and denial of food and medical care. Police have also used a technique commonly referred to as “parading” of arrestees, which involves walking them through public spaces and subjecting them to public ridicule and abuse, including having food and other objects hurled at them. Female detainees are reportedly at risk of rape and other forms of violence, particularly those held in military detention facilities.’¹³⁵
- 6.3.2 The AI Nigeria annual report for 2022 stated: ‘Torture and other ill-treatment remained pervasive within the criminal justice system.’¹³⁶
- 6.3.3 The BBC, in an article, ‘Nigerian army arrests soldiers after viral torture video’ (BBC torture article 2024), dated 11 January 2024, reported:
- ‘The Nigerian army has arrested two soldiers after a viral video allegedly showed them torturing a civilian.
- ‘In the footage, a man in military fatigues and another in civilian clothing repeatedly kick and whip a third shirtless man, as he repeatedly pleas for mercy.
- ““No, no sir, abeg! [I beg]. I will confess sir, abeg!” the man cries out ...
- ‘The alleged assault took place in Nigeria's Rivers state, but the date is unclear.’¹³⁷

¹³² USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹³³ USSD, ‘[Nigeria](#)’ (section 1H), 23 April 2024

¹³⁴ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹³⁵ DFAT, ‘[Country Information Reports - Nigeria](#)’ (4.21), 3 December 2020

¹³⁷ BBC, ‘[Nigerian army arrests soldiers after viral torture video](#)’, 11 January 2024

¹³⁷ BBC, ‘[Nigerian army arrests soldiers after viral torture video](#)’, 11 January 2024

- 6.3.4 The AI protestors article 2023 reported that ‘some’ of the 15 #EndSARS protesters still detained in October 2023 had been tortured, but did not state a number. The article further reported:

‘Many peaceful #EndSARS protesters have been subjected to torture and other ill treatment while in detention since 2020. They include Oluwale Isa, currently held in Kirikiri Medium Correctional Centre, who told Amnesty International how he was tortured while in detention at the SARS facility in Ikeja:

“I was tied with a rope. They bent me backwards and tied my hands and legs together at my back. An iron rod was passed in-between my tied legs and hands. With the iron rod [sic], I was suspended on an iron bar. Then, they started beating me with a machete and wooden batons. They were forcing me to admit that I was involved in vandalism during the #EndSARS protests. When I could not bear the torture anymore, I told [the] Inspector that I would confess. At that point, I was almost going to die. He brought me down; I still have the scar of the machete cut on my throat ...”¹³⁸

- 6.3.5 The USSD human rights report 2023 stated in relation to ‘Torture and other cruel, inhuman, or degrading treatment or punishment, and other abuses’ that although the law ‘mostly prohibited such practices ... there were credible reports government officials employed them.’¹³⁹ The source did not specify which reports or the scale of the issue.
- 6.3.6 The same source further reported: ‘On June 26, Angela Uzoma-Iwuchukwu, the director of Avocats Sans Frontieres, said at a public event commemorating international day in support of victims of torture that her office handled 1,200 cases involving victims of torture. She further stated some security agencies used torture to extract confessions.’¹⁴⁰
- 6.3.7 Deutsche Welle (DW), the German state-owned international broadcaster¹⁴¹, in an article, ‘Are Nigeria’s vigilantes as bad as bandits they’re chasing?’ (DW vigilantes article 2024), dated 22 March 2024, reported that ‘many Nigerians’ – without quantifying - have accused vigilantes of torture and extrajudicial killings when interrogating suspected bandits¹⁴².
- 6.3.8 With regard to confessions obtained under torture, the UN Committee against Torture, in its ‘Concluding observations in the absence of the initial report of Nigeria’, dated 21 December 2021, stated:

‘The Committee welcomes the legal framework in place prohibiting the admission of confessions obtained under torture, incorporated in the Anti-Torture Act, the Evidence Act and the Administration of Criminal Justice Act, but is concerned at reports of the continuous use of torture in interrogations by police, military and Civilian Joint Task Force officers. Despite the existing legal safeguards, including the recording of confessions ... or to complain about duress before a judge, numerous reports highlight that coerced confessions are accepted in practice, contrary to the law. The Committee

¹³⁸ AI, [‘Nigeria: Three years after #EndSARS at least 15 protesters languish ...’](#), 20 October 2023

¹⁴⁰ USSD, [‘Nigeria’](#) (section 1A), 23 April 2024

¹⁴⁰ USSD, [‘Nigeria’](#) (section 1A), 23 April 2024

¹⁴¹ DW, [‘About DW’](#), 2024

¹⁴² DW, [‘Are Nigeria’s vigilantes as bad as bandits they’re chasing?’](#), 22 March 2022

regrets that no solid information has been provided by the State party about the application of these legal safeguards by judges in practice.¹⁴³

6.3.9 For more information on:

- reports of torture in interrogations, see the civil society [submissions](#) made to the UN Committee against Torture.
- the law relating to torture, see [Constitution and criminal law](#)
- impunity for torture, see [Oversight and accountability](#)

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6.4 Prison and detention centre conditions

6.4.1 The Institute for Crime & Justice Policy Research (ICPR) at Birkbeck, University of London, in the 14th edition of its World Prison Population List, published in 2024, reported that as of 1 April 2024, the prison population in Nigeria stood at 77,934¹⁴⁴. The figure included pre-trial detainees (unless held in police facilities) as well as convicted and sentenced prisoners¹⁴⁵.

6.4.2 The same source reported that Nigeria had a prison population rate – the number of prisoners per 100,000 of the national population – of 34¹⁴⁶. The world prison population rate, based on United Nations estimates of national population, was 140 per 100,000¹⁴⁷. The median rate for West African countries was 50 per 100,000¹⁴⁸.

6.4.3 The UK Foreign, Commonwealth & Development Office provided an 'Information pack for British nationals arrested or detained in Nigeria', updated 30 November 2023. The pack stated:

'Prison conditions in Nigeria can be very harsh. Overcrowding is a major problem in Nigerian prisons. Shared cells are available.

'Sentenced prisoners and those on remand are held separately. Cells are shared by many and hugely overcrowded. The number of people per room depends on the size of the room and the prison. Men and women are held separately.

'Sleeping accommodation is basic and crowded, blankets and mattresses are supplied.

'The cells have an outside communal area which prisoners can access freely. There are basic toilets and washing facilities although the standards are not good. Sanitation is very poor. Electricity is erratic (this is a countrywide issue in Nigeria and not just a prison issue).

'Prisoners are provided with 3 meals a day. The meals are Nigerian dishes which can be spicy and largely carbohydrates. There is no provision for different dietary needs. Prisoners cannot supplement their diet in prison in

¹⁴³ CAT, '[Concluding observations ...](#)' (paragraph 15), 21 December 2021

¹⁴⁴ ICPR, [World Prison Population List](#) (page 4), 2024

¹⁴⁵ ICPR, [World Prison Population List](#) (page 2), 2024

¹⁴⁶ ICPR, [World Prison Population List](#) (page 4), 2024

¹⁴⁷ ICPR, [World Prison Population List](#) (page 2), 2024

¹⁴⁸ ICPR, [World Prison Population List](#) (page 2), 2024

order to remain in good health unless they buy food from the prison tuck shop. The shop is not well stocked.

‘Drinking water is provided (this is not bottled water).

‘All the bathroom facilities are communal and they are not in a good condition. There are no limits on the number of times prisoners can use them.

‘Limited supply of toiletries are supplied by the prison authorities. Basic toiletries can be brought in by family and friends. Prisoners are allowed to buy toiletries from the prison shop ...

‘Prisoners have contact with one another and are not restricted. No language classes are provided and all prison guards speak English. Local languages are spoken amongst the guards and prisoners ...

‘Ordinarily, cell phones are prohibited in prisons but there is a welfare phone with permission from the officer in charge, you may be allowed to make phone calls. However, internet is not provided. You have access to writing materials ...

‘Prisoners are permitted to go outdoors. There are exercise facilities in the prison like football, basketball, volleyball and badminton. Regular exercise activities are routinely organised by the prison authorities ...

‘... Appropriate clothing for the weather are provided to prisoners.

‘Prisoners are entitled to take part in religious services of their choice. You have the right to receive visits from a priest, rabbi or minister of your faith. The detention facilities have some religious ministers.

‘While you are detained, the prison authority is responsible for ensuring your basic medical needs are met ...’¹⁴⁹

6.4.4 The USSD human rights report 2023 stated: ‘Prison and detention center conditions were harsh and life threatening due to gross overcrowding, inadequate medical care, and food and water shortages.

‘ ... Overcrowding was a significant problem. As of September, prison facilities had 50 percent more inmates than designed capacity. Many prisons were constructed 70 to 80 years ago and lacked basic facilities. Some prisons had no facilities to care for pregnant women or nursing inmates.

‘Lack of potable water, inadequate sewage facilities, and overcrowding sometimes resulted in dangerous and unsanitary conditions. Disease was pervasive in cramped, poorly ventilated prison facilities, which had chronic shortages of medical supplies. Inadequate medical treatment caused some prisoners to die from treatable illnesses, such as HIV and AIDS, malaria, and tuberculosis. Although authorities attempted to isolate persons with communicable diseases, facilities often lacked adequate space, and inmates with these illnesses lived with the general prison population. Prisons provided limited health care to inmates and transferred seriously ill prisoners to government hospitals. Generally prison officials made few efforts to

¹⁴⁹ UK FCDO, [‘Information pack for British nationals arrested ...’](#), updated 30 November 2023

provide mental health services or other accommodations to prisoners with mental disabilities ...

‘Only prisoners with money or support from their families had sufficient food. Prison employees sometimes stole money provided for prisoners’ food. Poor inmates sometimes relied on handouts from others to survive. Prison employees, police, and other security force personnel sometimes denied inmates food and medical treatment to punish them or extort money.’¹⁵⁰

6.4.5 For information on:

- prison oversight, see [Oversight and accountability](#)
- unofficial military prisons for people suspected of association with Boko Haram, see the Country Policy and Information Note [Nigeria: Islamic extremist groups in North East Nigeria](#)

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6.5 Deaths in custody

6.5.1 Referring to #EndSARS protesters who it reported were tortured while in detention, the AI Nigeria annual report for 2022 stated: ‘Victims reported to Amnesty International that at least two protesters were tortured to death.’¹⁵¹

6.5.2 The AI Nigeria annual report for 2023 stated: ‘On 30 July, Faiz Abdullahi died in police custody in Kaduna, Kaduna state, after being tortured during interrogation. Abdullahi Tukur Abba, a 17-year-old student, died in hospital following torture during interrogation after he was picked up by police on 5 August in Yola, Adamawa state.’¹⁵²

6.5.3 The Cable, in an article dated 5 July 2024, reported:

‘The Nigeria Police Force (NPF) has reacted to a viral video wherein a woman accused police officers of allegedly killing her son, identified as Erasmus, in their custody.

‘In the video, the mother of the deceased was crying while narrating how she discovered that his son had allegedly been beaten to death in the custody of the federal capital territory (FCT) police command.

‘... The force spokesperson said police did not kill the deceased, adding that autopsy results show that the suspect died of “asphyxiation”.

“The autopsy report cleared the air on this. The boy, who was a cultist and arrested for the alleged raping and killing of a young lady in the company of his friend, was never tortured by the police[.]” [Adejobi said].’¹⁵³

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6.6 Enforced disappearances

6.6.1 The AI Nigeria annual report for 2022 stated:

¹⁵⁰ USSD, ‘[Nigeria](#)’ (section 1C), 23 April 2024

¹⁵¹ AI, [Nigeria 2022](#) (Torture and other ill-treatment), 27 March 2023

¹⁵² AI, [Nigeria 2023](#) (Torture and other ill-treatment), 24 April 2024

¹⁵³ The Cable, ‘[He died of asphyxiation’ — police react to death ...](#)’, 5 July 2024

‘Several men were forcibly disappeared by the authorities in response to the activities of IPOB.

‘Sunday Nwafor, Uzonwanne Ejiofor and Wilfred Dike, who had been secretly detained by the military without charge or trial since 27 February 2020, were released on 14 September [2022].

‘Government critic Abubakar Idris remained missing since his abduction by suspected state agents in 2019.’¹⁵⁴

6.6.2 The Media Foundation of West Africa (MFWA), ‘a regional independent non-governmental organisation’¹⁵⁵, in an article dated 5 March 2024, reported that Idris, ‘popularly known as Dadiyata’, was still missing¹⁵⁶.

6.6.3 The AI Nigeria annual report for 2023 stated:

‘Maduabuchi Obinwa, aged 22, disappeared after his abduction on 24 April 2022, when security agents from the Awkuzu State Criminal Investigation Department raided his house in Ekwulobia, Anambra state. Obiora Agbasimalo, a governorship candidate, was abducted by gunmen on 18 September 2021 while going to an election campaign outing in Azia town, Anambra state. Sunday Ifedi and Calista Ifedi, a couple, were taken by security operatives from their home in Enugu on 23 November 2021, because of their alleged membership of the Indigenous People of Biafra. The fates and whereabouts of all these people remained unknown at the end of the year.’¹⁵⁷

6.6.4 However, the USSD human rights report of 2023 stated: ‘There were no reports of disappearances by or on behalf of government authorities.’¹⁵⁸

6.6.5 With regard to recommendations relating to enforced disappearances, the UN Committee on Enforced Disappearances, in its ‘Concluding observations on the report submitted by Nigeria under article 29(1) of the Convention’, October 2023, recommended, among other things, that Nigeria incorporate the absolute prohibition on enforced disappearance into national law, criminalise enforced disappearance as an autonomous offence and establish a nationwide database of disappeared persons¹⁵⁹.

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6.7 Extrajudicial killings

6.7.1 The USSD human rights report 2023 stated: ‘There were reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings.’¹⁶⁰

¹⁵⁴ AI, [Nigeria 2022](#) (Enforced disappearances), 27 March 2023

¹⁵⁵ MFWA, ‘[About Us](#)’, no date

¹⁵⁶ MFWA, ‘[Nigeria: Gagging of dissenting voices on social media ...](#)’, 5 March 2024

¹⁵⁷ AI, [Nigeria 2023](#) (Enforced disappearances), 24 April 2024

¹⁵⁸ USSD, ‘[Nigeria](#)’ (section 1B), 23 April 2024

¹⁵⁹ CED, ‘[... Concluding observations on the report ...](#)’ (paragraphs 16, 18), 20 October 2023

¹⁶⁰ USSD, ‘[Nigeria](#)’ (section 1A), 23 April 2024

- 6.7.2 The FH report covering events in 2023 stated that local and international human rights groups had repeatedly criticised the military for abuses including extrajudicial killings¹⁶¹.
- 6.7.3 Amnesty International, in an article 'Nigeria: Three years after #EndSARS at least 15 protesters languish in Lagos jail' (AI protestors article 2023), dated 20 October 2023, reported: 'Despite consistent claims of carrying out comprehensive police reforms in the aftermath of #EndSARS protests, Nigeria's police continue to routinely commit violations of human rights, including extrajudicial killings ... with almost absolute impunity ...' The protests referred to were mass protests against reported brutality by officers of the now-disbanded Special Anti-Robbery Squad (SARS) in 2020, in which, the article stated, at least 56 people died¹⁶².
- 6.7.4 The AI Nigeria annual report for 2022 stated: 'On 17 October, a coroners' court found that police had shot dead Jumoke Oyeleke during a Yoruba Nation rally in Ojota, Lagos State. On 4 October, police killed one person and injured two others who were protesting against harassment by officials of the Economic and Financial Crimes Commission in the town of Ughelli, Delta state ...'¹⁶³
- 6.7.5 The same source reported: 'Nigerian security forces killed at least 122 people in response to increasing violence and killings of their officers in south-eastern Nigeria.
- 'On 17 July, at least seven people were extrajudicially executed by state-sponsored Ebubeagu paramilitary agents in the town of Awo-Omamma, Imo State.'¹⁶⁴
- 6.7.6 The AI protestors article 2023 stated: 'In the past year alone, Amnesty International has documented the unlawful killing of at least six people by law enforcement officers ...'¹⁶⁵
- 6.7.7 The AI Nigeria annual report for 2023 stated that police officer Drambi Vandí shot dead Omobolanle Raheem on 25 December 2022 on the Lekki-Epe road after trying to stop her car¹⁶⁶.
- 6.7.8 For information on Vandí's conviction and sentencing, see [Police](#).
- 6.7.9 The AI Nigeria annual report for 2023 further stated: 'On 29 June, soldiers shot dead three youths protesting at extortion and underemployment in Afokpella community in Etsako local government area, Edo state.
- 'A leaked government memo dated 19 July indicated that the Lagos state government had in its possession the bodies of 103 people killed during the #EndSARS protests in October 2020, and had approved their secret mass burial.¹ On 10 October, the Lagos state government announced the suspension of the burial.'¹⁶⁷

¹⁶¹ FH, '[Nigeria: Freedom in the World 2024 Country Report](#)' (Section F3), 2024

¹⁶² AI, '[Nigeria: Three years after #EndSARS at least 15 protesters languish ...](#)', 20 October 2023

¹⁶³ AI, '[Nigeria 2022](#) (Excessive and unnecessary use of force), 27 March 2023

¹⁶⁴ AI, '[Nigeria 2022](#) (Extrajudicial executions), 27 March 2023

¹⁶⁵ AI, '[Nigeria: Three years after #EndSARS at least 15 protesters languish ...](#)', 20 October 2023

¹⁶⁶ AI, '[Nigeria 2023](#) (Unlawful attacks and killings), 24 April 2024

¹⁶⁷ AI, '[Nigeria 2023](#) (Unlawful attacks and killings), 24 April 2024

- 6.7.10 The USSD human rights report 2023, which referred to the memo but not suspension of the burial, noted that approval of the burial ‘raised questions regarding the extent of the abuses that took place during those protests’¹⁶⁸.
- 6.7.11 The same report cited the killing by a police officer of a man in Delta State in April 2023 over non-payment of a bribe – also reported in the AI protestors article 2023 – as one of ‘numerous’ unlawful killings reported. It did not quantify ‘numerous’, but it provided 2 other examples: ‘In January, police in Katsina opened fire after responding to a call at a wedding party, killing two and injuring three ... On July 2, three soldiers were reported to have opened fire on community neighborhood watch guards as the guards responded to reports of a bandit attack in Enugu State. Two guards were killed and four injured while the military accused the guards of being bandits themselves.’¹⁶⁹
- 6.7.12 For information on the National Assembly’s response to the Enugu State incident, see [Armed forces](#).
- 6.7.13 The USSD human rights report 2023 also stated ‘In May, the People’s Democratic Party accused [the vigilante group] Amotekun of killing two individuals that month in Ondo State, including one child ...’¹⁷⁰
- 6.7.14 With regard to other killings of children, Reuters news agency, in an investigative report, ‘Smothered, Poisoned and Shot’, dated 12 December 2022, stated:
- ‘More than 40 soldiers and civilians told Reuters they witnessed the Nigerian military kill children or saw children’s corpses after a military operation [in the North East region]. Estimates totaled in the thousands. Reuters investigated six incidents in which at least 60 died ...
- ‘Soldiers and armed guards employed by the government told Reuters army commanders repeatedly ordered them to “delete” children, because the children were assumed to be collaborating with militants in Boko Haram or its Islamic State offshoot, or to have inherited the tainted blood of insurgent fathers.
- ‘Intentional killings of children have occurred with a blurring frequency across the region during the war, according to witnesses interviewed by Reuters. More than 40 sources said they saw the Nigerian military target and kill children or saw the dead bodies of children after a military operation. These sources included both parents and other civilian witnesses, as well as soldiers who said they participated in dozens of military operations in which children were slaughtered.
- ‘Together, their estimates added up to thousands of children killed.
- ‘Reuters was unable to independently verify each of those estimates. But reporters investigated six specific incidents and found, based on eyewitness accounts, that a total of at least 60 children were killed in those episodes, the most recent in February 2021. Each of those incidents ... was confirmed by at least two sources who saw the killings or the aftermath.’¹⁷¹

¹⁶⁸ USSD, ‘[Nigeria](#)’ (section 1A), 23 April 2024

¹⁶⁹ USSD, ‘[Nigeria](#)’ (section 1A), 23 April 2024

¹⁷⁰ USSD, ‘[Nigeria](#)’ (section 1A), 23 April 2024

¹⁷¹ Reuters, ‘[Nigerian Army massacred children in war on insurgents ...](#)’, 12 December 2022

- 6.7.15 The FH report covering events in 2023 cited the Reuters report, noting: ‘The Nigerian military has denied the allegations.’¹⁷²

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6.8 Air strikes by security forces

- 6.8.1 The HRW report covering events in 2023 stated: ‘... [S]ecurity forces continue to be implicated in gross human rights abuses, including indiscriminate airstrikes ...’ The same source reported:

‘In January, an erroneous military airstrike in Nasarawa State killed 39 people and injured 6 others. Since 2017, over 300 people are reported to have been killed by airstrikes that the Nigerian air force claimed were intended for bandits or members of Boko Haram and its breakout factions but instead hit civilians. In 2022, the Nigerian air force announced an investigation into accidental airstrikes on civilians but provided no further details.’¹⁷³

- 6.8.2 The AI Nigeria annual report for 2023 stated:

‘On 24 January, an air strike by a suspected Nigerian air force drone killed dozens of civilians in Rukubi local government area, Nasarawa state. On 25 January, at least 21 civilians were killed in an air strike by the Nigerian air force in Niger state. In September, security forces attacked Umualumaku community in Ehime Mbano local government area, Imo state, setting several houses and vehicles ablaze, in reprisal over the killing of members of the Nigeria Security and Civil Defence Corps, police and army. On 3 December, Nigerian military air strikes killed over 120 people attending a religious ceremony at Tudun Biri village, Kaduna state.’¹⁷⁴

- 6.8.3 For information on accountability for air strikes, see [Armed forces](#).

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6.9 Sexual and gender-based violence

- 6.9.1 The USSD human rights report 2023 stated: ‘Prison guards reportedly engaged in gender-based violence against women prisoners.’¹⁷⁵

- 6.9.2 The FH human rights report 2023 stated: ‘Women and girls in camps for displaced persons have reported sexual abuse by members of the military and other authorities.’¹⁷⁶

- 6.9.3 For more information on abuse of women in the conflict with extremist groups in the North East, see the Country Policy and Information Note [Nigeria: Islamic extremist groups in North East Nigeria](#).

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¹⁷² FH, ‘[Nigeria: Freedom in the World 2024 Country Report](#)’ (Section F3), 2024

¹⁷³ HRW, ‘[World Report 2024: Nigeria](#)’, 11 January 2024

¹⁷⁴ AI, [Nigeria 2023](#) (Unlawful attacks and killings), 24 April 2024

¹⁷⁵ USSD, ‘[Nigeria](#)’ (section 6), 23 April 2024

¹⁷⁶ FH, ‘[Nigeria: Freedom in the World 2024 Country Report](#)’ (Section G3), 2024

7. Judicial system

7.1 Organisation

- 7.1.1 The Bertelsmann Stiftung 'BTI 2024 Nigeria Country Report' (BTI Nigeria report 2024), dated 2024, covering the period 1 February 2021 to 31 January 2023, stated:

'As a federal state, Nigeria has an intricate system of courts at the state and federal levels. At the federal level, there is the Supreme Court, the Court of Appeal and the Federal High Court. At the state level, there are the High Court, Shariah Court of Appeal (where applicable) and Customary Court of Appeal (where applicable). The Federal Capital Territory has the same courts as the states. Other courts and tribunals operate at federal, state and local levels. Only the Court of Appeal and the Supreme Court can overrule state courts ...'¹⁷⁷

- 7.1.2 The Guardian (UK), in an article, "'Stuck in limbo': endless wait for justice for those in Nigeria's prisons" (Guardian prisons article 2021), dated 28 October 2021, stated: 'In Nigeria, criminal cases are tried in magistrates courts and the high court. Similar to the UK, magistrates deal with minor offences such as traffic violations and public disturbances while serious offences are referred to the high court by the director of public prosecution (DPP).'¹⁷⁸

- 7.1.3 The Netherlands MoFA COI report 2023 stated:

'The constitution also allows the federal government and the states to establish courts based on customary law or Islamic law ... Traditional courts of this type exist alongside the ordinary courts ... Courts based on customary law are present in almost all 36 states. In 1999, twelve of the northern states introduced Sharia Penal Codes ... Sharia penal law applies to Muslims and anyone who chooses to be prosecuted on the basis of it ... Many opt for Sharia courts, especially in civil cases, because they are faster and cheaper, there is often less corruption than in the ordinary courts, and cases are heard in the Hausa language.'¹⁷⁹

- 7.1.4 The Netherlands MFA COI report 2023 noted that the 12 northern states in which sharia courts function are Borno, Gombe, Jigawa, Kano, Kaduna, Katsina, Kebbi, Niger, Sokoto, Yobe and Zamfara¹⁸⁰.

- 7.1.5 Similarly, the US State Department's 2023 Report on International Religious Freedom, dated 30 June 2024, stated:

'The constitution provides for states to establish courts based on sharia or customary (traditional) law in addition to common law civil and criminal courts, although civil and criminal courts have preeminence over all other courts. Sentences may be appealed from sharia and customary courts to civil and criminal courts. Sharia courts function in 12 northern states and the Federal Capital Territory. Customary courts function in most of the 36 states. The nature of a case and the consent of the parties usually determine what type of court has jurisdiction. The constitution specifically recognizes sharia

¹⁷⁷ Bertelsmann Stiftung, '[BTI 2024 Nigeria Country Report](#)' (page 11), 2024

¹⁷⁸ The Guardian, '["Stuck in limbo": endless wait for justice ...](#)', 28 October 2021

¹⁷⁹ Netherlands MoFA, '[General Country of Origin Information ...](#)' (section 3.1.1), January 2023

¹⁸⁰ Netherlands MoFA, '[General Country of Origin Information ...](#)' (section 3.1.1), January 2023

courts for noncriminal proceedings, but state laws do not compel participation in sharia courts in noncriminal cases. All citizens, regardless of faith, have the option to have their civil cases tried in secular or sharia courts. In addition to noncriminal matters, sharia courts also hear criminal cases if both the complainant and defendant are Muslim and agree to the venue. Zamfara State law makes it mandatory for all Muslims to utilize sharia courts in such cases, but not in noncriminal cases. In all states with sharia penal codes, criminal cases with possible sentences of death or life in prison may only be appealed from sharia to secular courts.

‘Sharia courts may pass sentences based on the sharia penal code, including for serious criminal offenses for which the Quran and Islamic law provide hudud punishments, such as caning, amputation, and stoning. Sharia penal code offenses and charges are only applicable to Muslims. Sharia courts operate under similar rules as common law courts, including requirements for mens rea (culpable mental state) and other due process considerations. According to the chief registrar of the Kano Sharia Court, by law, defendants have the right to legal representation in all cases, and certain high crimes require the testimonies of at least four witnesses. Defendants have the right to challenge sharia court decisions in common law appellate courts. The highest appellate court for sharia-based decisions is the sharia panel of the Supreme Court, staffed by common law judges who, while not required to have formal training in the sharia penal code, often do and may also seek advice from sharia experts.’¹⁸¹

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7.2 Judicial independence

- 7.2.1 The BTI Nigeria report 2024 stated: ‘The federal executive is able to influence the court system in its favor.’¹⁸²
- 7.2.2 The USSD human rights report 2023 stated that the judicial system was ‘seriously hampered’ by, among other factors, ‘undue political influence’¹⁸³.
- 7.2.3 It further stated: ‘... [T]he government did not respect judicial independence and impartiality. The judicial branch was susceptible to pressure from the executive and legislative branches as well as business interests. There were reports political leaders influenced the judiciary, particularly at the state and local levels.’¹⁸⁴
- 7.2.4 The FH report covering events in 2023 stated: ‘The judiciary has achieved some degree of independence and professionalism ... ’ but noted that ‘political interference’, among other issues, remained a problem¹⁸⁵.

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7.3 Trial procedures

- 7.3.1 The Guardian prisons article 2021 stated: ‘It can take several years to get a referral [to the high court, as is necessary for a serious offence], leaving the

¹⁸¹ USSD, [Nigeria – Religious freedom](#) (Section II), 30 June 2024

¹⁸² Bertelsmann Stiftung, [‘BTI 2024 Nigeria Country Report’](#) (page 11), 2024

¹⁸³ USSD, [‘Nigeria’](#) (section 1D), 23 April 2024

¹⁸⁴ USSD, [‘Nigeria’](#) (section 1E), 23 April 2024

¹⁸⁵ FH, [‘Nigeria: Freedom in the World 2024 Country Report’](#) (Section F1), 2024

suspect remanded in prison, sometimes for longer than the sentence would be for the crime of which they are accused.’¹⁸⁶ The article did not specify the number or frequency of cases in which a referral takes several years or in which the suspect is remanded in prison for longer than the sentence would be in the event of a conviction.

7.3.2 The International Crisis Group article 2022 stated:

‘Judicial proceedings are slow and expensive, and legal help is largely unavailable to the poor. On one hand, many accused persons suffer lengthy pre-trial detention in congested prisons, with some held without bail for decades due to insufficient legal representation at the time of arrest and poor recordkeeping by courts and prisons. More than two thirds of detainees are awaiting trial – nearly twice the African average and three times the rate in Europe. On the other hand, some people who committed crimes are poorly prosecuted and eventually let go, causing great distress among victims. For these reasons, many citizens distrust the courts and are inclined to place their trust in vigilantes not only to protect them, but also to apprehend criminals and administer prompt penalties.’¹⁸⁷

7.3.3 The Office of the United Nations High Commissioner for Human Rights (OHCHR), in a report dated 10 November 2023 (OHCHR report 2023), stated that the UN Human Rights Committee had ‘expressed concern about’, among other things, ‘delays in the administration of justice’ and ‘the mass trials of terrorist suspects’¹⁸⁸.

7.3.4 The USSD human rights report 2023 stated that ‘the judiciary did not always enforce [the] right’ to a fair and public trial¹⁸⁹. It did not provide information on the number or frequency of cases in which the right was not enforced.

7.3.5 The same report observed: ‘Lengthy pretrial detention was a serious problem. Detainees often waited years to gain access to a court, and in many cases, multiple adjournments resulted in years-long delays.’¹⁹⁰

7.3.6 The report also noted that the judicial system was ‘seriously hampered’ by, among other things, ‘[t]he shortage of trial judges, trial backlogs ... [and] bureaucratic inertia’. It added: ‘Some individuals remained in detention because authorities lost their case files. In general, the courts were plagued with inadequate, antiquated systems and procedures.’¹⁹¹

7.3.7 The GI-TOC Organised Crime Index 2023 stated:

‘The Nigerian judicial system faces numerous challenges that significantly impact its effectiveness and credibility. While Nigerian judges are generally competent, the system is hindered by outdated practices, resistance to change, inadequate resources, poor working conditions, and corruption among some judges. These constraints contribute to trial delays and prolonged pre-trial detention, which the government has acknowledged as issues requiring reform ... Additionally, funding remains a significant

¹⁸⁶ The Guardian, ‘[‘Stuck in limbo’: endless wait for justice ...’](#), 28 October 2021

¹⁸⁷ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

¹⁸⁸ OHCHR, ‘[Universal Periodic Review - Nigeria](#)’ (paragraph 5.38), 10 November 2023

¹⁸⁹ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹⁹⁰ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

¹⁹¹ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

challenge, with ongoing disputes between the state-level judiciary, legislatures, and the federal government over financial autonomy.¹⁹²

- 7.3.8 The FH report covering events in 2023 stated that equipment and training were among 'key problems' remaining for the judiciary. It further reported: 'Funding is also a problem for the judiciary. In 2020, then president Buhari signed an executive order ostensibly giving state-level judiciaries and legislatures financial autonomy. Nigeria's 36 state governors sued the federal government that September, alleging that it sought to avoid its financial responsibilities through the order. The Supreme Court dismissed the suit in 2022, affirming that the government is not responsible for funding state courts.'¹⁹³
- 7.3.9 With regard to sharia courts, the USSD human rights report 2023 stated: 'Sharia courts usually accorded the testimony of women and non-Muslims less weight than testimony of Muslim men. Some sharia court judges allowed different evidentiary requirements for men and women defendants to prove adultery or fornication.'¹⁹⁴
- 7.3.10 There was no data on the number of prosecutions, convictions or sentences, in the sources consulted for this note (see [Bibliography](#)).
- 7.3.11 For information on the postponement of trials of Boko Haram suspects, see the Country Policy and Information Note [Nigeria: Islamist extremist groups in North East Nigeria](#).

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7.4 Judicial corruption

- 7.4.1 The DFAT Nigeria report 2020 stated: 'Poorly paid judges and court officials are susceptible to bribery ... '¹⁹⁵
- 7.4.2 The same report stated: 'Corruption is reported to be a problem in the lower level courts, with citizens reporting requests from judicial officials for bribes to expedite cases or obtain favourable judgements. There is a widespread public perception judges are easily bribed, and litigants cannot rely on courts to render impartial verdicts.'¹⁹⁶
- 7.4.3 The BTI Nigeria report 2024 stated: 'Corruption is common in the judicial system. This can work in favor of an incumbent with access to public revenues, but there have also been concerns that corruption charges are used by the executive to interfere with other powers. In 2019, right before the elections, the chief justice of the federation was suspended on corruption charges. The legislature has also been accused of corruption despite being one of the most well-renumerated in the world.'¹⁹⁷

¹⁹² GI-TOC, '[Criminality in Nigeria - The Organized Crime Index](#)' (page 6), 2023

¹⁹³ FH, '[Nigeria: Freedom in the World 2024 Country Report](#)' (Section F1), 2024

¹⁹⁴ USSD, '[Nigeria](#)' (section 1E), 23 April 2024

¹⁹⁵ DFAT, '[Country Information Reports - Nigeria](#)' (2.17), 3 December 2020

¹⁹⁶ DFAT, '[Country Information Reports - Nigeria](#)' (5.18), 3 December 2020

¹⁹⁷ Bertelsmann Stiftung, '[BTI 2024 Nigeria Country Report](#)' (page 11), 2024

- 7.4.4 The OHCHR report 2023 stated that one matter of concern for the UN Human Rights Committee in relation to Nigeria was ‘reports of political influence and corruption in the judiciary’¹⁹⁸.
- 7.4.5 The USSD report 2023 stated that ‘endemic corruption’ was among various factors that ‘seriously hampered’ the judicial system. It added: ‘There was a widespread public perception judges were easily bribed.’¹⁹⁹
- 7.4.6 The GI-TOC organised crime index 2023 stated: ‘Corruption within the judiciary has eroded public trust and damaged its reputation.’²⁰⁰
- 7.4.7 The Afrobarometer survey 2023 asked respondents about their perceptions of judges and magistrates and found that 47% considered there was corruption among ‘Most/All of them’ and 45% considered there was corruption among ‘Some of them’²⁰¹.

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7.5 Death penalty

- 7.5.1 AI, in an introduction on its website to a briefing dated 16 May 2023, reported:

 ‘The death penalty remains a legal sanction in Nigeria and continues to be imposed throughout the country, by judges in the high courts and sharia courts.

 ‘Convicted persons are sentenced to death by hanging. Murder, culpable homicide, armed robbery, treason, and conspiracy for treason are capital offences under the Penal Code Act and the Criminal Code Act. This violates Nigeria’s obligations under the International Covenant on Civil and Political Rights.

 ‘A part of the political response to the high incidence of insecurity in Nigeria has been the introduction of new laws or amendments to existing laws making offences of kidnapping, banditry, cattle rustling, and cultism punishable by death.’²⁰²
- 7.5.2 AI, in a report, ‘Death and Executions 2023’, dated 29 May 2024, based on various sources, stated that in 2023, at least 246 death sentences were imposed in Nigeria, compared to at least 77 in 2022²⁰³. It further reported that in 2023, 20 death sentences were commuted and 35 people sentenced to death were pardoned²⁰⁴. By year-end, at least 3,413 people were living under a death sentence²⁰⁵.
- 7.5.3 The report stated that no executions were carried out in Nigeria in 2023²⁰⁶.

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¹⁹⁸ OHCHR, ‘[Universal Periodic Review - Nigeria](#)’ (paragraph 5.38), 10 November 2023

¹⁹⁹ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

²⁰⁰ GI-TOC, ‘[Criminality in Nigeria - The Organized Crime Index](#)’ (page 6), 2023

²⁰¹ Afrobarometer, ‘[AD715: Amid growing insecurity, Nigerians fault police ...](#)’, 11 October 2023

²⁰² AI, ‘[Nigeria: The death penalty as an ineffective deterrent to crime](#)’, 16 May 2023

²⁰³ AI, ‘[Death sentences and executions in 2023](#)’ (page 12), 29 May 2024

²⁰⁴ AI, ‘[Death sentences and executions in 2023](#)’ (page 38), 29 May 2024

²⁰⁵ AI, ‘[Death sentences and executions in 2023](#)’ (page 38), 29 May 2024

²⁰⁶ AI, ‘[Death sentences and executions in 2023](#)’ (page 12), 29 May 2024

7.6 Legal aid and assistance

- 7.6.1 The OHCHR report 2023 stated that ‘the absence of legal representation in some cases’ was, among other things, of concern to the Human Rights Committee²⁰⁷. The report did not specify the number or frequency of cases in which lack of legal representation occurred.
- 7.6.2 The Nigerian Legal Aid Council, in an undated entry on its website, stated that the council’s Criminal Justice Department ‘is positioned to deliver quality Criminal Defence Services for the purpose of assisting indigent persons involved in criminal investigation or proceedings’ in respect of crimes under the Criminal Code or Penal Code including murder, manslaughter, assault, theft, rape and armed robbery²⁰⁸.
- 7.6.3 Action 4 Justice Nigeria, part of Action 4 Justice’s (A4J) global platform, ‘is designed to improve access to justice in Nigeria by providing information and advice on how to use legal action in Nigeria courts to deal with Nigerian problems’²⁰⁹. The A4J Nigeria website provided the following information on how to access legal aid:

‘A person whose income does not exceed the national minimum wage can access legal aid. However, in exceptional circumstances, a person whose earning exceeds the national minimum wage may be granted legal aid service.

‘How to Access Legal Aid Service

‘Section 19(2) of the Legal Aid Act states that it shall be the duty of all police officers and courts to inform an accused person of their entitlement to the services of a legal practitioner from the moment of their arrest; and if such suspect cannot afford the services of a legal practitioner, to notify the Council of their desire to be represented.

‘Steps:

- ‘If you are eligible to access legal aid service, you have to obtain a form from a legal aid council office or court or prison as the case may be. You fill and complete the form and return to the Legal Aid Council for consideration.
- ‘If the council is satisfied that the applicant cannot afford legal services, it will grant legal aid.
- ‘The court may also assign a lawyer to you.’²¹⁰

- 7.6.4 The USSD human rights report 2023 stated: ‘The government’s Legal Aid Council’s Duty Solicitor Scheme was unable to provide free legal advice at all government detention facilities because of a lack of funding.’²¹¹ The report did not state the number or percentage of facilities at which free legal advice was unavailable.

²⁰⁷ OHCHR, ‘[Universal Periodic Review - Nigeria](#)’ (paragraph 5.38), 10 November 2023

²⁰⁸ Legal Aid Council, ‘[Legal Aid Council](#)’, no date

²⁰⁹ A4J Nigeria, ‘[About Us](#)’, no date

²¹⁰ A4J Nigeria, ‘[Legal aid and where to find support](#)’, no date

²¹¹ USSD, ‘[Nigeria](#)’ (section 1D), 23 April 2024

7.7 Alternative dispute resolution

- 7.7.1 Michaelmas Chambers, a Nigerian law firm whose partners hold licences from several international jurisdictions²¹², in an entry on its website dated 7 April 2020, stated:

‘The importance of ADR [Alternative Dispute Resolution] is now pivotal to the Nigerian Legal System. Section 19(d) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), provides for the settlement of disputes by Arbitration, Mediation, Conciliation, Negotiation and Adjudication. Order 19 of the Federal High Court (Civil procedure) Rules of Nigeria provides for supportive court interventions in arbitral proceedings. High Court Civil Procedure Rules of various States also provide for reference of cases to ADR, for example, Order 19 and 28 of the High Court of the Federal Capital Territory and Lagos State Civil Procedure Rules, respectively. Rule 15 (3)(d) of the Rules of Professional Conduct for Legal Practitioners mandates Lawyers to attempt an alternative dispute resolution before bringing any matter before the Court for hearing.’²¹³

- 7.7.2 The same website noted that the advantages of ADR include that it is confidential and cost-effective, and that ‘[i]t brings about quick dispensation of justice.’ Among the disadvantages are the non-binding nature of ADR such as mediation, negotiation and conciliation. The full list of advantages and disadvantages is on the [ADR page](#) of the Michaelmas Chambers website²¹⁴.
- 7.7.3 The website noted that use of ADR is increasing and stated that a court created for the purpose of settling disputes by ADR, the Lagos Multi-Door Court House, has been established²¹⁵.

7.8 Lawyers

- 7.8.1 The Nigerian Bar Association (NBA) stated on its [website](#):

‘The Nigerian Bar Association (NBA) is the non-profit, umbrella professional association of all lawyers admitted to the Bar in Nigeria and a member of all statutory bodies that regulate the Nigerian Bar and Bench.

‘The NBA is Nigeria's foremost and oldest professional membership organization and Africa's most influential network of legal practitioners, with over 140,000 lawyers on its roll in 128 active branches across the 36 States and the Federal Capital Territory of Nigeria. It is organized into three practice Sections, eleven Fora, and two Institutes, all supported by one National Secretariat.

‘The NBA is engaged in the promotion and protection of human rights, the rule of law and good governance in Nigeria. It has an observer status with the African Commission on Human and People's Rights, and a working

²¹² Michaelmas Chambers, ‘[About Us](#)’, 2024

²¹³ Michaelmas Chambers, ‘[Alternative Dispute Resolution in Nigeria](#)’, 7 April 2020

²¹⁴ Michaelmas Chambers, ‘[Alternative Dispute Resolution in Nigeria](#)’, 7 April 2020

²¹⁵ Michaelmas Chambers, ‘[Alternative Dispute Resolution in Nigeria](#)’, 7 April 2020

partnership with many national and international governmental and non-governmental organisations concerned with human rights, the rule of law and good governance in Nigeria and across the world.

'The NBA offers a unique National platform that is not available to any other Civil or professional organization in Nigeria.'²¹⁶

7.8.2 The website also featured a searchable [NBA members' directory](#).

7.8.3 The US State Department's 2023 Report on International Religious Freedom stated: 'Lawyers representing or considering representing individuals formally accused of intentionally insulting religion or blasphemy, stated they were discreet about identifying themselves out of fear of receiving threats that they stated had created a repressive environment for human rights defenders and stymied access to justice.'²¹⁷

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8. Oversight and accountability

8.1 Accountability and impunity – overview

8.1.1 The US State Department's 2022 Country Reports on Human Rights Practices (USSD human rights report 2022), stated: 'At times authorities investigated and held accountable police, military, or other security force personnel responsible for the use of excessive or deadly force, or for the deaths of persons in custody.'²¹⁸

8.1.2 The USSD human rights report 2023 stated: 'Impunity for torture was a significant problem in the security forces, especially in police, military, and the Department of State Services (DSS). The government regularly investigated security force members and held them accountable for crimes committed on duty, but the results were not always made public.'²¹⁹

8.1.3 The HRW report covering events in 2023 stated: '... [T]he authorities have repeatedly failed to hold [security forces] officers responsible for [human rights abuses including indiscriminate airstrikes] accountable through the justice system.'²²⁰ The report did not provide further information on the number or frequency of such cases.

8.1.4 The BTI Nigeria report 2024 stated: 'Security forces, both army and police, continue to act with little regard for the lives and livelihoods of ordinary Nigerians, and their abuses are rarely effectively challenged by civilian state actors.'²²¹

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²¹⁶ Nigerian Bar Association, '[Home](#)', 2024

²¹⁷ USSD, '[Nigeria – Religious freedom](#)' (Section III), 30 June 2024

²¹⁸ USSD, '[Nigeria](#)' (section 1A), 20 March 2023

²¹⁹ USSD, '[Nigeria](#)' (section 1C), 23 April 2024

²²⁰ HRW, '[World Report 2024: Nigeria](#)', 11 January 2024

²²¹ Bertelsmann Stiftung, '[BTI 2024 Nigeria Country Report](#)' (page 30), 2024

8.2 Police

- 8.2.1 The GI-TOC Organised Crime Index 2023 commented that the police force was ‘notorious’ for impunity, among other things²²².
- 8.2.2 The AI Nigeria annual report for 2022 stated: ‘On 23 June, the Abuja High Court awarded damages to Glory Okolie over her detention for 150 days on allegations of spying for the separatist group Indigenous People of Biafra (IPOB).’²²³
- 8.2.3 The AI Nigeria annual report for 2023 stated that a police officer who shot dead a woman on 25 December 2022 after trying to stop her car, was convicted of her murder on 9 October 2023 and sentenced to death by hanging²²⁴.
- 8.2.4 The USSD human rights report 2023 stated: ‘In June [2023], the inspector general of police disbanded a police unit following an incident in Edo State in which members of that unit ran over a handcuffed man.’²²⁵
- 8.2.5 The [Police Service Commission \(PSC\)](#) is an oversight body for the Nigeria Police Force. Its mandate includes the appointment, discipline and dismissal of police officers²²⁶.
- 8.2.6 The Punch, in an article dated 22 April 2023, reported:
- ‘The Nigerian Police Force dismissed no fewer than 18 cops for various offences ranging from abuse of power to gross indiscipline and extortion.
- ‘This is according to an analysis of media reports showing the number of cops dismissed in October and December, 2022, and April, 2023.
- ‘On October 4, 2022, the Police Service Commission dismissed seven senior police officers over alleged gross misconduct and approved the demotion of 10 other officers.
- ‘The PSC said the dismissed officers included a Chief Superintendent of Police, one Superintendent of Police, and five Assistant Superintendents of Police. It added that one SP [superintendent] was retired in public interest.’²²⁷

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8.3 Armed forces

- 8.3.1 The DFAT Nigeria report 2020 stated:
- ‘The Armed Forces Act (2004) dictates that disciplinary action in the NAF is determined by a soldier’s commanding officer, with the decision subject to review by the chain of command. The NAF has a human rights desk to investigate complaints of human rights violations brought by civilians, and a standing general court martial in Maiduguri. The court martial in Maiduguri has convicted soldiers for rape, murder and abduction of civilians. The

²²² GI-TOC, ‘[Criminality in Nigeria - The Organized Crime Index](#)’ (page 6), 2023

²²³ AI, [Nigeria 2022](#) (Arbitrary arrests and detentions), 27 March 2023

²²⁴ AI, [Nigeria 2023](#) (Unlawful attacks and killings), 24 April 2024

²²⁵ USSD, ‘[Nigeria](#)’ (section 1A), 23 April 2024

²²⁶ PSC, [Home page](#), no date

²²⁷ The Punch, ‘[Police dismiss 18 officers in three months](#)’, 22 April 2023

human rights desk in Maiduguri coordinates with the NHRC and Nigerian Bar Association to receive and investigate complaints, although their capacity and ability to investigate complaints outside major population centres remains limited. According to international observers, many credible accusations of abuses remain uninvestigated.'

8.3.2 Similarly, the USSD human rights report 2022 stated:

'Instances of unlawful or extrajudicial killings in the army, air force, and navy were initially investigated by commanding officers who decided whether an accusation merited low-level discipline or the initiation of court martial proceedings, which were subject to appeal before military councils and the civilian Court of Appeals. The army's Civil-Military Legal Desks worked as ombudspersons to investigate and resolve citizen allegations of abuse, including killings, during military operations. The government regularly utilized disciplinary boards, judicial panels of inquiry, or internal complaint mechanisms to investigate such abuses by security forces. When warranted, these bodies proposed disciplinary measures to the state or federal government. State and federal panels of inquiry investigating suspicious deaths did not always make their findings public. Courts martial in Maiduguri convicted soldiers of murder.'

8.3.3 With regard to accountability for air strikes, Amnesty International, in an article dated 7 December 2023, 4 days after more than 120 civilians were killed at Tudun Biri village near Kaduna in northern Nigeria, stated:

'The Nigerian military has since put out two contradictory explanations. An initial statement by the Nigerian army in Kaduna said the air strike was a mistake. This was followed by a statement from Nigeria's Defence Headquarters claiming that suspected bandits had embedded with civilians.

"The Nigerian military's recklessness is a result of the authorities' consistent failure to hold them to account for a long list of such atrocities. These unlawful killings of civilians cannot be swept under the carpet," said Isa Sanusi Director Amnesty International Nigeria.

"The President Bola Tinubu administration must promptly set up an independent inquiry into Tudun Biri village air strike and, where these investigations indicate criminal responsibility, ensure that those suspected to be responsible are brought to justice in fair trials. Victims and their families must be provided with access to justice and effective remedies." ...

"The contradictory explanations offered by the Nigerian military so far show their complete disregard for civilian lives and suggest attempts by the authorities to cover-up these grave human rights violations. Air strikes with deadly consequences for civilians are becoming routine. This is completely unacceptable," said Isa Sanusi.'

8.3.4 Referring also to other air strikes that occurred in 2022 and 2023, the article further stated:

'The Nigerian military has consistently failed to thoroughly, independently, impartially, transparently and effectively investigate these incidents.

"The Nigerian authorities' persistent failure to hold the military to account is encouraging impunity and increasingly endangering the lives of the civilians

the military is supposed to be protecting. The result is that the military is routinely carrying out air strikes that end up killing civilians,” said Isa Sanusi.’

- 8.3.5 With regard to an incident on 2 July 2023 in which 3 soldiers reportedly opened fire on neighbourhood watch guards in Enugu State, the USSD human rights report 2023 stated: ‘The National Assembly stood up an ad hoc committee to investigate the incident.’
- 8.3.6 For more information on the incident in Enugu State, see [Extrajudicial killings](#).
- 8.3.7 With regard to torture by the armed forces, the BBC torture article 2024 reported that after a video allegedly showing 2 soldiers torturing a civilian went viral, the Nigerian army arrested them and ‘has assured that it will conduct a thorough investigation to address the incident and promised to “sanction those involved”’²²⁸.
- 8.3.8 The article stated:
‘International human rights groups have previously criticised Nigeria’s army for alleged rights abuses, including torture, arbitrary arrests and extrajudicial killings.
‘Nigerian soldiers used to have a reputation for acting with impunity - for many years it was rare for soldiers to face disciplinary action if they attacked civilians.
‘But this has changed in recent years. Army chief Taoreed Lagbaja vowed to make the army more disciplined and professional when he was appointed last year.’²²⁹. The article did not provide further information about changes to soldiers’ accountability
- 8.3.9 For information on a preliminary examination by the International Criminal Court into the actions of Boko Haram and the armed forces in the North East, see the Country Policy and Information Note [Nigeria: Islamist extremist groups in North East Nigeria](#) and the AI report [Nigeria – The Time for Justice is Now](#).

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8.4 Vigilante groups

- 8.4.1 In relation to state-sponsored vigilante groups, the USSD human rights report 2023 stated: ‘There was minimal accountability for these groups, and they operated with near impunity.’ It reported that ‘[c]ourts disbanded’ one such group, Ebubeagu Security Network, ‘over its human rights abuses’²³⁰.
- 8.4.2 The International Crisis Group article 2022 stated:
‘Mechanisms for oversight, discipline and accountability are uneven but mostly lacking. State-established groups generally have better arrangements, often spelled out in the laws creating them; some, like the Amotekun, operate under governing boards, as well as monitoring by federal authorities. Elsewhere, such regulations tend to be feeble, sometimes

²²⁸ BBC, ‘[Nigerian army arrests soldiers after viral torture video](#)’, 11 January 2024

²²⁹ BBC, ‘[Nigerian army arrests soldiers after viral torture video](#)’, 11 January 2024

²³⁰ USSD, ‘[Nigeria](#)’ (section 1A), 23 April 2024

existing only on paper. Many community groups rely on trust, requiring members to take oaths of fairness and impartiality in their duties. But most groups operate with weak external oversight and little internal accountability. Accountability also diminishes with distance from administrative centres because residents cannot travel to reach the proper authorities to report abuses. In the absence of standard disciplinary procedures, the sanction of abusive members often occurs at the discretion of group leaders or state government officials. Few choose to do so. Furthermore, many groups have no clear systems for registering complaints or other feedback. These deficiencies mean that vigilante groups often operate with a sense of impunity.²³¹

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8.5 Prisons and other detention facilities

8.5.1 The USSD human rights report 2023 stated:

‘Authorities generally investigated credible allegations of mistreatment, but such allegations were rarely made. Proven allegations of misconduct generally led to administrative sanctions, sometimes including dismissal from government service, but rarely criminal charges... The government permitted limited monitoring of prisons by independent nongovernmental observers. The International Committee of the Red Cross had access to police detention facilities, the Nigerian Correctional Service, and some military detention facilities.’²³²

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8.6 Judicial officers

8.6.1 The [National Judicial Council](#) (NJC) is a federal executive body whose responsibilities include ‘the Appointment, Promotion and Discipline of Judicial Officers’²³³. Its website features a searchable list of press releases detailing occasions on which it issued warnings to judicial officials or recommended their ‘compulsory retirement’²³⁴.

8.6.2 The DFAT Nigeria report 2020 stated that the NJC is independent and also manages the remuneration of judicial officials²³⁵.

8.6.3 Among the functions of the [Federal Judicial Service Commission](#) is to recommend the removal, where appropriate, of judicial officers²³⁶.

8.6.4 Vanguard, in an article dated 17 June 2023, stated:

‘The National Judicial Council, NJC, has okayed the investigation of seven judges who were accused of engaging in sundry acts of corruption ...

‘The Council said it considered reports from various Investigation Committees and the Preliminary Complaints Assessment Committees on petitions written against 33 Judicial Officers from both the appellate and the

²³¹ ICG, ‘[Managing Vigilantism in Nigeria: A Near-term Necessity](#)’, 21 April 2022

²³² USSD, ‘[Nigeria](#)’ (section 1C), 23 April 2024

²³³ NJC, ‘[National Judicial Council](#)’, 2018

²³⁴ NJC, [National Judicial Council press releases](#), no date

²³⁵ DFAT, ‘[Country Information Reports - Nigeria](#)’ (5.16), 3 December 2020

²³⁶ FJSC, ‘[About Us](#)’, no date

high courts, and agreed with recommendation of the Committee that the seven judges have questions to answer.

'Nevertheless, the NJC disclosed that petitions against 26 others, among whom included a retired Justice of the Supreme Court, Mary Peter Odili, were dismissed.'²³⁷

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8.7 National Human Rights Commission

8.7.1 The [National Human Rights Commission \(NHRC\)](#) 'serves as an extra-judicial mechanism for the respect and enjoyment of human rights. It also provides avenues for public enlightenment, research, and dialogue in order to raise awareness on Human Rights issues.'²³⁸

8.7.2 Reuters, in an article dated 7 February 2023, reported:

'A special panel named by Nigeria's National Human Rights Commission launched an investigation Tuesday into recent Reuters reports on rights abuses by the country's army. Those familiar with the commission's past work say it faces stiff challenges.

'The state-funded NHRC does its best to press officials to act in the interest of citizens whose rights have been violated, eight sources with knowledge of the commission said. But they said the NHRC, whose inquiry was supported by the government amid an international outcry, is hobbled by a lack of authority to compel military leaders and other officials to prosecute or punish anyone.

'None of these people, including rights lawyers and researchers, was aware of any major cases handled by the commission that had led to the prosecution of senior Nigerian officials – a lack of accountability underscored in United Nations and U.S. State Department reports. The commission has secured financial restitution for some victims of abuse.

"Nigeria does not have a decent track record at holding its own accountable," said Ikemesit Effiong, head of research at Lagos-based consultancy SBM Intelligence, who has followed the commission's work. "That is even more stark if the stakeholders are military."

'Despite the "brave, serious" people on the commission, a government referral to the NHRC translates to "let's bury the matter," said human rights lawyer Nelson Olanipekun, founder of Gavel, a nonprofit promoting justice.'²³⁹

8.7.3 In relation to the same investigation, the HRW report covering events in 2023 stated: 'In February, the National Human Rights Commission began an investigation into allegations of forced abortions and infanticide in the Northeast Boko Haram conflict, but it has yet to produce its findings.'²⁴⁰

²³⁷ Vanguard, '[NJC probes 7 judges, dismisses petitions against Odili, 25 others](#)', 17 June 2023

²³⁸ NHRC, '[Overview - National Human Rights Commission](#)', no date

²³⁹ Reuters, '[Insight: Nigerian rights panel, underfunded and overmatched](#)', 7 February 2023

²⁴⁰ HRW, '[World Report 2024: Nigeria](#)', 11 January 2024

- 8.7.4 For more information on human rights violations by the armed forces in the North East, see the Country Policy and Information Note [Islamist extremist groups in North East Nigeria](#).
- 8.7.5 The NHRC, in its '2022 Annual Report', released 25 May 2023, stated that, by collaborating with government and non-governmental organisations, the United Nations and other organisations, it had received more than 2.3 million human rights complaints and investigated and concluded more than 1.64 million of them²⁴¹.

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8.8 Public Complaints Commission

- 8.8.1 The Public Complaints Commission is 'the machinery for the control of administrative excesses (non-adherence to procedures or abuse of law) ... The primary function of the Public Complaints Commission is to provide impartial investigation on behalf of the complainants who feel aggrieved by the action or inaction of the government or local government or private companies.'²⁴²
- 8.8.2 Solomon I Ifejika, lecturer at Anchor University, Lagos²⁴³, in the abstract of a paper, 'Protecting Citizens against Bureaucratic Abuse and Maladministration: Why is Nigeria's Ombudsman Institution not Working Well?', published in March 2023 in the Age of Human Rights Journal, stated: 'The work finds that, among other issues, the lack of independence and legal capacity to punish offenders, are the key impediments to the effectiveness of the Commission.'²⁴⁴

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8.9 Corruption and financial crimes

- 8.9.1 The DFAT Nigeria report 2020 stated:
'The Independent Corrupt Practices Commission (ICPC) holds broad authority to prosecute most forms of corruption, while the Economic and Financial Crimes Commission (EFCC) is authorised to investigate and prosecute financial and economic crimes. International observers report both institutions have proven largely ineffective in curbing corruption, due to insufficient funding and capacity shortages, and a lack of political support.'²⁴⁵
- 8.9.2 For more information on these organisations, see the websites of the [Independent Corrupt Practices and Other Related Offences Commission](#) and the [Economic and Financial Crimes Commission](#).

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²⁴¹ NHRC, '[2022 ANNUAL REPORT](#)', 25 May 2023

²⁴² PCC, '[Public Complaints Commission Nigeria](#)', 2024

²⁴³ Google Scholar, [Solomon I. Ifejika](#), no date

²⁴⁴ Ifejika, SI, Age of Human Rights Journal, '[Protecting Citizens ...](#)', June 2023

²⁴⁵ DFAT, '[Country Information Reports - Nigeria](#)' (2.18), 3 December 2020

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

The 'Terms of Reference' (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal framework – Constitution, criminal law, parallel legal systems
- Organisations responsible for law enforcement – Police, armed forces and vigilante groups
 - structure and size (and number of security officers as a ratio of the wider population)
 - resourcing, pay, equipment and training
 - occurrence of corruption, misconduct and human rights violations
 - accessibility – existence (or lack of) barriers to obtaining protection for particular groups, by location or other factors
 - planned reform
- Oversight bodies of security forces
 - structure and remit
 - effectiveness
- Judiciary
 - structure, size and composition
 - resourcing, pay, equipment and training
 - independence from executive or other state bodies
 - fair trial – availability to legal aid and representation; rights of appeal to higher courts
 - accessibility - existence (or lack) of barriers to accessing the judicial process for particular groups, by location or other factors
 - occurrence of corruption
 - alternative dispute resolution

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **21 August 2024**

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

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Changes from last version of this note

Updated country information, updated assessment and new executive summary.

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