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Information on corruption by Nigerian police and treatment of prisoners

A report by *the United States Department of State* under the heading “Role of the Police and Security Apparatus” states:

“The NPF, SSS, and military reported to civilian authorities; however, these security services periodically acted outside of civilian control. The government lacked effective mechanisms to investigate and punish abuse and corruption. The NPF remained susceptible to corruption, committed human rights abuses, and generally operated with impunity in the apprehension, illegal detention, and sometimes execution of criminal suspects. The SSS also committed human rights abuses, particularly in restricting freedom of speech and press. In some cases private citizens or the government brought charges against perpetrators of human rights abuses in these units. However, most cases lingered in court or went unresolved after an initial investigation.

According to AI's 2009 report, only a fraction of the NPF annual budget reached state and local police stations, and the lack of funding contributed to many police failures. In May and July the new inspector general of police, Mohammed Abubakar, publicly attributed poor performance and corruption among police to a lack of government support for the personnel, inadequate funding, poor work environment, lack of incentives, and low morale...” (United States Department of State (19 April 2013) *2012 Country Reports on Human Rights Practices – Nigeria*)

In a section titled “Arbitrary or Unlawful Deprivation of Life” it states:

“Credible reports also indicated other uniformed military personnel and paramilitary mobile police carried out summary executions, assaults, torture, and other abuses throughout Bauchi, Borno, Kano, Kaduna, Plateau, and Yobe states (see section 1.g.). The national police, army, and other security forces committed extrajudicial killings and used lethal and excessive force to apprehend criminals and suspects, as well as to disperse protesters. Authorities generally did not hold police accountable for the use of excessive or deadly force or for the deaths of persons in custody. Security forces generally operated with impunity in the illegal apprehension, detention, and sometimes extrajudicial execution of criminal suspects. The reports of state or federal panels of inquiry investigating suspicious deaths remained unpublished.” (ibid)

In a section titled “Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment” it states:

“Although the constitution and law prohibit such practices and provide for punishment of such abuses, torture is not criminalized, and security service personnel, including police, military, and State Security Service (SSS) officers, regularly tortured, beat, and abused demonstrators, criminal suspects, detainees, and convicted prisoners. Police mistreated civilians to extort money. The law prohibits the introduction into

trials of evidence and confessions obtained through torture; however, police often used torture to extract confessions.

JTF use of excessive force during raids on militant groups and criminal suspects in the Niger Delta and many states in the North resulted in deaths, injuries, mass rape, displacement of civilians, and other abuses.” (ibid)

It also states under the heading “Prison and Detention Center Conditions”

“Prison and detention center conditions remained harsh and life threatening. Prisoners, a majority of whom had not been tried, were subject to gross overcrowding, food shortages, inadequate medical treatment, and infrastructure deficiencies that led to wholly inadequate sanitary conditions. Reports indicated guards and prison officials threatened inmates with extortion or levied fees on them to pay for the maintenance of the prison and subjected them to physical abuse; in some cases female inmates faced the threat of rape. Female prisoners pregnant at the time of incarceration gave birth to and raised their babies in prison.

[...]

Only those prisoners with money, or whose relatives brought food regularly, had sufficient food; prison officials routinely stole money provided for food for prisoners. Poor inmates often relied on handouts from others to survive. Prison officials, police, and other security force personnel often denied inmates food and medical treatment as punishment or to extort money.” (ibid)

A report by *Human Rights Watch* under the heading “Conduct of Security Forces” states:

“Nigeria’s police force continues to be implicated in frequent human rights violations, including extrajudicial killings, torture, arbitrary arrests, and extortion-related abuses. Despite promising public statements by the new inspector general of police, corruption in the police force remains a serious problem. The police routinely solicit bribes from victims to investigate crimes and from suspects to drop investigations. Senior police officials embezzle or mismanage police funds, often demanding monetary “returns” from money that their subordinates extort from the public.” (Human Rights Watch (31 January 2013) *World Report 2013 Nigeria*)

A report by *Freedom House* under the heading “Political Rights and Civil Liberties” states:

“Security forces commit abuses with near impunity, and corruption pervades their ranks. Amnesty International (AI) has accused military forces currently deployed to quell the terrorist activities of Boko Haram in Borno State of randomly targeting unarmed civilians. Extrajudicial killings of prisoners have been reported, and torture and general ill-treatment of suspects are widespread. A report issued by Nigerian and U.S. watchdog groups in May 2010 noted that police kill, torture, and rape suspects to force confessions and extort bribes. Police officers who routinely abuse their power are often supported by a chain of command that encourages and institutionalizes graft...” (Freedom House (31 August 2012) *Freedom in the World 2012 – Nigeria*)

A report by *Amnesty International* under the heading “Tortured and Killed by the Police” states:

“Nigeria’s police have been responsible for large numbers of extrajudicial executions, deaths in custody and cases of torture and other ill-treatment of alleged criminals in custody.

The police kill hundreds of people every year with impunity. The Legal Defence and Assistance Project (LEDAP), a Nigerian NGO, estimated that in 2009 at least 1,049 people had been killed by the police.

Many are unlawfully killed before or during arrest in the street or at roadblocks. Others are tortured to death in police detention. A large proportion of these unlawful killings may constitute extrajudicial executions. In other cases, people disappear from police custody.” (Amnesty International (14 October 2011) *Nigeria Human Rights Agenda 2011-2015*)

In a section titled “Pay As You Go’: Corruption in the Nigeria Police Force” it states:

“Corruption within the NPF is rampant. Commercial drivers pay to go through police roadblocks; suspects pay to be released from custody; and detainees pay to improve the conditions of their detention.

In 2008, the Presidential Committee acknowledged the severity of the problem. “In the course of their duties, some Police officers harass and intimidate members of the public. They also go further to extort money from accused persons and complainants before they serve them. Those who do not cooperate usually suffer unlawful arrest and detention.”

Amnesty International frequently receives reports that some police officers arbitrarily arrest groups of people and then ask them to pay up to N10,000 (US\$65) to be released. Those who do not have the money risk being labelled “armed robbers”. Without money, suspects are less likely to be given access to a lawyer, to family members and to receive medical treatment.

Police officers also bribe each other. Some junior police officers reportedly said that they had to pay their superiors every day in order to avoid the risk of being transferred or even being made redundant. The 2008 Presidential Committee noted: “The taking of bribes and their passage up in the rank structure has almost become institutionalized.” (ibid)

Another report by *Human Rights Watch* under the heading “Extortion of Money at Police Checkpoints” notes:

“The most common venue for police extortion in Nigeria occurs at police roadblocks and checkpoints. On a daily basis throughout Nigeria, drivers of taxis, minibuses, and motorcycles, as well as private motorists are subjected to routine extortion under threat of arrest, detention, and physical injury after being obliged to stop at official or semi-official police roadblocks. These checkpoints, ostensibly put in place to combat rampant and rising crime, have in practice become a lucrative criminal venture for the police.” (Human Rights Watch (17 August 2010) *“Everyone’s in on the Game” Corruption and Human Rights Abuses by the Nigeria Police Force*)

In a section titled “Arbitrary Arrests and Detention” it states:

“Numerous police officers, legal professionals, and civil society leaders characterized the problem of unlawful detention of citizens by Nigerian police officers with the apparent motivation to extort money as a widespread and growing problem throughout Nigeria. They described how the police use specific incidents of crime, and the high levels of crime in general, as a pretext to randomly arrest and detain individuals and groups of citizens.

Once a person is arrested by the police and refuses, or is unable, to pay the money demanded, they are often detained until they negotiate an amount for their release. In many cases, this unlawful detention may last for days or even weeks. Those who do not pay face threats, beatings, sexual assault, torture, or even death. Extended periods of detention leave victims and their friends and family vulnerable to repeated threats and demands for bribes. Using police terminology, a civil society leader in Lagos explained that the police “tend to cast the net very wide so they can arrest as many suspects as possible. This affords them more chances for extortion and corruption.” (ibid)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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