



# Federal Ministry of Justice

## A. Status of Terrorism Cases As At 11<sup>th</sup> September 2017

- i. Concluded cases: 13
- ii. Convictions: 9
- iii. Ongoing trials at various Federal High Court Divisions: 33 cases
- iv. Charges filed awaiting trial in Kainji: 116 cases
- v. Detainees recommended for release / de-radicalisation programme for want of evidence: 220
- vi. Detainees profiled at the Kainji Detention Facility awaiting judicial proceedings / de-radicalisation programme: 1,670
- vii. Detainees remanded at the Federal High Court, Maiduguri and transferred from Giwa Barracks to Maiduguri Prisons: 651

## B. Some Challenges

- i. Poorly investigated case files due to pressure during the peak of conflict at the theatre.
- ii. Over reliance on confession based evidence.
- iii. Lack of forensic evidence.
- iv. Absence of cooperation between investigators and prosecutors at pre investigation stages.
- v. Poor logistical facilities to transport defendants from detention facility to court for trial.
- vi. Scarcity of skilled/trained forensic personnel to handle investigation of complex cases.
- vii. Inadequate security for counsel handling terrorism cases.
- viii. Converting military intelligence to admissible evidence.

## C. Other Useful Information

- i. The Honourable Attorney General of the Federation and Minister of Justice, Abubakar Malami, SAN has approved a list of prosecutors to handle the cases and the Legal Aid Council has equally released a list of defence counsels to stand in for the detainees/defendants.

- ii. The proposed prosecutions of over One Thousand, Six Hundred (1600) detainees held in Kainji will commence by early October, 2017 after the opening of the new legal year.
- iii. Currently, four (4) judges have been deputed by the Chief Judge of the Federal High Court to sit on the cases at Kainji and dispose of them expeditiously.
- iv. It is expected that the special prosecutions will start with the detainees in Kainji followed closely by the disposal of the cases of the detainees in Giwa Barracks, Maiduguri until the cases are exhausted.
- v. The Office of the National Security Adviser (ONSA) as the coordinator of terrorism matters is expected to assist the court by providing the relevant detainees access to de-radicalisation programmes where necessary.
- vi. This is the report of the on-the-spot assessment of the facilities and other incidentals preparatory to the commencement of trial of the over 1,600 suspected Boko Haram terrorist in detained in a military detention facility located in Wawa Barracks, Kainji, New Bussa, Niger State following successes recorded by the Nigeria Army and other security agencies in the fight against terrorism in Nigeria.
- vii. A team comprising representative of the Office of the National Security Adviser (ONSA), Federal High Court and the Office of the Honourable Attorney-General of the Federation were dispatched to Kainji from the 12<sup>th</sup> to 14<sup>th</sup> of September, 2017 to carry out the assessment and to discuss with relevant authorities and organisation in final preparation of the all-important national assignment.

#### **D. Categorisation of the Suspects**

It will be noted that there are four categories of suspects at the Kainji detention facility mentioned above. These suspects are;

- i. Boko Haram suspects who were hitherto investigated by the Joint Investigation Team set up by the Defence Headquarters otherwise known as DHQ/JIT and case files transmitted to the Honourable Attorney-General of the Federation and after a careful review of the cases based on their individual merit, it was discovered that they have no *prima facie* cases that will sustain a charge against them in any court of law hence were recommended for release and

handed over to the Office of the National Security Adviser (ONSA) for rehabilitation and/or de-radicalisation.

- ii. The second category is the set of suspects that the Honourable Attorney-General found *prima facie* cases against them and charges already filed at the Federal High Court, Abuja Division who are also mostly in the detention facility under reference and may be willing to plead guilty for a lesser sentences.
- iii. The other category are the suspects whose case file are either recommended for further investigation or that have no investigation conducted on them at all hence they do not have case files that will warrant the Honourable Attorney General of the Federation to form any opinion in respect of their case.
- iv. Lastly, the fourth category is the suspects whose cases were reviewed and a *prima facie* were found and may be willing to opt for a full trial.
- v. From the above categorisation, it is important to state that the number of the suspects affected by any of the aforementioned categories would only be determined when the trial has commenced.

**Comrade Salihu Othman Isah  
Special Adviser,  
Media and Publicity to the Honourable Attorney General of the  
Federation and Minister of Justice, Abubakar Malami, SAN**