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This action is funded by the European Union

## ANNEX

of the Commission Decision on the individual measure in favour of the Federal Republic of Nigeria to be financed from the 11<sup>th</sup> European Development Fund

### Action Document for Support for Criminal Justice Responses to Terrorism and Violent Extremism

1. Title/basic act/ CRIS number	Support for Criminal Justice Responses to Terrorism and Violent Extremism CRIS number: NG/2017/040-399 financed under the 11 <sup>th</sup> European Development Fund (EDF)			
2. Zone benefiting from the action/location	Nigeria  The action shall be carried out at the following location: Primarily at the Federal level (Abuja) and, when appropriate at the State level. The project team will be based in Abuja, Nigeria and Vienna, Austria.			
3. Programming document	National Indicative Programme (NIP) of the 11 <sup>th</sup> EDF - 2014-2020 for Nigeria			
4. Sector of concentration/ thematic area	Sector 3: Rule of Law, Governance and Democracy	Dev. Aid: YES <sup>1</sup>		
5. Amounts concerned	Total estimated cost: EUR 8 500 000  Total amount of EDF contribution: EUR 8 500 000			
6. Aid modality and implementation modality	Project Modality  Indirect management with UNODC (United Nations Office on Drugs and Crime)			
7. DAC code(s)	15130 - Legal and judicial development 15210 – Security system management and reform			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	x
	Aid to environment	x	<input type="checkbox"/>	<input type="checkbox"/>

<sup>1</sup> Official Development Aid is administered with the promotion of the economic development and welfare of developing countries as its main objective.

	Gender equality (including Women In Development)	<input type="checkbox"/>	x	<input type="checkbox"/>
	Trade Development	x	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	x	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	x	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	x	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	x	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	x	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>	N/A			
<b>10. Sustainable Development Goals (SDGs)</b>	Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels			

SUMMARY	
<p>Nigeria continues to face profound terrorism challenges from the terrorist group, Boko Haram, which is one of the deadliest terrorist groups group in the world. Since President Muhammadu Buhari assumed office in 2015, his administration has identified combating insecurity as one of the main three priorities of his government. The launch of a revised National Counter-Terrorism Strategy (NACTEST) in 2016 has further emphasised the importance Nigeria places on combatting terrorism. The proposed EU support for criminal justice under the 11<sup>th</sup> EDF builds on this momentum and focuses on the Nigerian criminal justice system, and specifically investigation, prosecution and adjudication of terrorism cases including preventive measures which will lead to changes in the governance structure of Nigeria.</p> <p>This action can also draw on achievements as well as identified gaps and needs of two previous Counter-terrorism (CT) criminal justice projects funded under the Instrument contributing to Stability and Peace (IcSP) (2013 - 2015, 2016 - 2017)</p> <p>The global objective of the 11<sup>th</sup> EDF is to achieve enhanced good governance in Nigeria by contributing to strengthen the rule of law and to enhance peace and security.</p> <p>The global objective of the proposed action is to achieve a strengthened criminal justice to address terrorism and violent extremism. It therefore contributes and is in line with the overall objective and the specific objective No. 1 of the priority sector "rule of law, governance and democracy" of the National Indicative Programme (NIP) "to contribute to measures to consolidate the rule of law and to enhance peace and security"</p> <p>Specific objectives are i) to render the criminal justice system and its stakeholders more efficient, timely, transparent and accountable in dealing with terrorism cases and ii) to render the criminal justice related implementation of the National Counter-Terrorism Strategy (NACTEST) and the countering violent extremism (CVE) Action Plan more effective and efficient.</p> <p>Component 1 – Strengthening criminal justice measures for counter-terrorism (CT)</p> <p>The main expected outcome is a more effective, evidence based, timely, transparent and accountable investigation, prosecution and adjudication of terrorism-related offences.</p>	

## Component 2 – Strengthening criminal justice measures for countering violent extremism (CVE)

The main expected outcome is reinforced mechanisms for effective measures for countering violent extremism.

### 1 CONTEXT

#### 1.1 Sector/Country/Regional context/Thematic area

Nigeria continues to face profound terrorism challenges. Since the terrorist group, Boko Haram, came to prominence in 2009, it has evolved from a threat which affected primarily Nigeria to a transnational terrorist challenge threatening the security of civilian populations of Nigeria and its neighbouring countries, especially Cameroon, Chad and Niger. In May 2014, Boko Haram was added to the Security Council's Al-Qaida Sanctions list and, in 2015, Boko Haram pledged alliance to Islamic State (ISIS/ISIL). Recent UN reports and Security Council resolutions have highlighted sexual violence as a terrorist tactic and the recruitment and exploitation of children as major aspects of the terrorist threat.

While Nigeria has made significant military advances against Boko Harm since 2015, it now faces increased needs and challenges to strengthen rule of law-based and human rights-compliant criminal justice measures against terrorism and violent extremism, at policy, legislative and implementation levels. The whole criminal justice chain is still weak and needs quickly to become more efficient.

Large areas of territory have now reverted to government control where it is important to strengthen efforts to prevent violent extremism, including by ensuring rule of law-based and human rights compliant criminal justice measures against terrorism, with adequate community involvement, active support of the civil society and broad-based civic education for justice, human rights and rule of law. This is particularly important because, in the past, the lack of accountability and respect for the rule of law and human rights have created a conducive environment in the Northeast for the emergence of Boko Haram.

##### 1.1.1 Public Policy Assessment and EU Policy Framework

Since Boko Haram rose to prominence, the Nigeria Government has been working to address the challenges posed by the terrorist threat, having passed counter-terrorism legislation, the Terrorism Prevention Act 2011, and its amendment in 2013. In 2016 a Bill was drafted and is pending in the legislative process. While this work has greatly strengthened the national legal framework related to terrorism, human rights and jurisdictional issues remain in the existing and proposed legislation.

The Nigerian Government has also developed a National Counter-Terrorism Strategy (NACTEST), which was adopted in 2014 and revised in 2016 and a National Countering Violent Extremism Programme in 2016 with a CVE Plan to Action planned to be released in 2017. The NACTEST addresses a broad range of areas which are important to countering terrorism and addressing the conditions conducive to terrorism.

In particular, the NACTEST acknowledges that strengthening the criminal justice response to terrorism is a key component of an effective and comprehensive counter-terrorism strategy, both to prevent terrorist acts from being committed and to bring perpetrators to justice.

Despite the huge terrorist threat facing Nigeria and some capacity building support already delivered, to date, there have been only 9 convictions for terrorism-related offences and few terrorism cases which have actually gone to trial.

The European Union has been a key player in the global counter-terrorism efforts. In 2005, the Council of the European Union adopted the *European Union Counter-Terrorism Strategy* that aims to combat

terrorism globally while respecting human rights, and to make Europe safer, allowing its citizens to live in an area of freedom, security and justice. Council Conclusions on EU External Action on Counter-terrorism were adopted on 19 June 2017 and recall the importance of addressing CT in the relevant programming of external cooperation instruments.

The Sixth Nigeria-EU Ministerial Dialogue, March 2016, was a key event that built on the EU-Nigeria partnership with a broad range of topics addressed, including security, and with important implication for the cooperation in the fight against terrorism. The Joint Communiqué shows their willingness to explore further cooperation in this area in line with Nigeria's National Counter-terrorism Strategy and the EU's Counter-terrorism Strategy.

The overall objective of the priority sector "rule of law, governance and democracy" of the National Indicative Programme (NIP) of the 11<sup>th</sup> EDF - 2014-2020 for Nigeria, is "to contribute to Government and civil society measures to consolidate the rule of law and to enhance peace and security".

The EU Gender Action Plan 2016-2020 "reaffirms the importance of taking gender equality and the differentiated needs of women, girls, boys and men into account in humanitarian assistance [...]. It also emphasises the importance of preventing and responding to sexual and gender-based violence (SGBV) in emergencies".

The United Nations have been active in supporting Nigeria to address the global fight against terrorism. The Security Council's Counter Terrorism Committee has recommended a comprehensive approach. UNODC is mandated to provide counter-terrorism capacity building assistance and participates actively in various Global Counter-terrorism Forum (GCTF) working groups. A number of memoranda of good practices, including for Women and CVE, and plans of actions dealing with various criminal justice aspects related to terrorism have been produced.

### ***1.1.2 Stakeholder analysis***

Terrorism is a federal offence in Nigeria, which focuses much of the work to a select group of federal criminal justice officials designated to work on terrorism cases. Federal criminal justice officials based in the states are also considered, in particular related to investigation.

Key stakeholders are located in the executive, judicial and legislative branches of the Nigeria Government, both at federal and state level, as well as civil society actors. A summary description of direct beneficiaries is provided in Appendix 2.

The final beneficiaries of the action are the victims of terrorism including, in particular, the most vulnerable groups, such as women and children, and the population of the regions of Nigeria most affected by terrorist activity.

### ***1.1.3 Priority areas for support/problem analysis***

The United Nations Counter-Terrorism Committee Executive Directorate (CTED) conducted a 2006 country visit and 2015 follow-up visit to Nigeria to assess Nigeria's implementation of UN Security Council resolution (UNSCR) 1373 (2001) which identified the need to further enhance the capacity of the Nigerian criminal justice system to investigate, prosecute, and adjudicate terrorist cases, further enhance international cooperation in criminal matters between Nigeria and other countries in the region, and further strengthen Nigeria's domestic counter-terrorism legislation in line with international legal instruments and human rights standards. Project activities, for both components, are in line with and will support several priority areas as outlined in the NACTEST 2016:

## Investigation and Prosecution including inter-agency collaboration

Many Nigerian **investigators** lack the required training and the necessary equipment and skills for undertaking a systematic and scientific investigation of terrorism offences, including cases involving sexual violence or child victims, witnesses and alleged offenders. This results in poor evidence collection and preparation of case files which are reliant mostly or solely on confessional statements as evidence.

Nigerian **prosecutors** struggle with producing witnesses due to inadequate security measures. Most of the time, they receive case files with insufficient evidence or where the defendant cannot be located within the Nigerian prison system. Further, often they do not have the required advocacy skills and lack a thorough understanding of the Nigerian legislative framework related to terrorism.

There is an absence of **inter-agency operating procedures** and a lack of clarity in roles. There are multiple agencies with jurisdiction to investigate terrorism cases. Nigerian prosecutors are still not sufficiently involved in guiding investigators in the preparation of case files and most of the time they receive case files at a very late stage.

## Judiciary

Finally, **Federal High Court judges** will benefit from further capacity building regarding case management, considering the need to establish priority to hear terrorism cases in line with issued practice directions. Furthermore, although the number of terrorism cases on trial is currently limited, it seems that they are being heard over a period of months or years, which jeopardise the obligation to effectively bring terrorists to justice. In this regard, it could be beneficial for Nigeria to consider developing a prosecution strategy that would allow for the prioritisation of cases, taking into account the role played by each person held in custody (supporter, recruiter, fighter), as well as the available evidence.

## Legal framework

The most progressive criminal justice legislation is the Administration of Criminal Justice Act (AJCA) which passed into law in 2015. The Act is a major milestone in the reform process of the criminal justice system in Nigeria. The law sets out ambitious objectives: efficient management of criminal justice institutions, speedy dispensation of justice, protection of the society from crime and protection of the rights and interests of the suspect, defendant and victim. Its full implementation would form the cornerstone of the justice sector reform.

The **Terrorism Prevention Act 2011, amended 2013**, is specialised legislation on terrorism offences and prevails in case of contradiction with procedures set out by the AJCA. Supporting strengthened terrorism-related legislation, which is currently under review, is also part of the overall reform process. The Nigerian legal framework related to terrorism also needs to be further strengthened, including taking into account the use of sexual violence as a terrorist tactic.

## Human rights

The Nigerian constitution (particularly Chapter 4 on "Fundamental Rights") provides a good framework for **upholding human rights** in counter-terrorism and criminal justice, complemented by the Administration of Criminal Justice Act 2015 and the Evidence Act 2011. The NACTEST states that "respect for international law and human rights must be an integral part of efforts to counter terrorism". Nigerian criminal justice sector officials, however, face considerable challenges in reconciling these legal principles with what many of them perceive to be the need to derogate from due process in terrorism cases. Nigerian counter-terrorism authorities further need to develop greater attention towards sexual violence as a particularly serious aspect of terrorist activity.

### Awareness raising for institutional reform process

While the NACTEST highlights the importance of a strong criminal justice pillar as part of a successful counter-terrorism strategy, currently there is not enough awareness and focus within the Nigerian government to commit the time and resources needed to address the existing institutional impediments to a robust criminal justice approach to terrorism. Furthermore, there is currently insufficient official data related to the criminal justice process for those suspected of committing or charged with terrorism offences.

The revised National Action Plan for the implementation of UNSCR 1325 (on women, peace and security) highlights terrorism as one of the new security challenges requiring the development of new strategies and improved awareness and coordination among stakeholders.

### Neighbourhood cooperation

Boko Haram has evolved to become a transnational threat affecting the neighbouring Lake Chad Basin countries. The countries of the region have expressed the need for many of these foreign nationals who have been detained in their territory to be returned to their home country for prosecution. An agreement and/or mechanism on transfer would facilitate successful and sustainable prosecution, rehabilitation and/or reintegration of these persons back into society by enabling Nigerian authorities to assess and act upon, in cooperation with other national law enforcement and judicial authorities of the Lake Chad Basin countries, which country has the best prospects for addressing these issues depending on the person in question.

### Persons associated/affiliated to terrorist groups (suspects, surrenders/former members of a terrorist group, victims)

Nigeria is facing a new challenge related to persons surrendered/ex-members of a terrorist group/ex-offenders, suspects and victims. Under the "Operation Safe Corridor" a general process should have been launched to avoid ad-hoc approaches and arrangements of prosecution, rehabilitation and reintegration. It needs to be reviewed whether the legal basis is in conformity with Nigerian legal framework and international human rights and humanitarian law standards. Nigeria lacks vetting criteria consistent with any prosecutorial strategy as part of an overall strategy on prosecution, rehabilitation and reintegration. This creates a major problem in determining any priority of the case for prosecution. No appropriate legislation is in place to enable non-custodial sanctions and post-custodial options, including a rehabilitation programme. Gender- and child-sensitive treatment of women and children suspected of association with Boko Haram remains a major challenge.

### National Stakeholders Roundtable

A National Stakeholders Roundtable was held on 1 February 2017, which brought together representatives from 26 Nigerian entities, including the Ministry of Budget and National Planning and the Office of the National Security Advisor. The roundtable helped identify existing gaps and analysed achievements of the two IcSP funded CT criminal justice projects (2013 – 2015, 2016 – 2017), which can be further built upon.

## 2 RISKS AND ASSUMPTIONS

<b>Risks</b>	<b>Risk level (H/M/L)</b>	<b>Mitigating measures</b>
Political stability and security do not exist to enable project's activities to take place.	Medium	Alternative training arrangements in more secure locations are found to conduct training activities.
Officials in appropriate functions (i.e. those who could benefit most from knowledge development and skills training under this project) are not nominated by their institutions to participate in training activities.	Low to medium	Specific guidance and criteria for nominations and subsequently engaging in close consultations with the relevant entities to be provided.
Continued availability of a select group of officials is not ensured by their institution officials to participate in the training curriculum (transfer of staff)	Medium	Development of clear HR management systems within the beneficiary organisation (long-term) specific guidance and criteria for nominations and subsequently engaging in close consultations with the relevant entities, including work sessions with focal points. Evidence of unjustified transfers are reported to the EU Delegation.
Commitment of Government/ stakeholder bodies is no longer ensured during implementation.	Medium	Re-consider priority setting and consider change of stakeholder.
Knowledge and skills gained by beneficiaries are not used during and sustained after implementation of the project.	Medium to High	Support for implementation of new procedures and protocols at highest level within stakeholder bodies
Officials benefitting from training under the EU project are involved in serious violations of human rights, negatively affecting EU and UNODC reputation.	Medium	Human rights mainstreaming into all project components Follow-up work sessions with training participants to continue engaging them Request to counterpart agencies for more transparency on their operational activities, insofar as relevant to capacity building programme.
Officials working in public services to be in line also with promoted EU-International values about Human right, gender and anti-corruption fight related to financial flows (Terrorism and corruption flow of money).	Medium	Support for implementation of Code of Conducts procedures and protocols at highest level and, within relevant stakeholder bodies, to target the fight against corruption and any criminal collusions related radical Islamism and their financial flow
No timely and long-term availability of specialised expertise required for project implementation.	Medium	Advance initiation of recruitment processes so as to finalise staff contracts concurrently with project start.
No timely and/or appropriate procurement.	Medium	Better planning of procurement procedures; delays in procurement which leads to delays in activities needs to be reported to the EUD.
Beneficiary agency resists to proposed expert.	Low to Medium	Development of activities and priorities in full cooperation with the stakeholders involved and demand driven. Consider replacement of expert

Lack of coordination with other EU funded projects and/or international partners.	Low to Medium	Close working relationship will be developed with, in particular: EUD donor network, UK (British High Commission, UK Department for International Development (DFID)), other relevant Embassies active in this area (United States, Switzerland, Germany, France, etc.), UN agencies (United Nations Development Programme (UNDP), etc.)
Allocated budget is insufficient to sustain the project at full strength.	Low to Medium	Maintenance of strict financial control by project staff and administration; Effective communication with EU Delegation and other partners to ensure all potential streams are utilised and synergies developed with other activities; to ensure value for money – short term expert selection and expected outputs are developed and agreed with beneficiaries
<b>Assumptions</b>		
<ul style="list-style-type: none"> <li>• There is commitment among the Nigerian Government authorities and relevant national entities to work collaboratively with the implementing partner and other concerned project partners and draw on the services related to counter terrorism, especially the facilitation and development of training activities for criminal justice officials.</li> <li>• Entities of the criminal justice system, including training institutions, set priority on counter-terrorism and are ready to devote required resources to work with implementing partners, and take ownership for the formulation, coordination and implementation of assistance activities.</li> <li>• CTED remains actively engaged in the implementation of some activities and collaboration remains close.</li> <li>• Collaboration with other relevant donors, in particular the UK, remains close and complementary and synergies can be created.</li> </ul>		

### 3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

#### 3.1 Lessons learnt

The development of this project continues to take into account the Independent Project Evaluation of the "Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)" which was finalised in August 2015. This project proposal also takes into account the current lessons learned during project implementation of the "Nigeria-EU-UNODC-CTED Partnership Project II: Strengthening Criminal Justice Responses to Terrorism" which runs from May 2016 to October 2017.

The two previous EU-UNODC CT criminal justice projects have been successful mainly because they have remained focused on strengthening the capacity of a selected group of Nigerian criminal justice officers and have closely partnered with the agencies that have responsibility for terrorism. This project would seek to continue this successful model, building on the strong partnerships that have been established, while also expanding incrementally to address emerging issues such as the challenges in developing an approach to prosecuting, rehabilitating and reintegrating persons associated with Boko Haram.

The Independent Evaluation did note that additional focus needed to be placed on sustainability. The proposed project will place additional emphasis on supporting the Nigerian training institutions, including the Nigerian police training schools, the National Judicial Institute as well as the Nigerian Bar Association



and Nigerian Institute for Advanced Legal Studies. The project plans to provide support in elaborating and updating terrorism-related curricula and courses. The project will also continue utilizing the skills developed by the trained participants and trainers who participated in train the trainers' activities under the 2<sup>nd</sup> EU-UNODC project. Another aspect to ensuring sustainability is obtaining the buy-in of Nigerian senior criminal justice officials.

This proposed project will also expand the focus of the EU-UNODC collaboration to focus on countering violent extremism in addition to countering terrorism. The international community has increasingly recognised that there is a need to take a more comprehensive approach which includes essential counter-terrorism measures, but also considers systematic preventive measures which directly address the drivers of violent extremism that have given rise to the emergence of these new and more virulent groups.

In the context of the previous EU-UNODC CT criminal justice project, UNODC started to deliver capacity building on the gender dimensions of criminal justice responses to terrorism and to more robustly mainstream gender into training activities. This focus on gender dimensions will be further expanded, also in light of recent UNSCRs (2242, 2331, 2349), reports of the Secretary-General and of the revised Nigeria National Action Plan for the implementation of UNSCR 1325 (on women, peace and security).

### **3.2 Complementarity, synergy and donor coordination**

Close coordination will be sought with the following EU funded projects:

The Justice programme funded under the 10<sup>th</sup> EDF (EUR 27 million) and implemented by UNODC is still on-going. The objective of this programme is to improve effectiveness, accessibility, accountability, transparency and fairness of the justice system.

Under the 11<sup>th</sup> EDF funding a new project to support rule of law and fight against corruption (EUR 25 million) in Nigeria will be implemented by the British Council.

Under the regional programming complementarity and synergy will be ensured in particular with the support to the Economic Community of West African States (ECOWAS) regional action plan on illicit drug trafficking, related organised crime and drug abuse in West Africa (10<sup>th</sup> EDF, EUR 16,5 million), the West Africa Police Information system 3 (11<sup>th</sup> EDF, EUR 25 million), Architecture for Peace and Security action (11<sup>th</sup> EDF EUR 20 million) and Fight against organised crime, including terrorism (11<sup>th</sup> EDF EUR 36 million).

Under the IcSP funding a project on a prison based de-radicalisation programme will start in 2017.

While these other EU-funded Nigeria criminal justice programmes would work to build the basic criminal justice capacity of Nigeria and other specific thematic areas (such as corruption, drugs, etc.) this project would build on and supplement these projects by working with select criminal justice officials to further refine their skills and knowledge to address the unique challenges posed in investigating, prosecuting, and adjudication terrorism offences. This is necessary because terrorism is a constantly evolving, multi-national threat, with terrorism cases posing complex challenges to address, thus requiring specialised criminal justice skills and expertise.

Currently, there are two main technical assistance providers to the counter-terrorism criminal justice sector, UNODC and the British High Commission, who are working extensively with the Nigerian government on strengthening criminal justice measures against terrorism. The EU-UNODC project is cooperating closely with the British High Commission on working with these entities.

Project implementation partnerships will also be sought with other relevant bilateral assistance providers in the broader area of criminal justice capacity building, including the role of the justice system in supporting victims of trafficking and sexual violence by terrorist groups from EU Member States, such as

Gesellschaft für Internationale Zusammenarbeit (GIZ) and the United States in Abuja. Project partnerships and coordination will also be sought with other concerned UN entities, especially CTED, UNCCT<sup>2</sup>/CTITF<sup>3</sup> Office, UN Women, UNICEF<sup>4</sup> and OHCHR<sup>5</sup>.

Cooperation with the European Judicial Training Network (EJTN) which promotes training and exchange of knowledge of the European judiciary and coordinates judicial training exchange will be explored.

### **3.3 Cross-cutting issues**

The project plans to organise specific training activities focused on gender dimensions and human rights concerns of the criminal justice response to terrorism. The project also plans to mainstream gender and human rights concerns into all of its project activities. In addition, national stakeholders will be asked to prioritise the nomination of female officials to attend project capacity building activities. The protection of the environment shall also be considered during the implementation of the project, as appropriate.

## **4 DESCRIPTION OF THE ACTION**

### **4.1 Objectives/results**

This programme is relevant for the United Nations 2030 Agenda for Sustainable Development. It contributes primarily to the progressive achievement of SDG Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. This does not imply a commitment by the country benefiting from this programme.

The **global objective** of the proposed action is to achieve a strengthened criminal justice to address terrorism and violent extremism.

**Specific objectives** are i.) to render the criminal justice system and its stakeholders more efficient, timely, transparent and accountable in dealing with terrorism cases and ii.) to render the criminal justice related implementation of the National Counter-Terrorism Strategy (NACTEST) and the countering violent extremism (CVE) Action Plan more effective and efficient.

### **Component 1 – Strengthening criminal justice measures for counter-terrorism (CT)**

**Main outcome 1:** Investigation, prosecution and adjudication of terrorism-related offences is more effective, evidence based, timely, transparent and accountable

#### **Main activities:**

##### **Activity 1: Capacity building for effective investigation, prosecution and adjudication of terrorism offences**

Output 1.1.1: Pool of relevant criminal justice officers (investigators, police trainers, prosecutors, legal advisers, judges, etc.) have gained enhanced knowledge and skills to effectively handle terrorism cases

Output 1.1.2: Forensic equipment and other relevant tools made available to investigators, prosecutors, judges and relevant Institutions and relevant officials trained to effectively use such equipment

Output 1.1.3: Development of memoranda, guidance and resource materials, database tools to support the development of case-tracking information systems

Output 1.1.4: Inter-agency coordination and collaboration (investigation and prosecution) on Federal and State level to handle terrorism cases has been increased

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<sup>2</sup> United Nations Counter-Terrorism Centre

<sup>3</sup> Counter-Terrorism Implementation Task Force

<sup>4</sup> United Nations Children's Fund

<sup>5</sup> Office of the United Nations High Commissioner for Human Rights

**Activity 2: Capacity building for human rights compliance in terrorism offences, related corruption cases (collusions and financial flows), and violent extremism, including gender dimensions**

Output 1.2.1: National criminal justice practitioners (investigators, legal advisors, prosecutors, judges, lawyers, Central Authority officials, intelligence/secret services, defence etc.), including trainers as well as senior officials, have enhanced knowledge of constitutional fundamental rights including anti-corruption and transparency code of conducts and can exercise leadership role in response to terrorism

Output 1.2.2: Policy makers, media, civil society organisations have increased awareness of human rights related to criminal justice responses to terrorism

**Activity 3: Legal assistance for strengthening the national legislation against terrorism**

Output 1.3.1: Legal assistance provided, upon request, to strengthen the national legal framework against terrorism

**Component 2 – Strengthening criminal justice measures related to countering violent extremism (CVE)**

**Main outcome 2:** Mechanisms for effective countering violent extremism measures are reinforced

**Main activities:**

**Activity 1: Capacity building and policy support for strengthening criminal justice measures for countering violent extremism**

Output 2.1.1: National officials have enhanced knowledge and skills to support the development of a national strategy to address the prosecution, rehabilitation and reintegration of persons associated to Boko Haram as well as addressing regional aspects to it

Output 2.1.2: National officials have gained enhanced knowledge and skills to address complex and emerging legal and criminal justice related aspects of Nigeria's National Counter-Terrorism Strategy (NACTEST) and any national CVE action plan

**Activity 2: Capacity building and policy assistance to strengthen preventive criminal justice measures related to radicalisation and violent extremism**

Output 2.2.1: Law enforcement officials have gained enhanced knowledge and skills regarding how community-oriented policing can benefit efforts to counter-violent extremism

Output 2.2.2: Criminal justice officials have gained enhanced knowledge and skills on the investigation and prosecution of preventive criminal offences (such as incitement, recruitment, travel), including foreign terrorist fighters as well as terrorist offences related to the use of internet and social media

Output 2.2.3: Enhanced awareness of policy-makers of options for promoting constructive dialogues to counter incitement and recruitment to Boko Haram, including the recruitment of children and women

**4.2 Main activities**

Activities are indicative and a base line study, including capacity assessment, will be carried out during inception phase.

**Component 1 – Strengthening criminal justice measures for counter-terrorism (CT)**

**Activity 1: Capacity building for effective investigation, prosecution and adjudication of terrorism offences**

- Specialised training workshops for investigators and trainers of police training schools to strengthen skills for undertaking effective investigation of terrorism cases, including aspects of female and child victims and witnesses;
- Development of investigation training materials, case law database, judicial curriculum;
- Provision of forensic equipment and other relevant tools for investigative agencies;

- Specialised training workshops for prosecutors and Central Authority on terrorism offences;
- Activities to foster cooperation between Federal and State level law criminal justice officials to clarify jurisdictional issues with regard to terrorism related criminal activity;
- Specialised training workshops and leadership seminars on inter-agency collaboration for joint investigation and prosecution of terrorism cases;
- Training workshops for judges who handle counter-terrorism cases;
- Thematic seminars on counter-financing of terrorism and border security.

**Activity 2: Capacity building for human rights compliance in terrorism offences, related corruption cases (collusions and financial flows), and violent extremism, including gender dimensions**

- Integration and delivery of specialised components on human rights compliance including women's and child rights and sexual violence as a terrorist tactic in the specialised training workshops;
- Follow-up train-the-trainers workshops and leadership seminars on human rights compliance in and criminal justice responses to terrorism;
- Awareness raising activities for policy makers, media leaders, and civil society on human rights and the rule of law in criminal justice responses to terrorism;

**Activity 3: legal assistance for strengthening the national legislation against terrorism**

- Ad-hoc provision of legal assistance and expert advice for review and enhancement of national counter-terrorism related legislative provisions and assistance for implementation of new legislative provisions;

**Component 2 – Strengthening criminal justice measures related to countering violent extremism (CVE)**

**Activity 1: Capacity building and policy support for strengthening criminal justice measures for countering violent extremism**

- Training workshops to consider strategies to the rehabilitation and reintegration of persons associated with Boko Haram, including specialised consideration of women associated with Boko Haram as well as regional aspects, such as transfer of persons between countries
- Support the implementation of complex and emerging legal and criminal justice related aspects of Nigeria's National Counter-Terrorism Strategy (NACTEST), CVE action plan;

**Activity 2: Capacity building and policy assistance to strengthen preventive criminal justice measures related to radicalisation and violent extremism**

- Specialised training workshops on law enforcement strategies and practices on preventing terrorism and violent extremism;
- Specialised training workshops on how to investigate and prosecute preventive offences, with an emphasis on offences associated with foreign terrorist fighters;
- Training workshops on countering the use of internet for terrorism purposes;
- Technical and high/policy level consultations to identify issues of concern to local communities and the government and to promote dialogue and cooperation in CVE, including the development of formal and informal education-based approaches to countering incitement and the recruitment of children, as well as approaches aimed at countering the recruitment of women.

### **4.3 Intervention logic**

The project will focus on strengthening the criminal justice system's response to terrorism. The international community has identified "the importance of a fair and effective criminal justice system as the fundamental basis of any strategy to counter-terrorism" in UN General Assembly Resolution 66/178.

The project aims to address existing weaknesses in the Nigerian criminal justice system's response to terrorism. The project seeks to do this by supporting and strengthening the implementation of the Nigerian Counter-Terrorism Strategy, Nigerian counter-terrorism legal provisions and relevant policy directives. This will be done by ensuring that criminal justice officials have the relevant knowledge and skills as well as equipment and tools to effectively implement the existing legal framework and by supporting Nigeria to put in place necessary institutional and legal reforms to better address the terrorist challenge. To this aim a baseline study will be carried out at the start of the action.

One key pillar of intervention under the project is building the professional and technical capacity of working level Nigerian criminal justice officials through practical-focused training workshops which seek to raise awareness about good practices and the use of specialised equipment and tools in counter-terrorism and allow the practitioners the opportunity to apply those newly learned skills through practical exercises and hands-on scenarios. This will be fed from output to outcome. The project also will focus on support for institutional change related to the criminal justice system's response to terrorism. Close liaison with EU Member States will be ensured during implementation.

NACTEST 2016 stipulates that the Office of the National Security Advisor (ONSA) has the coordinating role for Security Services, Ministries, Departments and Agencies which are tasked to execute counter terrorism related responsibilities. Through a monitoring and evaluation framework, the ONSA assesses the implementation of NACTEST by all relevant stakeholders. This action will support the ONSAs in this task.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in Article 17 of Annex IV to the ACP-EU Partnership Agreement.

### **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in sections 4.1 and 4.2 will be carried out and the corresponding contracts and agreements implemented, is 48 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute a non-substantial amendment in the sense of Article 9(4) of Regulation (EU) 2015/322.

### **5.3 Implementation of the budget support component**

N/A

### **5.4 Implementation modalities**

#### **5.4.1 Indirect management with an international organisation**

This action may be implemented in indirect management with UNODC in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 17 of Regulation (EU) 2015/323. This implementation entails strengthening criminal justice responses to terrorism as well as to violent extremism. This implementation is justified because UNODC maintains with its "Terrorism Prevention Branch" (TPB) specialised technical competence in crime prevention, criminal justice and rule of law issues, which all have a close connection to the practical ways and means of preventing and countering terrorism. The mandate, expertise and operations of UNODC allow it to be uniquely positioned to address the increasingly complex and multi-dimensional nature of modern terrorism in a coherent manner. In addition, UNODC has a wealth of experience in promoting and

facilitating international cooperation in criminal matters, especially extradition and mutual legal assistance, and in assisting States in building the capacity of national criminal justice systems. UNODC takes advantage of these synergies to address these crimes in an integrated manner. UNODC and in particular its TPB was the implementing partner of the two Instrument contributing to Stability and Peace (IcSP) funded CT criminal justice projects.

The entrusted entity would carry out the following budget-implementation tasks: undertake necessary procurement and contracting of services, award grants as well as undertake payments.

## 5.5 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 22(1)(b) of Annex IV to the ACP-EU Partnership Agreement on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

## 5.6 Indicative budget

<b>BUDGET HEADING</b>	<b>EU contribution (amount in EUR)</b>
5.4.1 – Indirect management with UNODC	8 100 000
<i>Component 1: criminal justice measures for counter-terrorism (CT)</i>	<i>6 500 000</i>
<i>Component 2: criminal justice measures related to countering violent extremism (CVE)</i>	<i>1 600 000</i>
5.9 – Evaluation, 5.10 - Audit	200 000
5.11 – Communication and visibility	100 000
Contingencies	100 000
<b>TOTAL</b>	<b>8 500 000</b>

## 5.7 Organisational set-up and responsibilities

### Project management and implementation

Administrative, financial and technical/substantive management is proposed to be carried out by UNODC through its Terrorism Prevention Branch (TPB) with support from the UNODC Country Office for Nigeria. TPB will also lead monitoring and reporting of the project. The project team will be mainly based in Abuja. The international project coordinator and key project implementation staff (substantive and project management) will be based in Abuja and will receive some support and guidance from a team based in TPB Vienna.

### High level Project Steering Committee (PSC)

The high level PSC takes decisions on policy and strategic orientation. It will take place annually and may meet additionally as required. The PSC is co-chaired by the National Authorising Officer (NAO) and the

Office of the National Security Adviser (ONSA). It will include high level officials and decision makers of key beneficiaries and stakeholders, the EU Delegation, interested EU Member States and UNODC.

#### Technical Committee (TC)

This Committee is co-chaired by the NAO and the ONSA and will take place periodically as required, meeting at least half-yearly. Key beneficiaries, represented at Directors' level, the EU Delegation and the implementing partner take part in it. Its main function is to implement decisions taken by the PSC which includes overseeing, guiding and monitoring project implementation; reviewing and approving strategic project documentation, including work plans and progress reports. The TC prepares the agenda of and reports back to the high level PSC. It also ensures coordination between project management, national stakeholders, the EU Delegation and interested EU Member States.

#### National Stakeholder Roundtable

An annual roundtable will provide a platform for feedback and input from various stakeholders involved in the project, including EU Member States. It will be co-chaired by the NAO and the ONSA.

### **5.8 Performance monitoring and reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (quarterly and annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the log frame matrix. The project will establish its own statistics (gender, geography and institutional disaggregated). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

In addition, a number of activities are foreseen during the inception phase of the project, including required baseline surveys, capacity assessments, review of the log frame, development of monitoring and evaluation systems with performance indicators and monitoring benchmarks. These will be funded by the project and carried out by the implementing partner.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Formal reporting will be carried out in accordance with established reporting procedures by the implementing partner, consisting of semi-annual and annual implementation progress reports made available through UNODC's Programme and Financial Information Management (PROFI) system.

In addition, EU reporting requirements established through relevant agreements with UNODC will be complied with. Furthermore, UNODC will maintain regular communication with the EU (Delegation in Abuja), providing regular (quarterly) informal written reports as well as written and oral updates and consultations on programme implementation.

### **5.9 Evaluation**

Having regard to the importance and the nature of the action, a mid-term and a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

A mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to improve the performance of the project as being part of the EU coherent and strategic approach to CT/CVE in Nigeria and assess the requirement of follow-on actions. A final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account, in particular, recommendations of the mid-term evaluation in respect to any follow-on actions contributing to the EU's CT/CVE strategic support. The Commission shall inform the implementing partner at least 1 month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts and, inter alia, provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Indicatively, two contracts for evaluation services shall be concluded under a framework contract for both, the mid-term evaluation and the final evaluation in mid-2019 and late 2021 respectively.

#### **5.10 Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

Indicatively, at least one contract for audit services shall be concluded under a framework contract first in mid-2019.

#### **5.11 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.6 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations. The communication and visibility activities will be implemented by means of procurement (direct management, one service contract, launch of procedure in second tri-semester). The overall indicative budget is EUR 100 000.

### **6 PRE-CONDITIONS**

N/A

APPENDICES:



- 1. INDICATIVE LOG FRAME MATRIX**
- 2. STAKEHOLDERS ANALYSIS**

## APPENDIX 1 - INDICATIVE LOG FRAME MATRIX<sup>6</sup>

The activities, the expected outputs and all the indicators, targets and baselines included in the log frame matrix are indicative and may be updated during the implementation of the action without an amendment to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative log frame matrix will evolve during the lifetime of the action: new lines will be added for listing the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purpose. Note also that indicators should be disaggregated by sex whenever relevant.

	<b>Intervention logic</b>	<b>Indicators</b>	<b>Baselines (incl. reference year)</b>	<b>Targets (incl. reference year)</b>	<b>Sources and means of verification</b>	<b>Assumptions</b>
<b>Overall objective: Impact</b>	to achieve strengthened criminal justice measures to address terrorism and violent extremism.	Average rule of law score (EU RF level 1, 4)	to be drawn from the partner's strategy	% increase tbd in inception phase	Worldwide Governance Index	The continued existence of national government political will and prioritisation of these issues
<b>Specific objective(s): Outcome 1</b>	Investigation, prosecution and adjudication of terrorism-related offences is more effective, evidence based, timely, transparent and accountable	1. Number of terrorism case files prepared relying on evidence outside of a confession 2. Number of terrorism cases filed with the court 3. Time taken to hear terrorism cases 4. Number of terrorism cases concluded (including number involving women as	1. Tbd inception 2. Tbd inception phase 3. Tbd inception phase 4. Tbd inception phase 5. CT bill (revision) pending	1. Increase over current levels officials with enhanced knowledge and skills 2. Increase over initial levels 3. Increase over initial levels 4. Increase over initial levels 5. Terrorism legislation or amendments	-Annual Statistics and reports by Ministry of Justice, Ministry of Interior, NPF, DSS, Courts - Communication with Nigerian government and other national stakeholders including through Steering Committee meetings and Roundtables -Press releases	The continued existence of national government political will and prioritisation of these issues.  The Nigerian government is committed to providing the equipment and staff resources to support the criminal justice response to

<sup>6</sup> Mark indicators aligned with the relevant programming document mark with '\*' and indicators aligned to the EU Results Framework with '\*\*'.

		defendants and as victims) 5. Status of CT legal-regulatory framework		adopted	-Independent monitoring and evaluation reports (mid-term and final) - Quarterly and annual Project reports	terrorism.
<b>Specific objective(s):Outcome 2</b>	Mechanisms for effective countering violent extremism measures are reinforced	1. Status of recommendations and national and regional strategies (based on NACTEST, CVE action plan) to support the rehabilitation, and reintegration of persons associated to Boko Haram strategies by Nigerian officials 2. Implementation of preventive measures and of preventive criminal offences	1. No national strategy, 1 agreement on refugees between Cameroon-Nigeria 2. Tbd inception phase	1. One strategy developed, Strategies developed between Nigeria and each Lake Chad Basin country 2. increase of initial level	-Annual Statistics and reports by Ministries (Justice, Interior), NPF, DSS, Courts - Communication with/by Nigerian government and other stakeholders including Steering Committee, Roundtables -Press releases -Independent monitoring and evaluation reports (mid-term and final) - Quarterly and annual Project reports (based on project's own statistics)	The continued existence of national government political will and prioritisation of these issues. The Nigerian government is committed to providing the equipment and staff resources to support the criminal justice response to terrorism. Knowledge and skills gained by beneficiaries are used during and sustained after implementation of the project
<b>Specific objective(s)</b>	<b>Output 1.1.1:</b> Pool of relevant criminal justice officers (investigators, police trainers, prosecutors, legal advisers, judges, etc.) have gained enhanced knowledge and skills to effectively handle terrorism cases <b>Output 1.1.2:</b> Forensic equipment and other	<b>1.1.1</b> Number of participants who have passed the minimum threshold at tests <b>1.1.2</b> Number of forensic, other equipment and tools purchased and provided to identified forensic	<b>1.1.1</b> Tbd in inception phase materials <b>1.1.2</b> needs assessment in inception phase <b>1.1.3</b> some basic material exists <b>1.1.4</b> Limited and overlapping guidance on inter-	<b>1.1.1</b> number of work sessions_Tbd during inception phase <b>1.1.2.</b> identified equipment purchased and delivered <b>1.1.3:</b> training materials, Institutional	<b>1.1.1</b> – Test results of participants - Activity attendance sheets - implementation and workshop reports - evaluation questionnaires <b>1.1.2</b> Procurement delivery sheets	Continued availability of a select group of officials is ensured by their institution officials to participate in the training curriculum Officials in appropriate functions (i.e. those

	<p>relevant tools made available to investigators, prosecutors, judges and relevant Institutions and relevant officials trained to effectively use such equipment</p> <p><b>Output 1.1.3:</b> Development of memoranda, guidance and resource materials, database tools to support the development of case-tracking information systems</p> <p><b>Output 1.1.4:</b> Inter-agency coordination and collaboration (investigation-prosecution) on Federal and State level to handle terrorism cases has been increased</p>	<p>stations</p> <p><b>1.1.3</b> Status of material, data basis, institution curriculum, etc.</p> <p><b>1.1.4</b> Number of reported successful interventions based on exchange by involved officials</p>	agency cooperation related to counter-terrorism exists	<p>curriculum, database developed</p> <p><b>1.1.4</b> Clarification on Guidance on inter-agency cooperation in terrorism cases</p>	<p><b>1.1.6</b> - - implementation and workshop reports</p> <p><b>1.1.7</b> - Activity attendance sheets</p> <p>- implementation and workshop reports</p> <p>- data collection from national Authorities</p> <p>- evaluation questionnaires</p>	<p>who could benefit most from knowledge development and skills training under this project) are nominated by their institutions to participate in training activities. The continued existence of national government political will and prioritisation of these issues.</p>
	<p><b>Output 1.2.1:</b> National criminal justice officials (investigators, legal advisors, prosecutors, judges, lawyers, Central Authority officials, intelligence/secret services, defence etc.), including trainers as well as senior officials, have enhanced knowledge of constitutional fundamental rights including anti-corruption and transparency code of conducts and can exercise leadership role in response to terrorism</p>	<p><b>1.2.1</b> Number of participants who have passed the minimum threshold at tests</p> <p><b>1.2.2</b> Number of human rights compliant reporting related to criminal justice response to terrorism</p>	<p><b>1.2.1</b> Tbd in inception</p> <p><b>1.2.2</b> Tbd in inception</p>	<p><b>1.2.1</b> number of works sessions tbd in inception phase</p> <p><b>1.2.2</b> level increased</p>	<p><b>1.2.1</b> – Test results of participants</p> <p>- Activity attendance sheets</p> <p>- implementation, workshop reports</p> <p>- training evaluation</p> <p><b>1.2.2</b> – – Test results of participants</p> <p>- Activity attendance sheets</p> <p>- implementation and workshop reports</p> <p>- evaluation questionnaires</p>	See above

	<b>Output 1.2.2:</b> Policy makers, media, civil society organisations have increased awareness of human rights related to criminal justice responses to terrorism					
	<b>Output 1.3.1:</b> Legal assistance provided, upon request, to strengthen the national legal framework against terrorism	<b>1.3.1</b> Status of national legislation related to counter-terrorism and its increased understanding by officials	<b>1.3.1</b> Amended to CT legislation is currently pending with the legislature	<b>1.3.1</b> Revised legislation adopted and number of trainings tbd in inception phase	<b>1.3.1</b> - Media – Test results of participants - attendance sheets - implementation, workshop reports - training evaluation	See above
	<b>Output 2.1.1:</b> National officials have enhanced knowledge and skills to support the development of a national strategy to address the prosecution, rehabilitation and reintegration of persons associated to Boko Haram as well as addressing regional aspects to it <b>Output 2.1.2:</b> National officials have gained enhanced knowledge and skills to address complex and emerging legal and criminal justice related aspects of Nigeria's National Counter-Terrorism Strategy (NACTEST) and any national CVE action plan	<b>2.1.1</b> Status of national strategy on prosecution, rehabilitation and reintegration as well as status of regional arrangements regarding transfer of persons <b>2.1.2</b> Number of participants who have passed the minimum threshold at tests to address complex and emerging legal and criminal justice related aspects of Nigeria's NACTEST and CVE action plan	<b>2.1.1</b> Set of recommendations developed following high level event in December 2016 - agreement on refugees between Cameroon-Nigeria <b>2.1.2</b> TBD in inception phase	<b>2.1.1</b> strategies on prosecution, rehabilitation and reintegration adopted - regional arrangements adopted <b>2.1.2</b> number of work sessions tbd in inception phase	<b>2.1.1</b> - Implementation and workshop reports - Media reports - Communication with/by the national government <b>2.1.2</b> – Test results of participants - Activity attendance sheets - implementation and workshop reports	See above
	<b>Output 2.2.1:</b> Law enforcement officials have gained enhanced knowledge and skills	<b>2.2.1</b> Number of participants, investigation officials, who have	<b>2.2.1</b> tbd in inception phase <b>2.2.2</b> tbd in inception phase	<b>2.2.1</b> number of workshops tbd in inception phase <b>2.2.2</b> Number of	<b>2.2.1</b> – test results of participants - Activity attendance sheets	See above

	<p>regarding how community-oriented policing can benefit efforts to counter-violent extremism</p> <p><b>Output 2.2.2:</b> Criminal justice officials have gained enhanced knowledge and skills on the investigation and prosecution of preventive criminal offences (such as incitement, recruitment, travel), including foreign terrorist fighters as well as terrorist offences related to the use of internet and social media</p> <p><b>Output 2.2.3:</b> Enhanced awareness of policy-makers of options for promoting constructive dialogues to counter incitement and recruitment to Boko Haram, including the recruitment of children and women</p>	<p>passed the minimum threshold at tests on community oriented policing principles</p> <p><b>2.2.2</b> Number of participants, various criminal justice officials, who have passed the minimum threshold at tests</p> <p><b>2.2.3</b></p> <ul style="list-style-type: none"> <li>- Status of recommendations by policy-makers on options for promoting dialogues to counter incitement and recruitment of children and women to Boko Haram</li> <li>- Number of entities partnering in this area</li> </ul>	<p><b>2.2.3</b> tbd in inception phase</p>	<p>workshops tbd in inception phase</p> <p><b>2.2.3</b> – number of workshops tbd in inception phase</p> <ul style="list-style-type: none"> <li>- recommendations adopted</li> <li>- number of entities partnering increased</li> </ul>	<ul style="list-style-type: none"> <li>- implementation and workshop reports</li> <li>- training evaluation</li> <li><b>2.2.2</b> test results of participants</li> <li>- Activity attendance sheets</li> <li>- implementation and workshop reports</li> <li>- Training evaluation</li> <li><b>2.2.3</b> - test results of participants</li> <li>- Activity attendance sheets</li> <li>- Communication by Government</li> <li>- Media</li> <li>- implementation and workshop reports</li> <li>- training evaluation</li> </ul>	
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## APPENDIX 2

### STAKEHOLDERS ANALYSIS

**Office of National Security Adviser (ONSA):** According to the Terrorism Prevention Act of 2011, amended 2013, ONSA is the designated counter-terrorism coordinating body for all security and enforcement agencies. It is designated to "(a) provide support to all relevant security, intelligence, law enforcement agencies and military services to prevent and combat acts of terrorism in Nigeria; (b) ensure the effective formulation and implementation of a comprehensive counterterrorism strategy for Nigeria; and c) build capacity for the effective discharge of the functions of all relevant security, intelligence, law enforcement and military services" related to terrorism. Given ONSA's central role in coordinating Nigeria's response to terrorism and developing the NACTEST, ONSA will continue to play an essential role in guiding project delivery as well as a key beneficiary of assistance.

**Federal Ministry of Justice (MoJ):** Under the Terrorism Prevention Act of 2011, amended 2013, the Attorney General of the Federation has the authority to "ensure conformity of Nigeria's counter-terrorism laws and policies with international standards and United Nations Conventions on Terrorism", to "maintain international co-operation required for preventing and combating international acts of terrorism"; and for "the effective prosecution of terrorism matters". Given that terrorism is a federal crime, the Office of Director of Public Prosecutions is the responsible Department of the Ministry of Justice for prosecuting all terrorism cases. The Central Authority Unit is the Department of the Ministry of Justice responsible for coordinating all mutual legal assistance and extradition requests for Nigeria. Therefore, the Office of Director of Public Prosecutions and the Central Authority Unit of the Federal Ministry of Justice will continue to be the main beneficiaries of capacity building and technical assistance along with the legislative review Department.

**Department of State Services (DSS)** (also known as the State Security Service): DSS is the primary domestic intelligence agency of Nigeria. It is a federal agency with offices across Nigeria. It also is one of the designated investigation agencies, along with the Nigeria Police Force, with responsibility for investigating terrorism cases under the Terrorism Prevention Act of 2011, amended 2013. Currently, DSS is taking a lead role in the investigation of many of the terrorism cases. Given this, the project anticipates continuing to engage with DSS, particularly DSS legal advisors, to support the effective investigation of terrorism cases.

**Nigerian Police Force (NPF):** The Nigerian Police Force is the principal law enforcement agency in Nigeria with staff strength of over 300,000 officers. It also is one of the designated investigation agencies with responsibility for investigating terrorism cases under the Terrorism Prevention Act of 2011, amended 2013. Given the large size and broad geographic scope of NPF, its officers should be the first to reach the scene of terrorism incidents. In view of this, the project anticipates continuing to engage with NPF leadership, their investigators, legal advisors, and the training institutions in preparing police officers in conducting effective investigation of terrorism cases and transforming police practices for their better use in preventing violent extremism.

**Federal High Court (FHC):** The Federal High Court has the jurisdiction, under the Terrorism Prevention Act of 2011, amended 2013, to try all terrorism offences. The Chief Judge of Nigeria has further designated that there will be a select number of judges from the Federal High Court who are assigned to hear terrorism cases. The FHC has premises in the capital Abuja and in all States. However at the moment, there are 6 designated judges who are primarily based in Abuja for security reasons. The project anticipates continuing to provide assistance to the Federal High Court judges along with select judges from the **Federal Court of Appeal** and **Supreme Court of Nigeria**, who have jurisdiction to hear appeals of terrorism cases.

**Training Institutions:** Nigeria also has several organisations that serve an important role in providing training to the criminal justice community. The **National Judicial Institute (NJI)** is responsible for the

training of all judges in the country. The **Nigerian Institute of Advanced Legal Studies (NIALS)** is a government-affiliated center for research and legal training for the criminal justice community in Nigeria. The **Nigeria Bar Association** provides on-going professional development training to Nigeria lawyers. Finally the **Nigeria Police Force** also has an extensive network of training institutions to provide introductory and on-going training to police officers. The project anticipates continuing to partner with the above training institutions to enhance their capacity and thereby support sustainability of the project.

**Economic and Financial Crimes Commission (EFCC):** The EFCC is a Nigerian law enforcement agency that investigates financial crimes which could include financing of terrorism. However, to date the investigation and prosecution of financing of terrorism offences has not been a focus of the agency. The project anticipates continuing to provide assistance to the EFCC as one of the agencies involved in financing of terrorism issues, along with the Nigeria Police Force, the Department of State Services, and the Federal Ministry of Justice, and the Office of that National Security Advisor.

**Nigerian Financial Intelligence Unit (NFIU):** The NFIU is a sub-entity of the EFCC and is responsible for producing intelligence on financial crimes including terrorist financing. This intelligence is shared with the Nigerian law enforcement agencies for action. The project anticipates continuing to engage with the NFIU given its central role related to financing of terrorism issues.

**Federal Ministry of Women Affairs and Social Development and corresponding State ministries:** are identified by NACTEST as the key coordinators and service providers when it comes to women and child victims of terrorism. Under the 2003 Child Rights Act, they also play a lead role with regard to juvenile justice.

The **Nigeria Bar Association** is the umbrella association for lawyers admitted to the Bar and a key influencer in the justice reform. The lawyers in private practice (advocates) organised in the NBA and the State level bar association chapters, particularly in North Eastern States, have the potential to become key actors in the promotion of compliance with rule of law and human rights in counter-terrorism. The Nigeria and State level chapters of the international **Federation of Women Lawyers (FIDA)** are a key intermediary to mobilise leading female lawyers on women's rights issues.

The primary stakeholders often have overlapping mandates, which calls for coordination.

#### Additional beneficiaries and national stakeholder entities

- Ministry of Foreign Affairs
- National Assembly
- National Human Rights Commission
- Nigerian Prisons Service
- Nigerian Armed Forces
- Nigeria Customs Service
- Nigerian Intelligence Agency
- Nigeria Immigration Service
- Ministry of Interior
- Ministry of Aviation & related agencies
- Federal Ministry of Education
- Federal Ministry of Health
- Federal Ministry of Information and Culture
- Federal Ministry of Women Affairs and Social Development
- Federal Ministry of Youth Development
- National Orientation Agency
- Civil society organisations working the field of women's rights and child protection