4.1. Article 15(a) QD/QR: death penalty or execution

COMMON ANALYSIS
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For general guidance on the country guidance approach to this section, see 'EUAA, Article 15(a) QD/QR: death penalty or execution in *Country Guidance: explained*, February 2026'.

The analysis below is based on the following EUAA COI reports: Country Focus 2025, 2.1.1., 2.1.2., 2.5., 2.10.; Security 2025, 1.1.3.; Country Guidance should not be referred to as a source of COI.

In Nigeria, the death penalty is a ‘lawful punishment’ imposed nationwide, including for offences that do not meet the threshold of ‘most serious crimes’ under international law. In twelve northern states, *Sharia* Penal Code applies to Muslims, in addition to federal law. Under *sharia*, the death penalty may be imposed for offences such as adultery, blasphemy and same-sex relations, among others. Although no executions have been carried out since 2016, courts across the country still regularly issue death sentences.

State affiliated actors as well as non-state armed actors, including Boko Haram, vigilantes, and bandit groups have also carried out extrajudicial killings and executions.

As indicated under 3. Refugee status, some profiles of applicants from Nigeria may be at risk of death penalty or execution, e.g. 3.12. Persons with diverse SOGIESC, 3.1. Individuals within the reach of Boko Haram, 3.3. Members and perceived supporters of pro-Biafra separatist movements, and if such risk is substantiated, those individuals would qualify for refugee status.

For other individuals, where a real risk of death penalty or execution is substantiated but no nexus to a reason for persecution is established, Article 15(a) QD/QR would apply. The home area of the applicant is to be taken into account when assessing the real risk of death penalty or execution. For example, individuals in *sharia*-implementing states may face a higher risk, due to existence of additional offences punishable by the death sentence in *Sharia* penal code.

In some cases, the death penalty would have been imposed for a serious crime committed by the applicant, or for other acts falling within the exclusion grounds (Article 17 QD/QR) and, therefore, exclusion should be examined (see 7. Exclusion).

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