

CONSTITUTIONAL AND DEMOCRATIC JUSTICE INITIATIVE



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CDJI-NIGERIA CONDEMNS DEATHS OF 37 MINERS IN NSCDC CUSTODY, DEMANDS INDEPENDENT INVESTIGATION AND JUSTICE UNDER THE ANTI- TORTURE ACT

The Constitutional and Democratic Justice Initiative (CDJI-Nigeria) expresses its deep grief and unambiguous condemnation over the deaths of 37 suspected miners who died while in the custody of the Nigeria Security and Civil Defence Corps (NSCDC) in Niger State.

The deceased were reportedly arrested during 'anti-illegal-mining operations' in Niger State in September 2026 and subsequently died while in detention. We are aware that the Federal Government has constituted a committee to investigate the circumstances surrounding the deaths and has suspended officers connected with the incident. However, administrative suspension alone without more cannot substitute for criminal responsibility where evidence establishes criminal liability.

CDJI-Nigeria considers the loss of 37 lives in the state custody a matter of the gravest public concern. The Constitution requires every person in government to be entitled to life, dignity, humane treatment and due process, irrespective of the allegation for which that person was arrested or detained. In the same vein, the Anti-Torture Act 2017 clearly requires that the rights of suspects, detainees and prisoners be respected and prohibits physical harm, force, violence, threats, intimidation, torture and other acts that impair the free will of persons held in custody. The Act also specifically criminalises torture and provides that where torture results in loss of life, the matter shall be dealt with under the relevant criminal laws. The officers who torture persons in detention and their superiors who knowingly supervise or direct the torture are entitled to various terms of imprisonment under the Act when found guilty.

We therefore call for justice for the 37 deceased persons and their families.

Specifically, we demand:

1. A genuinely autonomous, transparent and unrestricted investigation into the arrests, detention, treatment and deaths of all 37 detainees.

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2. A painstaking forensic and medical examination and determination of the cause of death, including preservation and examination of all available physical, medical and documentary evidence.
3. Urgent preservation of evidence, including detention registers, arrest records, CCTV footage where available, duty rosters, medical records, incident reports, communications and all other materials relevant to the investigation.
4. Protection of witnesses, survivors and their families from intimidation, interference, retaliation and appropriate mechanisms for confidential and safe testimony.
5. Prosecution of any person or officer found responsible, or culpable whether through direct or tangential acts of torture, unlawful use of force, deliberate inhumane treatment, negligence, complicity, concealment of evidence or other unlawful acts in connection with this incidence.
6. Where the evidence establishes conduct falling within Full application of the Anti-Torture Act 2017, and other applicable criminal laws, and international treaty or convention against torture.
7. Adequate compensation and other appropriate reliefs for the families of the deceased, without prejudice to criminal accountability of those found culpable.
8. Subject only to narrowly defined and lawful restrictions required to protect witnesses or ongoing criminal proceedings, Public disclosure of the findings of the investigation.

We further state that the fight against illegal mining, however imperative, cannot be pursued outside the Constitution and the rule of law. Since the Enforcement agencies have legal powers, they must operate within legal limits, and allegations of criminal conduct do not extinguish the fundamental rights of persons in custody. The deaths of these 37 Nigerians must not become another unresolved incident in the history of custodial deaths in Nigeria. The families of the victims deserve truth and justice; survivors require protection; and the Nigerian public deserves justice and accountability.

CDJI-Nigeria therefore calls on the Federal Government, the Attorney-General of the Federation, the Nigeria Police Force, the National Human Rights Commission and all relevant investigative and prosecutorial authorities to ensure that this matter is pursued to its lawful and logical conclusion.



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