



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

COMMON ANALYSIS

Last update: March 2026



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](#)).