

An Interview with Okereke Chinwike, Founder and CEO of The African Law Foundation (AFRILAW)

What is the African Law Foundation (AFRILAW)?

The African Law Foundation (AFRILAW) is non-profit and non-governmental Law, Justice and Development organization with the Corporate Headquarter at Enugu and Advocacy office at Abuja of Nigeria. AfriLaw was founded in 2013 and is registered with the Nigerian Corporate Affairs Commission (CAC) as a non-profit Company Limited by Guarantee with Registration Number RC 1150775.

AFRILAW has a vision of a just, peaceful, developed and prosperous Africa and a better world for all, and its Mission is to advance the rule of law, human rights and justice for peaceful, inclusive and sustainable growth and development of all in Africa and across the globe. AFRILAW Strategic Objectives include: advocating for the respect of rule of law, protection of human rights and access to justice for all; advocating for inclusive and sustainable social and economic development and growth; advocating for peace and human security and improving accountability and democratic governance; advocating for environmental sustainability and climatic justice; and building partnership and participation for sustainable development. AFRILAW Strategies and Methods include: Policy Advocacy and Capacity Building, Legal Aid Services, Campaigns and Awareness-raising, Community Development and Mobilization, Research and Documentation, Consulting and Technical Services, Partnership and Network Building and Coordination.

In achieving its mission and strategic objectives, AFRILAW partner and work with local and international organizations and institutions some of which include: National Human Rights Commission (NHRC), Nigeria Security and Civil Defence Corps (NSCDC), CLEEN Foundation, Nigeria Policing Programme (NPP), Administration of Criminal Justice Monitoring Committee (ACJMC) of the Federal Ministry of Justice, Child Protection Network (CPN), Human Rights Agenda Network (HRAN), National Coalition on Affirmative Action (NCAA), Association of Licensed Private Security Practitioners of Nigeria (ALPSPN), The Geneva Centre for Security Sector Governance (DCAF), Network on Business, Conflicts and Human Rights (BCHR Network), Private Security Governance Observatory, Coalition for Human Rights in Development, Global Legal Empowerment Network, Centre for Water Security and Cooperation (CWSC), OECD Watch Network, Global Forum on Law, Justice and Development, Africa Coalition on Corporate Accountability (ACCA), International Code of Conduct Association (ICoCA), BankTrack, International Advocates Working Group (IAWG)/Accountability Counsel, International Accountability Project (IAP), International Land Coalition (ILC), Coalition of Lawyers for Human Rights (COLAHR), Transparency, Accountability and Participation (TAP) Network and others.

Some of the AFRILAW Programmes and Activities include: **1. Promoting Business and Human Rights/Corporate Accountability** : AFRILAW as a member of the OECD Watch Network and is working together with the Network in promoting the Remedy is the Reason Campaign in Africa and across the globe in partnership with SOMO, The Netherland since 2015. AFRILAW is a member of the International Advocates Working Group (IAWG) working together in promoting

access to corporate justice and grievance/accountability mechanisms for poor and vulnerable communities in partnership with Accountability Counsel, USA since 2016. AFRILAW is a member of Coalition for Human Rights in Development, USA and is working together in promoting respect of human rights by international financial institutions since 2016.

Also, AFRILAW is a member of Global Human Rights Defenders in Development Campaign Advisory Committee promoting global campaign for the protection of human rights defenders working in business and human rights field in partnership with CEE Bankwatch, Hungary and Coalition for Human Rights in Development, USA since 2018. Since 2015, AFRILAW is a member of Africa Coalition on Corporate Accountability (ACCA) in promoting corporate accountability and business respect of human rights in Africa and together in 2018 provided support to Lieghday LPP in advancing access to remedy in the Nigerian corporate human rights abuse case of Okpabi & Others vs. Royal Dutch Shell and Others in UK. AFRILAW is a member of the Network on Business, Conflicts and Human Rights (BCHR Network) working in promoting business respect of human rights in conflict situations across the globe including in Nigeria since 2018.

2. Promoting Criminal Justice Sector Reform: AFRILAW is a member of the Civil Society Observatory on Administration of Criminal Justice in Nigeria under the Monitoring the Criminal Justice Administration Reform Process in Nigeria Project been implemented with CLEEN Foundation in collaboration with Administration of Criminal Justice Monitoring Committee (ACJMC) with support from MacArthur Foundation since 2017 with the aim of strengthening the implementation of the new Administration of Criminal Justice Act in Nigeria through the systematic monitoring of key agencies and advocacy to ensure the agencies fulfill their new roles under the Act. Also, AFRILAW is the Enugu State partner under the Promoting Transparency and Accountability in the Criminal Justice Sector Project been implemented by CLEEN Foundation with support from MacArthur Foundation since 2018 with the aim of digitizing court proceedings, to track completed cases, court trials/proceedings and injunctions in relations to corruption, accountability and transparency in the administration of criminal justice system in Nigeria. AFRILAW is a member of the Technical and Monitoring Sub-Committee of the Administration of Criminal Justice Monitoring Committee (ACJMC) of the Federal Ministry of Justice.

3. Promoting Security Sector Reform and Governance: Since 2018, AFRILAW is a member of Nigeria Policing Programme (NPP) CSOs/National Human Rights Commission (NHRC) Coordinating Committee in Enugu State been implemented by Coffey International and is funded by the British High Commission through the Conflict, Stability and Security Fund with the aim to improve the Nigerian Police Force's contribution to the delivery of safety and security for Nigerians in target states; strengthen internal and external accountability mechanisms; and improve the coherence of security provision among and between formal and informal security actors in Nigeria. AFRILAW is the national secretariat of the Nigeria Security Sector Governance Network (NISSGON) aimed at promoting civil society support and participation in improving effective security sector governance in Nigeria. AFRILAW Founder/CEO, Mr. Okereke Chinwike is the National Coordinator of NISSGON and a member of the International Security Sector Advisory Team (ISSAT).

4. Improving Private Security Governance and Responsible Services: Since 2018, AFRILAW is an official CSO partner with the Nigeria Security and Civil Defence Corps (NSCDC) (the regulatory authority of Private Security Companies) in promoting private security governance and responsible services in Nigeria. AFRILAW is a Steering Committee member of the Private Security Governance Observatory and together in partnership and support of Geneva Center for the Democratic Control of Armed Forces (DCAF), Switzerland and NSCDC have implemented the Baseline Study on Private Security Governance in Nigeria Project with the aim of conducting a study on the situation of private security governance and operations, to identify areas of challenges and to develop and promote an advocacy strategy for private security reform in Nigeria.

Also, AFRILAW as a CSO Pillar member of the International Code of Conduct Association (ICoCA) and together in partnership with NSCDC and Association of Licensed Private Security Providers of Nigeria (ALPSPN) is promoting responsible private security governance in Nigeria through the Nigeria Responsible Private Security Partnership (NRPSP).

4. Promoting Gender Justice and Woman's Human Rights Protection: Since 2016, AFRILAW' Founder/CEO, Mr. Okereke Chinwike is the South-East Regional Coordinator of Coalition of Lawyers for Human Rights (COLAHR), and from 2018 to 2019 have been coordinating the implementation of the Law, Human Rights and Effective Sexual and Reproductive Health and Rights Movement in Nigeria Project in partnership with Lawyers Alert with support from Amplify Change, UK_with the aim of the promoting sexual and reproductive health and rights of women and key populations in Nigeria. From 2016 to 2017, AFRILAW Founder/CEO was formerly the State Independent Consultant that facilitated the Enabling Growth and Access for Women and Girls in Enugu (ENGAGE) project of the DFID/UkAid Voices for Change Programme in collaboration with Enugu State Ministry of Gender Affairs and Social Development.

The main challenges confronting private security companies operating in extractive sector in Nigeria include: Inadequate knowledge and limited professional capacity for most PSCs to operate in the extractive sector in Nigeria, considering the numerous conflicts and complex nature of the sector. High level of risks and possibility of violent attacks by the various militants and criminal networks on PSCs providing private security services in the extractive sector in Nigeria, considering that PSCs are prohibited to use arms. Increasing use of PSCs to supplement the public security forces by the companies operating in the extractive sector in Nigeria is highly exposing them to the complex local struggles for access to resources and accusations of being complicit in the use of force and human rights violations and abuses by the public security forces rather than simply protecting the assets of extractive companies.

Why has private security become a human rights issue in Nigeria, how is this being tackled?

Nigeria faces multiple security challenges that have not only posed great threats to corporate existence of Nigeria as a sovereign state, but that have also undermined the quest for unity in diversity which underscores the rationale for adoption of federalism. The weakness of the public

security system is a major contributory factor to the level of insecurity in Nigeria. The weakness of the Nigerian security system can be attributed to a number of factors, which include inadequate funding of the police and other security agencies, lack of modern equipment both in weaponry and training, inadequate personnel and poor welfare of security personnel. The country is grossly under policed, partly explaining the inability of the Nigerian Police Force to effectively combat criminality in the country. Although the government is primarily responsible for guaranteeing the security and safety of the population, the generally ineffective response of state security agencies to security threats has seen the development of other solutions to ensure safety and security: an increased demand for private security services in Nigeria. As crimes, violence and insecurity continues to rise in Nigeria, so does the demand for private security services provided by Private Security Companies (PSCs). The increasing growth of the Private Security Companies (PSCs) in Nigeria is an indication of great erosion of internal security and inadequate manpower to confront the situation by public security agents.

Moreover, the Private Security Companies (PSCs) in Nigeria are poorly regulated. The Private Guards Companies Act is very outdated and out of touch with realities and challenges of modern private security services. There is generally lack of adequate monitoring and supervision by the regulatory agency, the Nigeria Security and Civil Defence Corps (NSCDC). There are poor standards of operation and professional conducts in the industry. Most Private Security Companies (PSCs) is suffering from poor and inadequate capacities and professionalism resulting in many cases of unethical and unprofessional practices, commission of crimes, brutality and abuses of human rights. There is high cases of poor employment and labour benefits and welfare of PSC personnel. The explosion of the Private Security Companies (PSCs) without an effective governance and regularly framework has constituted a huge problem for the industry in Nigeria. The existence of many unregistered PSCs worsens the security situation of the country who in many engages in different atrocities.

In Niger Delta region, apart from the large retinue of public security agents, there is a large existence of private security companies engaged by the extractive industry, which in some cases been reported for complicity in human rights violations. Private security companies mostly interface with the Nigeria Police and other law enforcement agencies and it is not uncommon to find law enforcement agents who are permanently seconded to work with private security companies to safeguard high profile individuals, organisations and critical infrastructure, especially in the extractive industry, hospitality and financial sector. They regard the secondment of Mobile Police officers as a necessary, but expensive arrangement. The reliance on Mobile Police officers for armed private security services raises a number of operational and ethical challenges. As mentioned above, the Mobile Police has often been accused of using undue force, and whilst in the employ of private guards companies the exact division of authority between private security company employees and the police is difficult to establish definitively.

Moreover, the various human rights challenges confronting private security companies operating in Nigeria include the inability of the NSCDC to end the proliferation and operations of many illegal and unregistered private security companies, resulting in many cases of human rights violation by illegal and unregistered private security companies. There is low level of public awareness and stakeholders' sensitization on private security and human rights issues in Nigeria. There is obvious low capacity in human rights protection and enforcement by NSCDC and other key private security stakeholders in Nigeria. Poor and inadequate human rights monitoring, documentation and reporting mechanism by NSCDC and other key private security stakeholders.

There is also non-availability of remediation mechanism by NSCDC for victims of human rights violations and abuses by the PSCs and their employees to seek redress for the harm suffered, and there is poor and inadequate accountability mechanism by NSCDC for human rights violation and abuses by private security companies and their employees in Nigeria. NSCDC faces a huge challenge of effectively monitoring, investigating and sanctioning them.

How this been tackled in Nigeria?

- Since the Nigeria Private Guards Companies Act 1986 has been found to be inadequate, outdated and ineffective even by NSCDC, the Private Guards Regulation developed by the NSCDC and subsequently approved by the Minister of Interior in 2018 is also yet to be fully implemented by the NSCDC. The Private Guards Regulation 2018 to some extent covered the gaps existing in the Private Guards Companies Act 1986 and is the latest federal government efforts to reform and improved the private security governance and regulatory framework in Nigeria. According to the Private Guards Companies Regulations 2018, the NSCDC has provided some ‘Administrative Sanctions’ as a way of providing an accountability mechanism for disciplining the PSCs and their employees for the various human rights violations and abuses such as engaging in any form of torture or any other inhuman treatment; engaging or allowing to be engaged or benefit from sexual exploitation or any other gender-based violence including prostitution and rape; using or being complicit in any slavery, forced or compulsory labour; and employing someone beyond 18 years.
- Recently in Nigeria, there is an improved CSOs partnership and collaboration with the NSCDC as the regulatory agency in promoting private security governance in Nigeria, and also improved participation, collaboration and partnership between private security companies and CSOs in promoting private security governance in Nigeria, for instance, since 2018, AFRILAW is an official CSO partner with the Nigeria Security and Civil Defence Corps (NSCDC) in promoting private security governance and responsible services in Nigeria. AFRILAW in collaboration with the Private Security Governance Observatory and together in partnership and support of Geneva Center for the Democratic Control of Armed Forces (DCAF), Switzerland and NSCDC have implemented the Baseline Study on Private Security Governance in Nigeria Project with the aim of conducting a study on the situation of private security governance and operations, to identify areas of challenges and to develop and promote an advocacy strategy for private security reform in Nigeria. The Baseline Study on Private Security Governance in Nigeria was launched in August 2019 with the validation of the draft National Advocacy Strategy on Improving Private Security Governance in Nigeria and Implementation Framework by the stakeholders. The National Advocacy Strategy provided among other things the strategies for reform the Private Security Companies (PSCs) Regulatory and Legal Frameworks; strengthening of NSCDC for effective performance and service delivery; promoting recognition of the PSCs and the position of the PSCs in the Nigeria’s security architecture; improving cooperation and synergies between the PSCs and other government law enforcement agencies; and improving collaboration and partnership between the PSCs and Civil Society/NGOs and communities.
- Also, AFRILAW in partnership with ICoCA, NSCDC and Association of Licensed Private Security Providers of Nigeria (ALPSPN) will be promoting the Nigeria Responsible

Private Security Partnership (NRPSP) programme for the realization of the validated National Advocacy Strategy on Improving Private Security Governance in Nigeria and Implementation Framework especially in the areas of improving the training standards and professional development of the PSCs Personnel; promoting code of conducts, ethics and human rights standards for the PSCs; and promoting recognition of the PSCs and improving the position of the PSCs in the Nigeria's security architecture.

Why did AfriLaw decide to become a Member of ICoCA?

AFRILAW has a mission of advancing the rule of law, human rights and justice for peaceful, inclusive and sustainable growth and development of all in Africa and across the globe, and one of the strategic objectives of AFRILAW is advocating for peace and human security and improving accountability and democratic governance. Since 2014, AFRILAW have been engaging the stakeholders in advancing business and human rights and security sector reform and governance in Nigeria and across the globe including promoting and improving private security governance and responsible private security services in Nigeria.

In this regard, becoming a member of ICoCA was a great opportunity for AFRILAW to expand its network of partners on security sector governance particularly in the area of private responsible private security services in Nigeria. It created opportunity for learning and building AFRILAW's capacity on private security governance and responsible private security services. It provided a platform to partner and provide support to PSCs in Nigeria especially in the areas of promoting responsible provision of security services and respect for human rights and national and international law in Nigeria; strengthening and improving their operational standards and code of conduct; engaging the PSC on human rights and ethics training; and promoting PSCs joining and becoming members of the ICoCA and obtaining ICoCA certification and the third-party certification issued by an independent accredited Certification Body (CB) demonstrating the PSCs systems and policies meet the principles and standards of the Code. Furthermore, becoming ICoCA member and partner have helped AFRILAW to improve its work on Monitoring and Reporting of PSCs operations and practices in Nigeria, and also in promoting the effective complaint mechanism for violation of private security standards in Nigeria.

Moreover, AFRILAW in partnership with ICoCA, NSCDC and Association of Licensed Private Security Providers of Nigeria (ALPSPN) will be promoting the Nigeria Responsible Private Security Partnership (NRPSP) programme toward improving the training standards and professional development of the PSCs Personnel; promoting code of conducts, ethics and human rights standards for the PSCs; and promoting recognition of the PSCs and improving the position of the PSCs in the Nigeria's security architecture.

What are the main challenges and opportunities for an international multi-stakeholder initiative such as ICoCA in raising standards in Nigeria when the Nigerian government is not a member of the Association?

Considering the numerous challenges confronting the PSCs regulation, governance, monitoring, operational standards and conducts and respect of human right in Nigeria over the years, the existence of international voluntary multi-stakeholder initiatives like ICoCA provide applicable guidelines, principles and good standards on responsible private security services that can be adopted and apply by Nigeria government to improve the PSC industry in Nigeria. Unfortunately, Nigeria's government is yet to join and become a member of the International Code of Conduct Association (ICoCA).

However, the African Union has created some guidelines and has made references relating to the issues of regulation of private security industry that are relevant and apply to Nigeria. In 2016, the African Commission on Human Rights and Peoples' Rights adopted the Principles and Guidelines on Human and People's Rights while Countering Terrorism in Africa. Under Part 8, it provides for private security companies, particularly their accountability, with reference to the Montreux Document. The AU Policy Framework on Security Sector Reform 2014, mentioned 'non-state security bodies such as private security companies' as one of the components of the security sector in Africa, and stated that State members should ensure that private security companies 'will conform to relevant international, regional and national frameworks regulating the activities of PSCs'.

In this regard, Nigeria has a binding obligation as a member of African Union to do all that are necessary to comply with the African Commission on Human Rights and Peoples' Rights adopted Principles and Guidelines on Human and People's Rights while Countering Terrorism and Africa AU Policy Framework on Security Sector Reform 2014, and become a member of ICoCA is one of the best to fulfill the AU obligation.

Becoming a member of ICoCA will greatly help the regulatory authority, NSCDC to improve and ensure effective private security governance, supervision and monitoring in Nigeria. NSCDC can adopted and use the ICOC as a Tool for the improvement of private security governance and regulatory framework by and review of the outdated and ineffective Private Guards Companies Act of 1986.

Furthermore, Nigeria becoming ICoCA member will create an opportunity for the NSCDC to establish a strategic partnership with ICoCA and its member in the areas of capacity building and technical support in improving their service delivery as PSC regulatory agency and ensure effective responsible private security services in Nigeria. As a member, ICoCA will greatly help the NSCDC to promote and improve PSCs compliance with operational standards and code of conducts in Nigeria. Moreover, the adoption and application of ICoCA Codes and Principles will greatly promote and improve respect of human rights and humanitarian law and principles by PSCs operating in Nigeria including effective complaints management system for violations by the PSCs.

I understand AfriLaw is a member of the Private Security Governance Observatory and as such, you have just completed a baseline study on Private Security Governance in Nigeria. Could you please tell us about the Observatory and share some of the key findings from the study?

About Private Security Governance Observatory:

The Private Security Governance Observatory is a network of African civil society organizations (CSOs) that seeks to share knowledge and reinforce their organizational capacity to promote good governance of the private sector. Civil society organizations (CSOs) play a fundamental role in building democracies based on respect for the rule of law, meeting people's needs and demonstrating accountability and transparency to the population. The Observatory supports the establishment of sustainable, locally driven CSO networks across Africa. The Observatory's work is composed of three main components that seek to support civil society organisations engagement and participation in private security oversight and accountability: Research, awareness raising and building a network: Support to CSO engagement with national authorities, companies and other stakeholders at national, regional, and international levels; an Experience sharing within and across regions. The Observatory was initiated in 2014 and grew organically out of the interest and commitment of its members, building a network based on trust-building, local ownership and member engagement. The Geneva Center for Security Sector Governance (DCAF) is a strategic partner to the Observatory providing strategic level, administrative and expert support to ensure the consolidation and further development of this initiative.

AFRILAW is a Steering Committee member of the Private Security Governance Observatory, and in collaboration with the Private Security Governance Observatory and together in partnership and support of Geneva Center for the Democratic Control of Armed Forces (DCAF), Switzerland and NSCDC have implemented the Baseline Study on Private Security Governance in Nigeria Project with the aim of conducting a study on the situation of private security governance and operations, to identify areas of challenges and to develop and promote an advocacy strategy for private security reform in Nigeria. This Baseline Study on Private Security Governance in Nigeria has been developed in the framework and with the support of the Observatory.

Some of the key findings from the Baseline Study on Private Security Governance in Nigeria Project are:

On Training and Capacity Building: the study find out that lack of adequate training of private security personnel is one of the key challenge within the private security industry – both with registered and unregistered PSCs in Nigeria. Most PSCs recruit personnel with very little or no training at all, and no additional training is provided by the PSCs, focusing mostly on profit maximisation. Many of the security personnel undergo only physical fitness as training, while other capital aspects are neglected: PSC personnel rarely have adequate training in topics such as human rights, intelligence collection and analysis, crowd control, riot control, data mining and automated data analysis in crime mitigation, etc. Moreover, many PSCs are not properly trained to handle high level security threats and situations such as terrorism, armed banditry, armed

robbery, kidnapping and assassinations. This represents a major impediment to their ability to perform their due role in combating crime and ensuring security in Nigeria.

On Inadequate Registration and Licensing Framework: According to the study, the proliferation of unregistered PSCs is resulting in poor standards, unprofessional conduct, human rights abuses and making it difficult for the NSCDC to effectively regulate and monitor the operations of PSCs in Nigeria. The incursion of unregistered and unqualified PSCs or individuals offering services as private security personnel, into the private security industry in Nigeria has become a major challenge. Avoiding any burden related to registration, licensing and monitoring, these illegal security providers endanger the reputation and professionalism of the industry and create unfair competition to registered PSCs, as they can offer services at lower prices. Also, high registration costs for private security companies in Nigeria, is causing many private security companies to operate without registration and operational license.

On Conflict of Interest: The study finds out that discussion and decision-making on security has become a reserved domain that is jealously guarded by a narrow political and security elite. That a state security agencies (such as the NSCDC) doubling up as regulators for private security services might also be subject to bias. In addition, ownership of or involvement in the operation of private security companies by State officials is creating a strong conflict of interest which might lead to cases of corruption, enabling, for example, facilitated licensing processes or less strict monitoring. Additionally, it was reported that an unhealthy rivalry exists between indigenous private security companies and foreign private security companies operating in Nigeria: foreign companies, often large firms with consolidated organisation, are perceived as a threat to the growth of the indigenous security industry.

On Working conditions and welfare of Private Security personnel: The study discovered that that the private security sector generally offers very poor working conditions to its personnel: the salaries are low, with unfavourable welfare conditions, long working hours and little professional development possible. That most unregistered PSCs remunerate their personnel according to the value of each individual contract, meaning that personnel with the same position and with the same experience and training may earn different wages, depending only on where the company deploys them. Some private security personnel are owed salaries for as long as 5 or 6 months, and then get sacked by their employers. This occurs despite the existing legislative provisions and regulatory oversight of the NSCDC. The unfavourable welfare scheme means most PSC personnel have no pension schemes, no health insurance in case of injury, nor life assurance in case of death. It was also observed that holidays are not always respected by most private security companies, PSC personnel, or that the required uniforms and equipment would not be provided by the employer. The poor working conditions result in personnel in the private security sector having low job satisfaction, directly leading to low performance and lack of commitment to the job. For those reasons, the turnover rate is very high in the sector. In some cases, this lack of job satisfaction also leads to a lack of loyalty and unethical behaviour of the personnel. The combination between poor training and poor working conditions encourages PSC personnel to commit offences, from plain unethical behaviour such as absenteeism, unpunctuality or insubordination to actual offences such as theft or association with criminal activities. Moreover, from the study, in 2018 alone, registered private security companies employed as much as 828,505 persons compared to 791,210 employed by 1,058 companies in 2017 and 771,478 employed by 964 companies in 2016. Most of the employees of PSC are male; in 2018, 74% (616,000) of the employees were male while 26% (212,502) were female.

On Registration and Licensing of PSCs: Even though the law requires every private security provider to be registered and licensed to be able to operate, it was identified in the study that this requirement is often, in practice, not met. There are several challenges around the registration and licensing process. The high cost of registration was identified as a big challenge. As small PSCs might not be able to assemble such capital, this clause is one of the reasons why a lot of PSCs operate without registration. At the same time, the proliferation of unregistered PSCs is making it difficult for the NSCDC to effectively regulate the operations of PSCs in Nigeria. The incursion of unregistered and unqualified PSCs or individuals offering services as private security personnel, into the private security industry in Nigeria has become a major challenge. Avoiding any burden related to registration, licensing and monitoring, these illegal security providers endanger the reputation and professionalism of the industry and create unfair competition to registered PSCs, as they can offer services at lower prices. According to the study, as of February 2019, there are about 1110 licensed private security companies operating in Nigeria and about 740 unlicensed private security companies under processing. The total numbers of registered private security companies in Nigeria were about 802 in 2013, 859 in 2014, 902 in 2015, 964 in 2016 and 1,058 in 2017.

On Training and Capacity Building of Private Security Personnel: The study finds out that most of the PSCs recruit personnel with very little or no training at all, and no additional training is provided by the company. Many of the private security personnel undergo only physical fitness as training, while other capital aspects are neglected: PSC personnel rarely have adequate training in topics such as human rights, intelligence collection and analysis, crowd control, riot control, data mining and automated data analysis in crime mitigation, etc. Many PSCs are neglecting both basic training and professional development training for their personnel, focusing mostly on profit maximisation. As a result, many PSCs lack the competence to carry out their activities efficiently. Other findings of the study include non-standardisation of private security personnel training by NSCDC because, until recently, private security companies could submit their Training Syllabus for NSCDC approval and trained their private security employees according to their own curriculum; Lack of a regular professional development programme for private security personnel and private security companies operating in Nigeria; Poor and inadequate manpower for effective training and capacity development of private security personnel and private security companies operating in Nigeria; and Inadequate capacities and training to handle high level security threats and situations such as terrorism, armed banditry, armed robbery, kidnapping and assassinations which have become major security challenges in Nigeria.

On Professional Misconduct and Malpractice: According to the study, the most common professional misconduct and malpractice reported against private security company employees in Nigeria include negligence (34%), bribery (30%), lateness (23%), soliciting bribery (23%), theft (17%), connivance with criminals (15%) and rudeness/insolence (13%). Moreover, because of poor training, poor remuneration and poor or, in most cases, absence of welfare schemes, resulting in lack of job interest, job satisfaction and ultimately lack of job commitment, the private security employees are prone to committing offences and misconducts. The consequences of these offences include range from losing some pay, suspension, re-training to dismissal, depending on the gravity of the offence and how often the offences are committed. The study also find out that there is non-availability of a standard Professional Code of Conduct and Ethics framework for private security companies and their employees in Nigeria in line with best global practices; Non-availability of a complaint's mechanism for victims of professional misconduct and malpractice by the private security companies and their employees to seek redress in Nigeria; Poor and inadequate

professional code of conduct and ethics compliance and enforcement mechanism for private security companies and their employees in Nigeria; and Poor and inadequate accountability mechanism for breaches of professional code of conduct and ethics by private security companies and their employees in Nigeria.

On Human Rights Violations: The study identifies some cases of human rights violations in Nigeria, especially by many existing unregistered private security companies, in the areas of excess use of force, overzealousness, brutality, torture, degrading and inhuman treatment, sexual and gender based violence, exploitation of employee and abuse of labour/workers' rights. The reliance on Mobile Police for armed private security services raises a number of operational and ethical challenges. The Mobile Police has often been accused of using undue force, and whilst in the employ of PSCs the exact division of authority between private security personnel and the police is difficult to establish. According to the study, with 47% score, low human rights compliance was identified as one of the key challenges confronting PSC operations in Nigeria. From the responses, it implies that low human rights compliance is the second most common challenge confronting PSC operations in Nigeria after poor welfare and working conditions (59%). As in professional misconduct and malpractice, most of the respondents who reported cases of human rights violations resorted to public security agencies such as the Police, while others resorted to the NSCDC and only a few to the National Human Rights Commission. Private companies also received 32% of the complaints of the respondents. Furthermore, when asked about formal complaints or action for remedy against private security personnel for human rights violations, 22% of the respondents were aware of reports for abuses by PSCs or its personnel. Moreover, the study find out that there is existence of low level of public awareness and stakeholders' sensitization on private security and human rights issues in Nigeria; low capacity in human rights protection and enforcement by NSCDC and other key private security stakeholders in Nigeria; and Poor and inadequate human rights monitoring, documentation and reporting mechanism by NSCDC and other key private security stakeholders.

The study finds out that there is inadequate knowledge and limited professional capacity for most PSCs to operate in the extractive sector in Nigeria, considering the numerous conflicts and complex nature of the sector. There is a high level of risks and possibility of violent attacks by the various militants and criminal networks on PSCs providing private security services in the extractive sector in Nigeria, considering that PSCs are prohibited to use arms. Also, there is an increasing use of PSCs to supplement the public security forces by the companies operating in the extractive sector in Nigeria is highly exposing them to the complex local struggles for access to resources and accusations of being complicit in the use of force and human rights violations and abuses by the public security forces rather than simply protecting the assets of extractive companies.

From the study, the NSCDC can now apply some form of pecuniary sanctions against private security companies and their employees engaged in misconduct and human rights violations. From the indication above, and according to the Private Guards Companies Regulations 2018, the NSCDC has provided some 'Administrative Sanctions' as a way of providing an accountability mechanism for disciplining the PSCs and their employees for the various human rights violations and abuses. Nevertheless, these sanctions seem very inadequate. Also, remediation mechanism for victims of human rights violations and abuses was not provided for seeking redress and remediation for the harm suffered. These sanctions are yet to be applied in most cases to determine

their level of deterrence and adequacy of the sanctions toward reducing various cases of human rights violations and abuses being perpetrated by the PSCs and their employees.

On Private security companies operating in the extractive sector in Nigeria: According to the study the main challenges confronting private security companies operating in extractive sector in Nigeria include: inadequate knowledge and limited professional capacity for most PSCs to operate in the extractive sector in Nigeria, considering the numerous conflicts and complex nature of the sector; High level of risks and possibility of violent attacks by the various militants and criminal networks on PSCs providing private security services in the extractive sector in Nigeria, considering that PSCs are prohibited to use arms; and Increasing use of PSCs to supplement the public security forces by the companies operating in the extractive sector in Nigeria is highly exposing them to the complex local struggles for access to resources and accusations of being complicit in the use of force and human rights violations and abuses by the public security forces rather than simply protecting the assets of extractive companies

On Use of force, weapons and firearm: The study identified the major challenges faced by the Private Security Companies as it relates to not being permitted by law to carry arms to include limiting the performance and ability of the PSCs and their employees in effectively combating and preventing crime, protecting lives and properties and ensuring security in Nigeria; and exposing the PSCs and their employees to danger and risk of violent attacks considering the rising rate of violent crimes in Nigeria. Also, inadequate equipment and lack of sophisticated security gadgets are undermining the ability of most PSCs to combat crimes and ensure security.

On cooperation between private security companies and the public security forces: The study mentioned that private security companies sometimes hire the services of public security agencies, such as the NSCDC or the Nigeria Police, who are ordinarily licensed to carry firearms to complement their operations. This kind of cooperation also exists between the PSCs and many public security forces, especially the Mobile Police, in providing security services for some key companies and organizations such as banks, extractive companies, government ministries, departments and agencies. The study also identified some areas of consideration for strengthening cooperation to include intelligence sharing, collaboration for public security, training and capacity building, effective monitoring of PSCs and public orientation. The study recorded that some good relationship exists between private security personnel, on the one hand, and various groups such as the Police, neighbourhood watch groups and vigilante, youth groups and the NSCDC, on the other hand.

Also, on PSCs cooperation with Civil Society/NGOs and community members: The study observed that most PSCs hardly cooperate and collaborate with civil societies/NGOs and communities where they operate in Nigeria. However, in terms of community relations, the survey results suggest that private security companies rarely consult with the local community on security issues and impacts within their locality.