

COUNTER SUBVERSION BILL, 2024

EXPLANATORY MEMORANDUM

This Bill seeks to criminalise subversive activities by associations, organisations, militias, cults, bandits and other proscribed groups in Nigeria.

COUNTER SUBVERSIVE BILL, 2024

Arrangement of sections

Section:

1. Objectives
2. Prohibition of subversive activities
3. Prohibition of illegal road blocks and procession
4. Registration of volunteer service groups
5. Prohibition of forceful occupation
6. Disregarding the sovereignty of Nigeria
7. Making dangerous statements
8. Destruction of national symbol
9. Associating with proscribed organisation
10. Financial or political supports incompatible with the interest of Nigeria
11. Injurious statement by a foreign based person
12. Engaging in activities that undermines national security
13. Disregarding constituted authority
14. Disrupting legal process
15. Creation and funding of illegal group
16. Causing death by aggressive, violent or intimidating conduct
17. Illegal construction in public place
18. Denigration of a persons in authority
19. Pledging of allegiance to a foreign country
20. Prohibition of production and sale military or police uniforms
21. Prosecution of offences
22. Jurisdiction
23. Powers of the Attorney-General
24. Interpretation
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COUNTER SUBVERSIION BILL, 2024

A Bill

For

An Act to criminalise subversive activities by associations, organisations, militias, cults, bandits and other proscribed groups in Nigeria; and for related matters.

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria —

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| 1. The objectives of this Act are to — | Objectives |
| (a) Provide for a legal and institutional framework to detect, prevent, investigate, criminalize, prosecute and sanction subversive and related activities; and | |
| (b) regulate the procedure and determine the manner in which the provisions of this Act shall be carried out. | |
| 2. A person who engages in activities that results to mutual suspicion, mistrust, distrust or intolerance which degenerates into conflict and violence that threatens the corporate existence, peace and security of the Federation of Nigeria, commits an offence and is liable on conviction to a fine of N5,000,000 or imprisonment for a term of 10 years or both. | Prohibition of subversive activities |
| 3. A person who engages in illegal road traffic function, illegal road block, imposition of illegal curfew, conduct of illegal procession, checkpoint and other similar acts, commits an offence and is liable on conviction to a fine of N2,000,000 or imprisonment for a term of five years or both. | Prohibition of illegal road blocks and procession |
| 4. From the commencement of this Bill, all voluntary or volunteer services groups that seek to provide services under section 3 of this Bill shall be registered with the appropriate authority before rendering the service. | Registration of volunteer service groups |
| 5. A person who forcefully takes over any place of worship, town hall, school, premises, public or private place, arena, or a similar place through duress, undue influence, subterfuge or other similar activities, commits an offence and is liable on conviction to a fine of N5,000,000 or imprisonment for a term of 10 years or both. | Prohibition of forceful occupation |
| 6. A person who professes loyalty, pledges or agrees to belong to an organisation that disregard the sovereignty of Nigeria, commits an offence and is liable on conviction to a fine of N3,000,000 or imprisonment for a term of four years or both. | Disregarding the sovereignty of Nigeria |

7. A person who makes a statement, does something or directs or encourages another person or group to do something that will lead to separatist agitation or intergroup or sectional conflict, commits an offence and is liable on conviction to a fine of N10,000,000 or imprisonment for a term of 25 years or both. Making dangerous statements
8. A person who destroys national symbols; refuses to recite the national anthem and pledge, defaces or abuse a place of worship with the intention to cause violence and subvert the Government of Nigeria, commits an offence and is liable on conviction to a fine of N5,000,000 or imprisonment for a term of 10 years or both. Destruction of national symbol
9. (1) A person who interacts, communicates liaise, associates with locally based cult groups, criminal gangs or proscribed organisations, commits an offence. Associating with proscribed organisation
- (2) A person who interacts, communicates, liaise, associates with foreign based criminal gangs or proscribed organisations or countries detrimental to the welfare, security, development and progress of Nigerian, commits an offence.
- (3) A person who commits an offence under this section is liable on conviction to a fine of N10,000,000 or imprisonment for a term of 15 years or both.
10. A person who receives financial or political support from a foreign organisation, group or country that is not compatible with the interest, development, security and progress of Nigeria, commits an offence and is liable on conviction to a fine of N15,000,000 or imprisonment for a term of 20 years or both. Financial or political supports incompatible with the interest of Nigeria
11. (1) A foreign based person, group or organisation that makes statements injurious to the peace and security of Nigeria and relates with or is influenced by a locally based person, group or organisation, commits an offence. Injurious statement by a foreign based person
- (2) A locally based person that fails to refute, condemn, and associate themselves with any statement made by a foreign based person, group or organisation, commits an offence.
- (3) A person who commits an offence under this section is liable on conviction to a fine of N5,000,000 or imprisonment for a term of 5 years or both.
12. Every person, group or organisation that engages in activities that undermines national security, harmonious community interaction, peaceful coexistence and the maintenance of law and order, commits an offence and is liable on conviction to a fine of N3,000,000 or imprisonment for a term of five years or both. Engaging in activities that undermines national security
13. A person, group or organisation that persistently disregards, disobeys, or disrespects constituted authority, rules, regulations, order or contravenes the law willfully, commits an offence and is liable on conviction to imprisonment for a term of 3 years at the first Disregarding constituted authority

instance and seven years for a subsequent offence or to a fine of N5,000,000 or both.

- 14.** A person who habitually violates the law, refuses or prevents arrest, disrupts legal processes or proceedings, engages in contrary behavior or persistent and recalcitrant, defiance and rebellion against constituted authority, commits an offence and is liable on conviction to a fine of N5,000,000 or imprisonment for a term of seven years or both. **Disrupting legal process**
- 15.** A person who establishes, creates, operates or maintains, funds, supports or assists a para-military, guard, brigade, organisation, corps, union, militia, cult or bandit group under whatever name or guise, except established by laws passed by the National Assembly or State House of Assembly, commits an offence and is liable on conviction to a fine of N10,000,000 or imprisonment for a term of 15 years or both. **Creation and funding of illegal group**
- 16.** (1) A person group or organisation that engages in aggressive, violent or intimidating conduct that results to the death of a person, commits an offence and is liable on conviction to death. **Causing death by aggressive, violent or intimidating conduct**
- (2) A person group or organisation that engages in conducts that results to grievous bodily harm or loss of property, commits an offence and is liable on conviction to a fine of N5,000,000 or imprisonment for a term of seven years or both and to the payment of adequate compensation to the victim of the crime.
- 17.** A person who illegally constructs a structure or takes over a public place, road or fields without permission from the authority in charge of the place, commits an offence and is liable on conviction to a fine of N1,000,000 or imprisonment for a term of three years or both. **Illegal construction in public place**
- 18.** A person who castigates, instigates, persuades, denigrates, embarrasses or brings into disrepute the leadership of a community, religion, lawful group, local government, State or Federal Government of Nigeria, commits an offence and is liable on conviction to a fine of N4,000,000 or imprisonment for a term of two years or both. **Denigration of a persons in authority**
- 19.** (1) A person who engages in conduct that display loyalty, pledges allegiance to another country or denounces his loyalty to Nigeria, commits an offence and is liable on conviction to the penalty provided in subsection (2). **Pledging of allegiance to a foreign country**
- (2) A person who inspires, instigates, encourages or directs defiance, mentors, funds or abets or conspires with any person group or organisation in opposition or destruction of existing state institution, structures or values by illegal conduct or violent acts, commits an offence and is liable on conviction to a fine of N5,000,000 or imprisonment for a term of 10 years or both.

20. A person who owns, possesses, produces, distributes, imports, handles, uses established security, military, police or intelligence agency uniforms, emblems or accoutrements, commits an offence and is liable on conviction to a fine of N2,000,000 or imprisonment for a term of two years or both. Prohibition of production and sale military or police uniforms
21. The procedure for prosecution of offences provided in this Bill shall be as prescribed in the Administration of Criminal Justice Act. Prosecution of offences
Act. No. 2015
22. Subject to the powers of the Attorney-General of the Federation, Legal Officers of the Service shall undertake and conduct prosecution of offences under this Bill. Powers of the Attorney-General
23. The Federal High Court shall have jurisdiction to try offences under this Bill. Jurisdiction
24. In this Bill — Interpretation
- “appropriate authority” means the authority having responsibility for registration and regulation of voluntary or volunteer services groups.
- “constituted authority” means an individual group or body vested with the legitimate power to carry out specific duties for the common good of the group or society;
- “High Court” means the Federal High Court, the High Court of a State or the High Court of the Federal Capital, Abuja; and
- “national symbols” means an object, sign, or emblem belonging to Nigeria and often characterized by federal integration and a state of colonial independence and include the flag, national anthem, coat of arms, national pledge, Nigerian Naira; and armed forces.
24. This Bill may be cited as the Counter Subversion Bill, 2024. Citation