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Nigeria: Exit and re-entry regulations; maximum length of stay to which a non-Nigerian citizen would be entitled and whether such an individual would be allowed to work
Research Directorate, Immigration and Refugee Board, Ottawa

In a 27 July 2005 personal interview with the Research Directorate, a minister from the Nigeria High Commission in Ottawa said that there are no exit and re-entry regulations for citizens of Nigeria. He noted, however, that there is a "stop-list" at the borders, and that if an individual appears on the list, immigration officers will detain or arrest them (Nigeria 27 July 2005). According to *Country Reports on Human Rights Practices for 2004*, unlike in previous years, political activists and former Abacha regime opponents were not questioned upon entry or exit to the country at Murtala Mohammed International Airport in Lagos (28 Feb. 2005, Sec. 2.d).

The United Nations High Commissioner for Refugees' (UNHCR) office in Lagos provided the Research Directorate with the following information they obtained from Nigerian authorities:

There are no exit and re-entry regulations for citizens of Nigeria. A Nigerian national who is under no form of incarceration has the right to exit and re-enter the country as frequently as [they like]. The Right to Freedom of Movement is guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (11 Aug. 2005).

A report by the Danish Immigration Service and the British Home Office on their joint fact-finding mission to Nigeria provides the following information on procedures:

Musa Baraya, Acting Comptroller General, Comptroller General of Immigration, Nigerian Immigration Service (NIS), acknowledged that border control - particularly along the borders to the north of the country - was a serious problem. There are official border crossing points but in practice anyone could easily cross at any point. Economic Community of West African States (ECOWAS) agreements provide for free movement with neighbouring countries but there is still a requirement for individuals to have proper travel documentation. NIS, in an effort to tackle the problem of illegal border crossing, has put in place mobile border patrol units on land and introduced air patrols. They have also developed close working relationships with counterparts in neighbouring states and these initiatives are proving to be successful (Denmark Jan. 2005, 65).

Regarding the maximum length of stay to which a non-Nigerian citizen would be entitled, the minister at the Nigeria High Commission explained that non-Nigerians can stay in Nigeria for the time indicated on their visa (27 July 2005). The length of stay depends on the type of visa and its validity period; however, individuals may apply for extensions at any of the immigration offices throughout the country (Nigeria 27 July 2005). The UNHCR reported that a non-Nigerian citizen who is a national of a member state of the Economic Community of West African States (ECOWAS) is allowed to stay

within Nigeria for three months without a visa and may apply for a six-month extension (11 Aug. 2005). However, the extension must be justified and requires the approval of the minister responsible for immigration matters (UNHCR 11 Aug. 2005). The UNHCR also reported that entry and re-entry regulations for non-ECOWAS nationals required them to have a valid visa issued to them while in their country of permanent residence (ibid.). UNHCR also noted that a one-year residence permit may be issued to non-Nigerian nationals and may be renewed as many times as necessary for a fee of approximately US\$200 per renewal (ibid.).

With regard to whether a non-Nigerian citizen would be allowed to work, the minister explained that two types of work permits are available: the Temporary Work Permit (TWP) and the Subject to Regularization (STR) work permit (ibid.). Detailed information on the requirements for obtaining these permits, including the required documentation, is available on the Nigeria High Commission Website at <http://www.nigeriahcottawa.com/consular/obtaining_visa.htm>.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection.

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