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1. SCOPE OF DOCUMENT

1.1. This assessment has been produced by the Country Information & Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2. The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3. The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4. It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.

1.5. An electronic copy of the assessment has been made available to:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the care of Victims of Torture

Refugee Council

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2. GEOGRAPHY

2.1. The Federal Republic of Nigeria currently consists of 36 states and the Federal Capital Territory (FCT) containing the capital Abuja. It is a West African coastal state bordered by Benin to the west, Niger to the north, Chad to the north-east and Cameroon to the south-east. Nigeria is the most populous nation in Africa, the 1991 national census found there to be 88.5 million Nigerians. The current unofficial estimate is over 120 million. Nigeria is a former British colony, and many influences are visible in contemporary Nigeria with English recognised as the official language, although the many tribal based languages remain mother tongue to large sections of the population. [1][2][3]



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3. ECONOMY

3.1. The economy has declined for much of the last three decades. Most of the population of approximately 120 million were rural and engaged in small-scale agriculture. Agriculture accounted for less than 40% of gross domestic product but employed more than 65% of the work force. The agriculture and manufacturing sectors deteriorated considerably during the oil boom decades. The collapse of market agriculture contributed significantly to the country's urbanization and increased unemployment. Much of the nation's wealth continued to be concentrated in the hands of a tiny elite mostly through corruption and non-transparent government contracting practices. During 2000, petroleum accounted for over 98% of the country's export revenues, most of the government's revenues, and almost all foreign investment. During 2000 the economy was static, with growth still impeded by grossly inadequate infrastructure, endemic corruption, and general economic mismanagement. The country's ports, roads, water, and power infrastructure are collapsing. Chronic fuel shortages that have afflicted the country for several years continued to be a problem. Food production has not kept pace with population growth. An estimated two-thirds of the population live in poverty, and are subject to malnutrition and disease. Since the end of military rule in 1999, the Government has made progress in liberalizing the exchange rate regime, reducing controls on the private sector, and increasing expenditures for key social sectors. [3]

3.2. The economy is highly dependent on fluctuations of the oil price; the petroleum sector produces about 40% of GDP, and around half of all government revenue. The economy grew by about 2.7% in 1999 (latest available figures). This was, however, below the rate of population growth, causing GDP per capita to fall to around \$395. Nigeria's external debt is estimated at about \$29 billion, of which approximately \$20 billion is owed to the Paris Club; a group made up of governments who are major creditors to developing countries. Under General Abubakar, some reforms were started, and a Staff Monitored programme was agreed with the IMF (International Monetary Fund). Implementation of this Programme was weak. Nigeria and the IMF approved a new one-year Standby Arrangement on 4 August 2000. In December 2000, Paris Club creditors agreed to reschedule about \$23.4 billion of Nigeria's debt. This agreement came into force in April 2001. Privatisation is a priority. The first tranche of privatisations has now been completed, and work has started on the second and third tranches. [2]

3.3. President Obasanjo has established two panels to investigate uncompleted contracts, and contracts signed in the period January to May 1999. He has also tightened the requirements for oil companies to qualify for oil lifting contracts. [2]



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4. HISTORY

Post-Independence Historical background

4.1. Nigeria achieved independence on 1st October 1960, but with a legacy of regional, ethnic and religious problems that have remained. These have been major factors in Nigeria's experience of military rule, which accounts for 25 out of the 35 years since independence. In this time Nigeria has experienced two elected civilian governments and more recently one unelected predominately civilian "Interim" government. [1]

4.2. During the 8 year tenure of Major-General Ibrahim Babangida - (1985-1993), political activity was unbanned in May 1989 and 2 national political parties were created on 7 October 1989, the Social Democratic Party (SDP) and the National Republican Convention (NRC). The SDP and NRC contested a series of local, state governorship, and federal assembly elections, culminating in a presidential election on 12 June 1993. The presidential election, were believed to have been won by the SDP candidate Chief Moshood Abiola. However, the full results were never announced and the Babangida Government annulled the election. This precipitated a period of political uncertainty that was not dissipated by Babangida's appointment of a short-lived, Interim National Government (ING). This was headed by the businessman Chief Ernest Shonekan but with continuing military influence in the guise of Defence Minister General Sani Abacha. On 17 November 1993 General Abacha ousted the ING and reinstated military rule. [1]

The Abacha Regime

4.3. On 11 June 1994 Chief Moshood Abiola declared himself President, which led to his arrest on 23 June 1994. His trial on charges of treason was repeatedly adjourned and he remained in custody until his death on 7 July 1998. In the aftermath of his arrest, over a hundred pro-democracy activists were arrested in protests centred on the cities of Lagos and Ibadan. [1]

4.4. The Aziza Military Tribunal was established by the PRC in June 1995 to hear in secret evidence concerning an alleged conspiracy to remove the Abacha Government that was "uncovered" in early March. On 14 July it was announced that of the 51 defendants that had been produced before it, 40 had been convicted including two leading political figures, former Head of State retired General Olusegun Obasanjo and retired General Shehu Yar'Adua, a leading member of the National Constitutional Conference (NCC), and previously Obasanjo's deputy. The Tribunal released without charge 8 people including elder statesman Chief Michael A. Akinloye. On 10 October 1995 it was officially confirmed that 43 soldiers and civilians were convicted by the Tribunal and following review by the PRC the 11 death sentences (including that on General Yar'Adua) had been commuted to lengthy prison sentences. The remainder had received sentences ranging from 15 years (including General Obasanjo and Beko Ransome-Kuti, Chairman of the Campaign for Democracy (CD) pressure group) to retirement from the army. The Tribunal was formally dissolved in August 1995. [1][4]

4.5. At the end of October 1995 Kenule Saro-Wiwa and a further eight Ogoni activists were sentenced to death by a special military tribunal on charges of

murder following the killing of some Ogoni chiefs. Six other defendants, including the deputy president of MOSOP were acquitted. On 10 November 1995 the nine convicted Ogonis were executed, which was immediately condemned by the international community and following which Nigeria was suspended from the Commonwealth. [1]

4.6. The first party-based elections since the annulled 1993 presidential elections were held throughout Nigeria on 15 March 1997. There were a number of reports of irregularities. Shortly afterwards Abacha introduced a Decree giving him authority to remove any elected officer. By April 1998 all five legal political parties, probably through a mix of bribery and coercion adopted Abacha as their presidential candidate and the electoral commission accepted this. However, he had not formally accepted the offer to stand in the election before his death. The state assembly elections that took place on 6 December 1997 were marked by a low turnout. As in the local government elections the UNCP were the emphatic winners capturing 637 seats in the 36 states. On 25 April 1998 elections were held for representatives to the two houses of the National Assembly. There was a very low turnout. The United Nigeria Congress Party (UNCP) won more than 70% of the seats in the Senate and House of Assembly. [7][8][9][10][11][14]

4.7. On 21 December 1997 Abacha's second in command General Oladipo Diya was arrested along with others and accused of plotting a coup. On 20 April 1998 it was announced that 16 alleged coup plot suspects had been cleared by the Special Military Tribunal, and released. These included Colonel E M Shoda (former military assistant to General Diya, and Colonel Daniel Akintunde (former military administrator of Ogun State). [12] On 28 April 1998 the Special Military Tribunal passed the sentences and verdicts on the remaining 30 accused persons who had been brought to trial. Six of those accused were sentenced to death, including Lieutenant General Oladipo Diya. Four were sentenced to life in prison, and fourteen were released. The rest were sentenced to prison terms ranging from two to fourteen years. [13]

Death of Abacha and related events up until December 1998

4.8. On 8 June 1998 General Abacha died of natural causes (according to official Nigerian sources). General Abdusalam Abubakar previously the Chief of Defence Staff under Abacha, was appointed as the new head of state by the Provisional Ruling Council. On 12 June 1998 there were demonstrations in Lagos and Ibadan against Abubakar's succession. There were also protests in some other cities. However in the capital Abuja and most of the rest of Nigeria there appeared to be no sign of disturbances. [15][16][17]

4.9. On 16 June 1998 General Abubakar ordered the release of nine high profile detainees including: General Obasanjo, the former head of state, and Dr Beko Ransome-Kuti, the leader of the Campaign for Democracy (CD). [18][19][20] By September 1998 it was estimated that hundreds of political prisoners had been released. [21][57][58][78] The police also withdrew treason charges against 15 pro-democracy activists, including Professor Wole Soyinka and Lt. General Alani Akinrinade as a result of a Federal Government directive. They have all since returned to Nigeria on a visit. Those that have been released or who have had charges against them dropped have been free to participate in the transition to democracy. [22][79]

4.10. Chief Moshood Abiola, died suddenly whilst still in captivity on 7 July 1998. He was taken ill while meeting a visiting U S delegation. Some of his family and supporters claimed he had been murdered. Rioting was reported in several Nigerian cities following the announcement of Abiola's death, including Lagos, Ibadan and Abiola's hometown of Abeokuta. Over 60 people were reported to have died. The situation returned to normal within a few days. Pathologists from Britain, Canada and the United States carried out an independent autopsy on Abiola. The result of the autopsy was released in early August and indicated that Abiola had died of natural causes. In August 1998 Abubakar visited the Abiola family home to pay his condolences to the family. [24][25][26][27][28]

4.11. Amnesty International reported that most of the prisoners, accused of involvement with the 1990, 1995 and 1997 coup attempt, had been released by 31 March 1999. The prisoners, who were reported as still being detained, are Lieutenant Colonel Ibrahim Yakasai, who is accused of involvement in a hit squad, which is implicated in the assassination of Kudirat Abiola amongst others. Retired Trooper Innocent Ofem Anang and retired Lance Corporal Lucky Iviero,

both of whom have had their life sentences commuted to ten years imprisonment. Warrant Officer I Samson Ako Elo and Warrant Officer II Augustine Ogbere, who were among those released, were later re-detained. [120]

4.12. On 20 July 1998, General Abubakar announced a detailed plan leading to the restoration of a democratic civilian government. He created an Independent National Electoral Commission (INEC). INEC announced a timetable for elections beginning with local elections on 5 December 1998. [30] Guidelines announced by INEC were designed to ensure political parties are not based solely in one region. Prospective political parties were invited to register with the INEC for recognition, and twenty-five prospective parties had registered by the deadline of 9 September 1998. [29][31] The deadline was subsequently extended until 16 October 1998. [88] On 19 October 1998 it was announced that nine parties met the requirements to contest the elections. A voter registration exercise was completed in October 1998. [81] On 10 September 1998 a coalition of 12 Nigerian human rights groups including the Civil Liberties Organisation announced the formation of a body to monitor the plan to restore civilian rule - the Transition Monitoring Group (TMG). [32]

4.13. INEC received delegations from the Commonwealth and the United Nations to help it set up and monitor the elections. The Commonwealth Ministerial Action Group (CMAG) held a meeting in London on 8-9 October 1998. CMAG commended the government of General Abubakar for the positive steps it had taken which had already significantly changed the political environment in Nigeria. It welcomed in particular the transition programme and the measures taken to promote human rights and the rule of law. CMAG recommended member states begin to lift sanctions in existence against Nigeria. CMAG decided it would assess the progress of Nigeria again after the presidential elections of 27 February 1999 with a view to making a recommendation to the Heads of Government regarding the full return of Nigeria to the Commonwealth. [89][91] Nigeria's suspension from the Commonwealth was lifted on the 29 May 1999, following the transfer of power to a civilian government. [127][128]

4.14. On 9 September 1998 Twenty Ogoni activists held on suspicion of murdering Ogoni chiefs were released from jail where they had been held without trial since 1994. Justice A C Woryi said their detention without trial had been "unconstitutional, unlawful, illegal null and void". Also released was Mrs Daughter Dilosi, another Ogoni who had been arrested in September 1997. [23] Many prominent political exiles returned to Nigeria after the death of General Abacha, including Ledum Mitee - the leader of the Movement for the Survival of the Ogoni People (MOSOP). [80]

4.15. The Nigerian government invited a United Nations Special Rapporteur-Soli Jehangir Sorabjee to visit the country for the first time to check on the human rights situation. His visit took place in the third week of November 1998. [82] Mr Sorabjee in his report stated that human rights were still violated in Nigeria, and questioned in particular the independence and authority of the judiciary. [83][84] However, he acknowledged the efforts that the Abubakar regime had made in areas relating to the media, electoral reform and its attempts to enforce rule of law, but it highlighted problems relating to women's right, the rights of the child and the continuing problems in the Niger Delta. The UNCHR decided in April 1999 to conclude its consideration of the human rights situation in Nigeria. [129] On 1 November 1998, in recognition of the progress being made towards respect for human rights and the restoration of democratic civilian Government the European Union adopted a new Common Position on Nigeria. This lifted most of the measures which had been in place since 1993 (all visa restrictions; the ban on high level visits; the ban on sporting contracts; the ban on the appointment of European military personnel to diplomatic missions in Nigeria and Nigerian military personnel in the European Union). [36][85][90] On the 31 May 1999, the European Union lifted all remaining sanctions against Nigeria, and has commenced negotiations on the allocation of 330 million euros in development aid, which had been suspended following the executions of nine Ogoni leaders in November 1995. [130]

Investigations into corruption

4.16. Abubakar stated his intention to clamp down on the corruption that is endemic in Nigerian society and government. He said the government has started investigations into the conduct of certain government departments. Many of Abacha's former aides are in detention for misappropriation and embezzlement of state funds. [33][34][35] Abubakar began to investigate claims that billions of

pounds of oil revenues had gone missing under the Abacha administration.

4.17. President Obasanjo's has continued to investigate allegation of corruption and fraud committed under the Abacha regime. An anti-corruption agency has been set up [121], and President Obasanjo has proposed an anti-corruption bill, which has been passed into law. Property belonging to Sani Abacha's family has been confiscated, and efforts made to recover money, believed to have been fraudulently obtained. The Nigerian government believes that a substantial amount of this money has been deposited in foreign Banks, some in the United Kingdom. The Nigerian authorities have also stated that they intend to recover money defrauded by Abacha's family members, by suing them as individuals in foreign court, but it is believed that efforts will be made to settle these claims before they come before a full court hearing. [122][123][124][125][126][186]

4.18. The Nigerian government has recovered \$800 million, which were looted by members of the Abacha regime. The authorities have express its intention to recover more of these funds in the future. [246]

Local elections 5 December 1998

4.19. The local elections were dominated by the People's Democratic Party, which won 459 chairmanship positions and 4, 650 councillor seats. The All People's Party was second and the Alliance for Democracy was the third placed party. All three parties were registered to compete in the next round of elections. International monitors said they were largely satisfied by the voting procedures. [94]

9 January 1999 Governorship elections and House of Assembly elections

4.20. Elections for Governors and members of the House of Assembly took place on 9 January 1999. The People's Democratic Party won the governorship of 20 states, the All People's Party won nine and the Alliance for Democracy won 6. In the State House of Assembly elections the People's Democratic Party again emerged as the largest party. Independent international monitors observed the elections, including some from the Commonwealth. The then Commonwealth Secretary General Emeka Anyaoku commended the conduct of the elections and said he believed they were credible. [95]

4.21. Although the elections generally passed off peacefully, there were a few trouble spots, and elections were delayed in some areas because of violence. [95] In Rivers State the Independent National Electoral Commission declared that the results were inconclusive as no results were received from several wards, and the result received from 11 wards in Port Harcourt was cancelled due to irregularities. [97] A re-run of the elections in these wards were re-run the following Saturday. State elections in Bayelsa State were postponed because of violence but later held peacefully on 30 January. [98]

Parliamentary elections - 20 February 1999

4.22. The national legislative elections took place on 20 February 1999. The People's Democratic Party emerged once again as the biggest party in the parliament, winning the majority of seats in the Senate and the House of Representatives. The Alliance for Democracy came second, and the All People's Party trailed in third place. [99]

4.23. The European Union observer mission to Nigeria expressed satisfaction with the conduct of the parliamentary elections. He commended the dedication of the Independent National Electoral Commission officials, and praised them for the freedom of access to information granted to the observers. There were however reports of irregularities in some areas, which the EU spokesman said did not undermine the credibility of the overall result. [100]

Presidential Elections - 27 February 1999

4.24. Two candidates contested the elections. General Obasanjo, heading the People's Democratic Party won by 63% of the vote, against 37% for Chief Olu Falae, head of a coalition of the Alliance for Democracy and the All People's Party. However there was criticism of the conduct of the elections by Chief Obasanjo's opponent and international observers. The European Union in a statement said

that despite serious irregularities the result "reflects the wish of the Nigerian people". [101] The international observer mission led by Jimmy Carter said that because of the irregularities it was not possible to make an accurate judgement about the outcome of the elections. [102] [114] The president elect General Obasanjo was a former military ruler, who handed power to an elected president in 1979. [103]

Events since the election of President Obasanjo

4.25. Olusegun Obasanjo was sworn-in as president on 29 May 1999. Among his first act as president was to suspend all recent commercial contracts agreed by the previous military regime, pending a review by a panel appointed for this purpose. Lucrative oil contracts were included within these contracts. [131][132] [133] On 5 June 1999 President Obasanjo created a panel to investigate human rights abuses (The Human Rights Violations Investigation Committee, or "Oputa Panel") between January 1960 and 28 May 1999, and to identify those responsible. The panel received over 10,000 complaints, including about 8,000 from the Ogoni community in the Niger Delta. Public hearings started in October 2000, and have been held in Abuja, Lagos and the Niger Delta. Hearings have also been held in Enugu in the South-West and Kano in the North. [2][3] On 29 June 1999 President Obasanjo abolished the Petroleum Trust Fund, a body which had been tasked with allocating the revenue from oil production, as he believed that it was irrelevant within a constitutional framework. [135] All military officers, who held political posts between 1985 and 1999 were retired on 10 June 1999, the reason given for this action was to promote professionalism, to protect democracy and to ensure that the armies remained subordinate to the civil authority. It was emphasised that the dismissal of these officers was not meant to imply that they were involved in any wrongdoing. [136] On 10 July 1999 Obasanjo appoint his full cabinet of 49 ministers. He also appointed 12 Special Advisers on 12 July 1999, their role is to advise and assist the president. [138][139][140]

4.26. The prosecution of Hamza al-Mustapha, Mohammed Abacha, Mohammed Rabo Lawal, Lateef Shofalan, Mohammed Aminu and Sergeant Rogers Mshiella for the 1996 murder of Kudirat Abiola has been adjourned repeatedly; defense lawyers for each individual had filed numerous motions for adjournment in the Lagos High Court. The Government continued to investigate and detain former Abacha government officials and family members. These have included former Minister of the Interior Capital Territory Jerry Useni, former National Security Advisor Ismaila Gwarzo, Abacha's wife Maryam, Abacha's son Mohammed, and Colonel Ibrahim Yakasai, for the murder and attempted murders of other prominent pro-democracy activists in Lagos from 1996 to 1998. In 1999 the trial against former Army Chief of Staff Ishaya Bamaiki for the attempted murder in 1996 of Guardian newspaper publisher Alex Ibru began. Hamza al-Mustapha, former Lagos Police Commissioner James Danbaba, and Colonel Yakubu, also were charged in the attempt on Ibru but their trials were pending. All of the defendants were being held at Kiri Kiri maximum-security prison. [3]

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5. HUMAN RIGHTS: INSTRUMENTS OF THE STATE

POLITICAL SYSTEM

5.1. Nigeria is a democratic federal republic. Local, parliamentary and presidential elections have been held, and the handover to the elected civilian president Olusegun Obasanjo took place on 29 May 1999 without incident. The cabinet is nominated by the president; subject to the confirmation of the Senate.

5.2. Although the Constitution allows the free formation of political parties, only three parties were registered with the INEC. The Constitution requires parties to have membership in two-thirds of the country's 36 states. In anticipation of the 2003 election INEC began preparing a draft electoral law for the National Assembly to consider in the next legislative session. Public forums were held during 2000, in all 36 states and the federal capital territory of Abuja to solicit citizens' views on the draft law. Over 10,000 citizens participated in these public fora; however, the draft law was not subject to any real public debate outside of this exercise. The new law is designed to specify the requirements of party formation and registration. [3]

THE CONSTITUTION

5.3. The 1999 Constitution was based closely on the 1979 constitution. Basic political rights are enshrined in Chapter IV of the 1999 Constitution. They include the right to personal liberty, the right to a fair trial, the right to freedom of expression and of the press and the right to dignity of the human person. Under the Abubakar regime in the second half of 1998, the PRC government stopped exercising judicial power and also ceased to deny the courts the authority to review its actions. [3][38][141]

5.4. The 1999 Constitution prohibits torture and the mistreatment of prisoners. The Constitution protects individual rights before the judiciary, including a presumption of innocence, the right to be present, to confront witnesses, to present evidence, and to be represented by legal counsel. However these have been undermined by a lack of respect for the rule of law. [3][37][141]

5.5. The President has set up a Commission to review the Constitution. It holds public hearings around the country and it has now reported to the president. The National Assembly set up a parallel Commission, which is still touring the country taking evidence. [2][264]

THE JUDICIARY

5.6. Under the Constitution, the court system is composed of federal and state trial courts, state appeals courts, the Federal Court of Appeal, and the Federal Supreme Court. There are also Sharia (Islamic) and customary (traditional) courts of appeal for each state and for the federal capital territory (Abuja). The lower courts include magistrate or district courts, customary or traditional courts, Sharia courts, and for some specified cases, the state high courts. The nature of the case usually determines which court has jurisdiction. In principle customary and Shari'a courts have jurisdiction only if both plaintiff and defendant agree.

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However, in practice fear of legal costs, delays, and distance to alternative venues encouraged many litigants to choose the customary and Sharia courts over the regular venues. [3]

5.7. The extension of Sharia law in many northern states has generated a public debate on whether Sharia punishments such as amputation for theft, caning for fornication and public drunkenness constituted "torture or... inhuman or degrading treatment" as stipulated in the Constitution. Caning as a punishment is available under Nigerian common law, the Northern Nigerian Penal Code, and Sharia law and has not been successfully challenged in the court system as a violation of the cruel and inhuman punishment clause of the 1999 Constitution. In March in Zamfara State, Malam Buba Bello Jangebi's hand was amputated after he was convicted of cattle rustling in a Sharia court. Jangebi chose not to appeal his sentence. In September a Sokoto Shar'a court handed down a sentence of amputation for a thief; the sentence had not been carried out by year's end. The first sentence handed down by Zamfara's Sharia courts, was for the caning of a pregnant unwed mother and her boyfriend; both had confessed to fornication. In September Bariya Ibrahim Magazu, a 17-year old-girl, was sentenced to 100 lashes for engaging in fornication and 80 additional lashes for naming in court but not being able to prove who the possible father of the unborn child was. Magazu's sentence was suspended until 3 months after the birth of her child. Her sentence was reduced to 100 lashes and carried out on 19 January 2001, despite the efforts of local NGOs and protest from the international community. In August two motorcycle taxi drivers were caned for carrying Muslim female passengers in violation of the law in Zamfara State. [3]

5.8. Although the expanded Sharia laws technically do not apply to Christians, the Christian minority, especially in Zamfara and Sokoto states, was subjected to many of the social provisions of the law. These include the separation of the sexes in public transportation vehicles, a law that was repealed after two weeks, and in health facilities, the segregation by gender of school children, and bans on the selling of alcohol. [3]

i. Past Practice

5.9. Trials in the regular court system are public and generally respect constitutionally protected individual rights as outlined in the 1979 Constitution. General Abacha formally restored this Constitution on 21 November 1993 and hence it underpinned civil law decisions and a proportion of criminal work. However, the provisions of the 1979 Constitution have been overridden in specific areas by presidential decrees. On 5 September 1994 General Abacha extended these areas with new decrees that affected the judiciary directly. Decree No.11 of 1994 tightened Decree No.2 of 1984 and was itself supplemented by the removal of habeas corpus thereby theoretically enabling the indefinite detention without trial of those deemed a security risk. The retroactive Decree No.12 of 1994 granted the Abacha Government power to promulgate its existing and future decrees without binding judicial scrutiny. [3]

5.10. The State Security (Detention of Persons) Decree No. 2 of 1984 which allowed the government to detain a suspect indefinitely without bringing them to trial has been condemned by international observers, including the U N Working Group on Arbitrary Detention. In 1996 the Working Group declared a number of detentions carried out under the decree to be arbitrary, and requested that the government take steps to remedy the situation. In July 1996 the government announced some amendments to Decree No. 2. A panel was also established to review cases of detention. However the main clause in Decree No. 2 preventing the courts questioning the legality of a detention order remains in place. The Abubakar administration pledged to review Decree 2 and not to make use of it or any other draconian decrees that impinge on the rights of the Nigerian people. This Decree was annulled in May 1999, and there were no reports of Decree 2 being used during General Abubakar period as president, and the Provisional Ruling Council (PRC) repealed it on 28 May. [3]

5.11. Trials in the court system are public and generally respect individual rights written into the constitution, including the right to be present, to present evidence and to be represented by legal counsel. However there is a view that judges can be bribed, and that courts cannot always be relied upon to be impartial. Most prisoners are poor and cannot afford to pay the costs associated with moving their trials forward, and as a result they remain in prison. Wealthier defendants employ numerous delaying tactics and in many cases used financial inducements to persuade judges to grant numerous continuances. This, and similar practices,

clogged the court calendar and delay trials. [3]

ii. Present Position

5.12. Decree 63 of 26 May 1999 repealed many of the decrees that impinged on human rights including Decree 2. [189] The 1999 constitution enshrined basic political rights including the right to a fair trial. [141] President Obasanjo has prepared a code of conduct signed by his ministers and advisors reminding them of the need for probity and accountability in public life. On 10 June 1999 it was reported that all legislation that was not in accordance with the 1999 Constitution and the spirit of democracy had been repealed. On 24 June 1999 a new head of the Civil Service was appointed, and President Obasanjo took the opportunity to remind Civil Servants of the need for impartiality and respect for the rule of law. There have been no reports of interference in the actions of the Judiciary by President Obasanjo's administration. [142][143][144][145]

5.13. President Obasanjo has committed his government to a review of human rights abuse under previous military governments. He has also taken action against those who have been accused of human rights abuses committed during the Abacha regime. Colonel Ibrahim Yakassai has been prosecuted for the killing of pro-democracy activists in Lagos. In November 1999 the case against Hamza-Al-Mustapha, Mohammed Abacha, Mohammed Rabo Lawal, Lateef Shofalan and Mohammed Aminu for the murder of Kudirat Abiola was moved to Lagos High Court. Former Lagos Police Commissioner James Danbaba, General Bamaiyi and Colonel Yakuba have been charged with attempting to murder of Newspaper publisher Alex Ibru on 2 February 1996. Other prominent security officials from the Abacha era are being investigated or have been detained, including Brigade General Ibrahim Sabo former Director of Military Intelligence, who has been detained because of his suspect involvement in the torture of people while working for the Abacha regime. [3][245]

5.14. The controversial Decree 33 of 1990 remains in operation, this decree allows for the detention of a Nigerian who has brought the country into disrepute. This decree is aimed at those who traffick in illicit drugs, and such cases are subject to Judicial oversight. However, this decree allows for the detention of people, who may have already completed a sentence abroad, upon their return to Nigeria. This measure is a response to the serious drug trafficking problem that exists in Nigeria. The problem of the illicit drug trade, is one that the Nigerian authorities are attempting to address. [5][6]

LEGAL RIGHTS/DETENTION

5.15. Police and security forces are empowered to make arrests without warrants if they believed that there was reason to suspect that a person had committed an offense; they often abused this power. Under the Fundamental Rights Enforcement Procedures Rules of the Constitution, police may arrest and detain persons for 24 hours before charging them with an offense. The law requires an arresting officer to inform the accused of charges at the time of arrest and to take the accused persons to a station for processing within a reasonable amount of time. The police are required by law to provide suspects with the opportunity to engage counsel and post bail. However, they generally do not adhere to legal procedures. Suspects have often been detained without being informed of the charges, denied access to counsel and family members, and denied the opportunity to post bail for bailable offences. There was no functioning system of bail, so many suspects were held in investigative detention. Numerous suspects alleged that police demanded payment before they were taken to court to have their cases heard. If family members attend court proceedings, police demands an additional payment. [3]

5.16. Police and security forces continued the practice of placing relatives and friends of wanted suspects in detention without criminal charge to induce suspects to surrender to arrest, although this was done much less frequently than under previous military regimes. There were calls by human rights groups for the police to end the practice. [3]

5.17. The Government repealed the State Security (Detention of Persons) Decree of 1984 (Decree 2), which allowed for prolonged arbitrary detention without charge. However, the police and security forces continued to use arbitrary arrest and detention. Prolonged pretrial detention remains a major problem. The judiciary is subject to political influence, and is hampered by corruption and

inefficiency. [3]

5.18. The Internal Affairs Minister Sunday Afolabi in a visit to Ekuje on 6 July 1999 acknowledged the delay in court hearings, and the importance of prison reform. However, prison conditions remain poor, and corruption and neglect are common. The Obasanjo government has embarked on a program of prison reforms. [145][146][147][190]

THE SECURITY SERVICES

5.19. The Federal Nigeria Police Force (NPF) is tasked with law enforcement. The Constitution prohibits local and state police forces. Internal security is the duty of the State Security Service (SSS). The SSS's profile has declined under the Obasanjo regime. Until the advent of the civilian administration in May 1999, special paramilitary anticrime squads called "Rapid Response Teams" operated in every state. Under Obasanjo the military personnel dispatched to these units returned to their barracks, but the units remained intact in most states, staffed by regular policemen and with a reduced role and a less menacing presence. The Obasanjo Government lessened its reliance on the army to quell internal disorder. The degree of civilian control over the Rapid Response Teams and the national police force has expanded since the return to civilian rule. Despite these new controls, members of the security forces, including the police, anti-crime squads, and the armed forces are still accused of committing serious human rights abuses. [3]

5.20. Multinational oil companies and Nigerian oil producing companies subcontract police and soldiers from area units particularly to protect the oil facilities in the volatile Niger Delta region. Local youths claimed that these "militias" engaged in extrajudicial killings and other human rights abuses, in some cases with the support of foreign oil companies. [3] There have been calls from states in the South for state controlled police forces, as opposed to the present federal controlled system, the reason given was that improved security would increase investors confidence. However, this could also reflect a desire to set up police forces loyal to the local area. [247]

5.21. The army peacefully transferred power to a civilian government on 29 May 1999. One hundred and fifty Senior officers, who held post under the military regime, have been obliged to retire from military service. President Obasanjo has attempted to maintain good relations with the military, citing the need for improved barracks in his speech on taking office, and attending a dinner for retiring military officers. In a speech at the National War College on 24 July 1999, President Obasanjo described the military as being one of Nigeria most important institutions, with a duty to defend the country and serve the nation. On 17 August 1999 the Defence Minister Theophilus Danjuma stated that the government wish to reform and re-structure the army. President Obasanjo has also announced his intention to reform and re-professionalise the armed forces. The international community is assisting with this especially in peacekeeping training. [148][149][150][151][154]

POLICE

5.22. Abubakar attempted to look into the issue of how police powers are exercised. A seminar aimed at finding solutions to conflicts that arise from the exercise of police powers and the protection of fundamental rights of the citizen took place in Abuja at the end of July 1998. It was organised by the Constitutional Rights Project, the National Human Rights Commission and the Nigerian Police. The seminar emphasised the importance of curtailing police excesses on crowd control, checkpoints and police stations. [41] In September 1998 Abubakar ordered the compulsory retirement of 10 top police officers for misconduct. Fifteen other officers were also retired. The Office of the Inspector General of Police said those compulsorily retired had earlier faced a disciplinary committee that had recommended them for immediate retirement. [42]

5.23. The United Nations report of 14 January 1999, praised the ending of Operation Sweep, a controversial military operation set up to deal with crime in Lagos. [129] A Rapid Response Squad has replaced this, these are police units dealing with the growing problem of gang related crime. There has been an increase in criminal activity countrywide, following the return to civilian rule and the withdrawal of military unit from law enforcement duties. [152][153]

5.24. Vigilante groups such as the OPC are common. This may reflect the mistrust that society at large has in the police. Most of these groups are also linked to tribal or ethnic groups, and this adds a political and ethnic dimension to their activities (see section on OPC). In Anambra State, the state government supported the extrajudicial activities of the vigilante group known as the Bakassi Boys, although they have recently arrested some members. Like most vigilante groups, the Bakassi Boys kill suspected criminals rather than turn them over to police; however, in some cases, the Bakassi Boys have chosen to cut off the hands or arms of perpetrators, rather than killing them outright. They also were accused of harassing and threatening political opponents of the state government. [3] The leader of this group Gilbert Okoyo was arrested in March 2001 in connection with the death of a police officer. [248]

5.25. Nationwide there has been an increased in crime. In Lagos in particular, there has been a serious breakdown in law and order. There have been frequent clashes between the police and armed criminal gangs involved in robbery and car thefts. There have been reports that a number of soldiers maybe involved in crime, and the availability of weapons has also contributed to this increase. The police have been accused of being heavy handed in their response, it has been reported that the police were responsible for the deaths of 387 people in Lagos last year. However, between August 2000 and May 2001, criminals killed 273 civilians in Lagos, and within the same period, 84 policemen were killed and 133 injured. The perceived inability of the police to deal with this violence, has encouraged the formation of vigilante groups, in Lagos and elsewhere, who have been responsible for the murder of a number of suspected criminals. [192][193][194]

5.26. The police are widely seen as being indisciplined, badly trained and poorly led, and unable to deal with the level of violent crime that they have to face. This may in part be due to low moral, due to under-investment and neglect during the period of military rule. There have been local attempts to address these problems, by a more open approach to the general public, better training, and the use of appropriate equipment when dealing with crime, for example the issuing of rubber bullets to quell riots. In August 2001 President Obasanjo held a high-level meeting on national security involving the army, police and state governors who had been calling for the setting up of vigilantes to take up the fight against crime. [192][193][194]

5.27. In May 2000, the government announced that it would recruit 40,000 new police officer, and undertake a fundamental reform of the police, but there have been few improvements, and police numbers per head of population remain very low. This in turn has hindered the police's ability to investigate crime, and this, together with other social factors, has increased the level of lawlessness. The Nigerian Government is committed to improving the effectiveness of the police, and has announced plans to restructure the force in an effort to prevent violent crime, and to attract foreign investment. In August 2001 the transport minister announced that a bill to increase police numbers from about 138,000 to 210,000 would be put before parliament. Training, rehabilitation of run down police barracks and better equipment and pay would be part of the reform plans. [192][193][194][195]

5.28. There are also reliable reports that some police officers have been involved in violent crime. In April 2001 three police were sentenced to death for their part in the robbery and murder of bus passengers at an illegal roadblock. Poor discipline, pay and conditions are sighted as reasons for these crimes, but where they have come to light the Nigerian authorities have investigated, and where possible instigated criminal proceedings. [195][196]

PRISON CONDITIONS

5.29. Conditions in prisons remained harsh and life threatening. Most prisons were built 70 to 80 years ago and lack functioning basic facilities. Lack of potable water, inadequate sewage facilities, and severe overcrowding resulted in unhealthy and dangerous sanitary conditions. Disease is pervasive, and chronic shortages of medical supplies were reported. Prison inmates were allowed outside their cells for recreation or exercise only irregularly and many inmates had to provide their own food. Only those with money or whose relatives brought food regularly had sufficient food; petty corruption among prison officials made it difficult for money provided for food to reach prisoners. Poor inmates often relied on handouts from others to survive. Beds or mattresses were not provided to many

inmates, forcing them to sleep on concrete floors, often without a blanket. Prison officials, police, and security forces often denied inmates food and medical treatment as a form of punishment or to extort money from them. Harsh conditions and denial of proper medical treatment contributed to the deaths in detention of numerous prisoners. A human rights organization estimated in 1999 that at least one inmate died per day in the Kiri Kiri prison in Lagos alone. According to the same nongovernmental organization (NGO), dead inmates promptly are buried in mass graves on the prison compounds, usually without their families having been notified. A nationwide estimate of the number of inmates who die daily in the country's prisons is difficult to obtain because of poor (if not non-existent) record keeping by prison officials. A number of NGO's alleged that prison conditions were worse in rural areas than in urban districts. In practice women and juveniles are held with males, especially in rural areas. The extent of abuse in these conditions is unknown. [3][26][43]

5.30. Lengthy pre-trial detention remained a serious problem. According to the Constitution, persons charged with offenses have the right to an expeditious trial; however, in practice this right was not respected. Serious backlogs, endemic corruption, and undue political influence continued to hamper the judicial system. Estimates of the percentage of pretrial detainees held without charge in the prison population range from 33% to 65 % of the estimated 44-47,000 detainees. Many prisons held 200% to 300% more persons than they were designed to hold, and many of the pretrial detainees held without charge had been detained for periods far longer than the maximum allowable sentence for the crimes for which they were being held. Police cited their inability to securely transport detainees to trial on their scheduled trial dates as one reason why so many of the detainees were denied a trial. [3]

5.31. The Government acknowledged the problem of overcrowding as the main cause of the harsh conditions common in the prison system. According to government sources, approximately 45,000 inmates were held in a system of 148 prisons (and 83 satellite prisons) with a maximum designed capacity of 33,348 prisoners. Some human rights groups estimate a higher number of inmates—perhaps as many as 47,000. The Controller-General of prisons estimated that two-thirds of prisoners are detainees awaiting trial who have not been charged) and further admitted that the number of such inmates increased by 83% in the first half of the year. In May the Yobe state Attorney-General and Commissioner for Justice, Alhaji Audu Mohammed Lawson, announced publicly that 287 inmates were awaiting trial and that at least two prisons, in Gashua and Potiskum, were at full capacity. Local officials blamed the lack of functioning police transport vehicles for the overcrowding since the state had no other means to transport prisoners to court securely. [3]

5.32. The authorities have attempted to ease congestion in some smaller prisons. For example, in honor of the Eid-El-Kabir holiday in March 2000, the Governor of Kano State released 159 prisoners, 52 of whom were pretrial detainees held without charge. Those released also were provided with travel funds to return to their homes. In September 2000, President Obasanjo directed the Ministry of Justice to create a judicial administration committee to address the questions of overcrowding, prison conditions, and rehabilitation. Throughout the year, the Government allowed both international and domestic NGO's occasional access to prisons; however, it did not allow them continuous access to all prisons. Prisoners Rehabilitation and Welfare Action and the International Committee of the Red Cross (ICRC) have regular access to the prisons and publish newsletters on their work. The Government admits that there are problems with its incarceration and rehabilitation programs and worked with groups such as these to address those problems. However, groups such as Rotary International report difficulties at the local level in gaining access to prisons and jails to do rehabilitation programs. [3] In September 2000 the authorities state that they would set up a Judicial Committee on prison congestion, and that they intended to introduce a phased reform program addressing issues relating to, education, health, prison building and accommodation. In November the Nigerian authorities re-affirmed their commitment to reforms, and announced that funds had been provided for this purpose. However, the sum needed to address this problem is estimated to be 17 billion Naira, and for this reason it can only be funded over an extended period. [249][250]

HEALTH AND SOCIAL WELFARE

5.33. The low national income per capita of Nigeria has impeded adherence to the economic and social aspects of the Covenant on Economic Social and Cultural

Rights. Indeed the socio-economic structure of education, social services, health and environmental programmes has deteriorated since its ratification by the Nigerian Government in July 1993. Illiteracy, malnutrition and inadequate health care continue to affect large sections of the Nigerian population. A high infant mortality of 1,259 per 100,000 live birth has been report for the 1991 to 1997 period. Pollution, neglect, corruption and underdevelopment are also major problems in the Niger Delta region, and these have lead to unrest and resentment of the foreign oil companies working there. [3][129][172]

5.34. There is a Basic Health Service Scheme in Nigeria that aims to provide primary health care for the whole population. However, the quality and provision of care is still dependent on the ability of the patient to pay and long term care may not be covered by this scheme. [1] There is also provision for basic psychiatric care, but it appears to be confined to the major towns. [65][66]

5.35. One of the complaints of Doctors in their four-month strike in late 2000, was the decline in the health service, as well as in their pay and conditions. The erosion of the health service has been attributed to its neglect by the military government. This decline in the health service, has led to many Doctors leaving the country for posts overseas, which in turn has led to problems relating to level of experience, retention of staff and training in the profession. [251][252] There was further industrial action in May and June 2001, because of a perceived failure by the government to address the issues raised in the earlier strike. [67]

5.36. HIV and AIDS are growing problems in Nigeria. The estimation of the population affect is over 5%, or over 2.6 million people. [69][253] [265] President Obasanjo has made tackling AIDS a priority of his government, and has instituted an education and treatment campaign to address this problem. The Nigerian government and voluntary bodies are attempting to address this problem, and in a visit to Nigeria in August 2000, the former US president Clinton announced that funds would be provided to assist in the treatment of AIDS and other health care matters. The government has set up a National Action Committee to look at possible treatments, and increase education and AIDS awareness. [253][254] [255] The Department of International Development is helping with the fight against AIDS/HIV, and will provide funds for this purpose over the next few years. [2]

5.37. The Nigerian authorities have shown a determination to address the AIDS/HIV problem. They have actively sought to obtain appropriate drugs, at affordable prices, subsidise their cost and organise effective treatment programs. However, the scale of the epidemic means that there are many problems to be addressed. [68][69]

5.38. Sickle Cell Anaemia is a very common condition in Nigeria this illness has many complications, the main ones being respiratory and circulation problems. The severity of its symptoms varies from case to case, and it is characterised by acute attacks of ill health and lethargy which are referred to as a "crisis". This condition is usually diagnosed in childhood, often before the sufferer is a year old. This condition can be life threatening, and limit the ability of a patient to lead a normal life. There are provisions for its treatment in Nigeria, but patients are usually expected to meet some of the costs of this care. [1][44]

5.39. Diabetes is also common in Nigeria, there are no reliable statistics regarding its prevalence, but estimates are that 2% of the population have this condition. A larger number may also have this condition, but in these cases it remains undiagnosed. Diabetes is life threatening, and, among other complications, is associated with renal problems and hypertension. Treatments for Diabetes are available, but again this is based on the ability to pay, and the cost can be prohibitive. [256][257]

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6. HUMAN RIGHTS: ACTUAL PRACTICE WITH REGARD TO HUMAN RIGHTS

GENERAL INTRODUCTION

i. The Abacha era: November 1993 - 8 June 1998

6.1 The Abacha period in Nigeria - November 1993 until June 8 1998 was marked by severe human rights abuses. The procedures of the Aziza Special Military Tribunal investigating the alleged March 1995 conspiracy contravened most rights of a defendant and fair trial standards enshrined in the Constitution and international obligations. Likewise the seven person Special Military Tribunal set up to try the 26 people who were brought to trial for their alleged part in the December 1997 coup plot contravened most rights enshrined in the constitution. The Tribunal was headed by army General Victor Malu rather than a judge and was held behind closed doors.

6.2 The Auta Tribunal hearings into the death of 4 Ogoni tribal leaders in May 1994, violated many judicial principles and culminated in the arbitrary execution of 9 Ogonis, including Ken Saro-Wiwa. A UN General Assembly resolution condemning, in particular, these executions after a flawed judicial process and urging a return to democratic rule in Nigeria was adopted in December 1995. [45] [46]

ii. Abubakar era

6.3. General Abubakar took several steps to improve the poor human rights record in Nigeria. 7 He released most of the political prisoners in Nigeria, including leading pro-democracy and human rights activists Dr Frederick Fasehun who is the Acting Chairman for the Campaign for Democracy and Chief Olu Falae a leading member of the National Democratic Coalition (NADECO).

6.4. Many of those released had been held without charge or trial under the State Security (Detention of Persons) Decree, No. 2 of 1984. Three others had been arrested following pro-democracy protests in May 1998, Olisa Agbakoba, a human rights lawyer who was involved with the United Action for Democracy, Chief Ayo Opatokun, a lawyer and NADECO Secretary General and Olusegun Maiyegun, a leading member of the Committee for the Defence of Human Rights and the Campaign for Democracy. [47] [48]

6.5. In early September 1998 the 20 Ogoni political prisoners who had been in detention since 1994 for the murder of 4 Ogoni chiefs (the same charges as the late Ken Saro-Wiwa) were released after a High Court judge in Port Harcourt dropped all the charges. Their release was unconditional. [49] In March 1999 it was announced that most of the coup plotters imprisoned after unfair trials would be released. These included those imprisoned after the 1990, 1995 and 1997 coup plots, and most of these were released in late March. [93] On 17 September 1998, it was announced that treason charges against fifteen of those accused of involvement in the 1995-7 bomb attacks had been dropped. Amongst those against who charges have been dropped are Professor Wole Soyinka, Chief Anthony Enahoro, Lt. General (rtd) Alani Akinrinade and Dr Amos Akingbe. They have since returned to Nigeria for various periods. [50]

iii. Current human rights situation

6.6. President Obasanjo created a panel to investigate human rights abuses between January 1966 and 28 May 1999, and to identify the people responsible. The panel has been sworn in under Justice Oputa, and has received approximately 11000 petitions. The panel has held public hearings throughout the country. [2][134][191] President Obasanjo has recently appeared before this panel to assist with questions regarding his presidency during the 1970's. Other former military rulers have shown little regard for this body, and have failed to appear when summoned. The present Nigerian authorities appear to respect the intentions of the panel, and to co-operate with it. [92]



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7.HUMAN RIGHTS: GENERAL ASSESSMENT

SECURITY SITUATION

7.1. Nigeria is a major regional power, and as such is a prominent member of the Economic Community of West African States and contributes a large military contingent to its monitoring force in Liberia and Sierra Leone (ECOMOG). There is a longstanding dispute with the Cameroon over the Bakassi peninsula, which lies to the extreme south of their shared border. The issue is currently before the International Court of Justice in The Hague. [1][51]

7.2. During General Abubakar time as Head of State the security situation improved, as the programme for transition to civilian rule started. The main exceptions were in some areas of the Niger Delta where disaffected Ijaw youths have become more militant in their demands for a share of the area's oil wealth. [3] Unrest in the Niger Delta still continues under the civilian government, and efforts to address this by legislation have met with little success. The Niger Delta Development Commission. Has now been established. [137]

FREEDOM OF ASSEMBLY/OPINION

i. The situation under General Abacha 17 November 1983 - June 8 1998

7.3. Nigeria has acceded to the International Covenant on Civil and Political Rights. However political activity was proscribed by the PRC on 18 November 1993. Political debate was sanctioned within the forum of the NCC from its inauguration in June 1994. However during Abacha's period these rights were not respected, political activity was curtailed, and pro-democracy activists were detained. [52][53][54]

ii. The situation under General Abubakar 9 June 1998-29 May 1999

7.4. General Abubakar set Nigeria on the path to transition from military dictatorship to a civilian government. Prospective political parties were invited to register with the INEC for recognition. Nine parties fulfilled the criteria for registration. Guidelines announced by the INEC were designed to ensure political parties were not based solely in one region. [55] Parties were not allowed to form along tribal lines. Some of the new parties that have been formed include former Abacha supporters and associates, such as the All People's Party. [56]

7.5. Local, parliamentary and presidential elections went ahead as planned. Although there were reports by international monitors of some irregularities, they concluded that the results reflected the wishes of the Nigerian people. General Obasanjo was inaugurated president on 29 May 1999. [95][96][97][98][99][100][101][102][103]

7.6. In June 1998 Abubakar released the trade union leaders imprisoned by Abacha. In August 1998 he repealed decrees which had prevented Trade Unions from striking or organising on a national level which had been passed in 1994. The new decree signed by Abubakar also gave a legal backing to the reconstitution of

the Academic Staff Union of Universities, which had been banned in 1996. The government also abrogated the decrees outlawing the Nigeria Labour Congress (NLC) which had been passed by Abacha, the National Union of Petroleum and Natural Gas Workers and Petroleum and Natural Gas Senior Staff Association of Nigeria. [59][60]

iii. The present situation

7.7. The Constitution provides the right to assemble freely and associate with other persons, and to form or belong to any trade union or other association for the protection of their interests. However, several statutory restrictions on the right of association and on trade unions remained in effect despite repeals of parts of the military-era anti-labour decrees. Only a single central labour federation (the Nigerian Labour Congress) is permitted, and the Government recognizes only 29 trade unions. Trade unions must be registered formally by the Federal Government, and a minimum of 50 workers is required to form a trade union. Non-management members of senior staff are prevented from joining trade unions, and senior staff associations are denied a seat on the National Labour Advisory Council. The International Labour Organisation (ILO) Committee of Experts has repeatedly cited several of these restrictions; however, the Government had not addressed these problems by year's end. Workers, except members of the armed forces and employees designated as essential by the Government, may join trade unions. Essential workers include members of the armed forces and government employees in the police, customs, immigration, prisons, federal mint, central bank, and telecommunications sectors. Employees working in a designated export-processing zone may not join a union until 10 years after the start-up of the enterprise. [3]

7.8. In August 2000 the Government decertified the maritime workers union on the grounds that the union had not scheduled internal elections in accordance with its charter's requirement. In September the Government issued directives requiring maritime workers to register with specific contracting firms. As a result this historically powerful union was weakened; however, it continued to challenge the Government's action during the year. [3]

7.9. Workers have the right to strike; however, certain essential workers are required to provide advance notice of a strike. Essential services being defined, as including banking, postal services, transportation, firefighting, public health, and utilities. There were several strikes throughout 2000. The most important strike occurred in June 2000, following a government decision to increase fuel prices by 50 %. The Nigerian Labour Congress (NLC) called a general strike that was widely observed, resulting in significant economic disruption. Following negotiations, the fuel price increase was reduced. The strike action damaged relations between the NLC and the Government. The oil worker unions National Union of Petroleum and Natural Gas Workers (NUPENG) and the Petroleum and Natural Gas Senior Staff Association of Nigeria (Pengassan) successfully went on strike in September over wages in order to force oil marketing companies to negotiate. The oil workers' wage demands were triggered in part by the Government's announcement of public sector salary increases in May 2000. The oil worker unions also called wildcat strikes over issues including the firing of one company's tanker truck drivers who sought to affiliate with NUPENG, and, the raiding of a NUPENG office during civil unrest in the Delta. Academic and teacher unions went on strike several times during the year over nonpayment of wages and poor working conditions, as did doctors in Ibadan. [3] On 14 December 2000 the Nigeria's National Association of Resident Doctors ended a four-month strike after officials pledged to meet its demands. The doctors started their action on 13 September to demand higher pay, welfare packages and better working conditions. The strike paralysed activities in several government-owned hospitals. [251][252]

7.10. In July 2000 Lagos public sector workers went on strike to protest the state government's refusal to pay a higher minimum wage. On 5 July the protests turned violent when police used tear gas to disperse workers demonstrating outside of the Lagos State Secretariat complex. One person reportedly died in the violence, although the reason for the death was unclear. The workers accepted a compromise package offered by the state; however, the local union leadership continued to press for more pay at year's end. [3]

7.11. There are no laws prohibiting retribution against strikers and strike leaders, but strikers who believe that they are victims of unfair retribution may submit their cases to the Industrial Arbitration Panel (IAP) with prior approval of the Labour

Ministry. The IAP's decisions are binding on all parties but may be appealed to the Nigerian Industrial Court (NIC). Union representatives have described the arbitration process as cumbersome and time consuming and as an ineffective deterrent to retribution against strikers. The NLC and labour unions are free to affiliate with international bodies; however, prior approval from the Minister is required. The NLC has affiliated with the Organization of African Trade Unions. [3]

7.12. The Constitution provides for the right to associate freely with other persons in political parties, trade unions, or special interest associations, and the Government generally respected this right in practice. However, there were exceptions during the year 2000. In July Lagos state police used tear gas to disperse a demonstration by striking public sector workers. One person died from the violence. On 13 April 2000, Lagos State police prevented approximately 1,000 members of the Movement for the Actualization of Sovereign State of Biafra from staging a rally and raising the Biafran flag. [3]

MEDIA FREEDOM

i. The situation under Abacha -November 1993- 8 June 1998

7.13. Nigeria has a long tradition of a vibrant and independently minded press. The Abacha administration cracked down on those involved with reporting which was critical of the regime. This resulted in the arrest and detention of a number of journalists, particularly those perceived to have written anything critical of Abacha. Hence high profile journalists or editors critical of the Abacha or the government, or overtly political in the content of their work may have faced harassment and persecution during the Abacha era. [61]

ii. The situation under General Abubakar 9 June 1998-29 May 1999

7.14. General Abubakar released most political prisoners who had been detained under the Abacha regime, including the journalists Chris Anyanwu, Ben Charles Obi, George Mbah and Kunle Ajibade. In March 1999 the Diet editor Niran Malaolu was freed. [93] The press generally operated with fewer restrictions, and without the intimidation that characterised Abacha's rule. However there were still some minor incidents of harassment of the press during Abubakar regime. [87][115]

iii. The situation under the present government

7.15. The present civilian government has introduced a bill to abolish the 1962 official secrets act, which severely curtails press freedom, and has called for the responsible use of press freedom. [160][161] The press remains active and is able to freely investigate and report, for example, the News magazine recently exposed the speaker of the Nigerian House of Representatives Mr Ibrahim Salisu Buhari as being unqualified for his position, and as a result he resigned on 22 July 2000. This is one example of the press being permitted to investigate politicians. [162][163]

7.16. The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights; however, there were problems in some areas. Although there is a large and vibrant private domestic press that is frequently critical of the Government, the Government also owns or controls many publications. [3]

7.17. On May 26, 1999, in the last days of Abubakar regime, Decree 60 was signed into law and created the Nigerian Press Council which was charged with the enforcement of professional ethics and the sanctioning of journalists who violated these ethics. The Nigerian Press Council immediately was criticized by the media as "an undisguised instrument of censorship and an unacceptable interference with the freedom of the press." Decree 60 attempted to put control of the practice of journalism into the hands of a body of journalists who were appointed by and received payment from the Government. [3]

7.18. In 1999 the NUJ, the professional association of all Nigerian journalists, and the Newspaper Proprietors Association of Nigeria (NPAN) rejected the creation of the Press Council. The NPAN called the decree unconstitutional and a violation of press freedom, because there were already enough laws concerning the operation of the press. The decree, which virtually made members of the council employees

of the Government, also contained a number of provisions inimical to the operation of a free press. Among other provisions, Decree 60 gave the Press Council the power to accredit and register journalists and the power to suspend journalists from practicing. Decree 60, required that publications be registered by the council annually through a system entitled "Documentation of Newspapers." In applying for registration, publishers were expected to submit their mission statements and objectives and could be denied registration if their objectives failed to satisfy the Council. The penalties for practicing without meeting the Council's standards were a fine of 250,000 Naira or imprisonment for a term not to exceed 3 years. The decree also empowered the Council to approve a code of professional and ethical conduct to guide the press and to ensure compliance by journalists. Under the decree, publishers were expected to send a report of the performance of their publications to the Council; failure to do so was an offense that carried a fine of 100,000 Naira. The council has not yet begun operating, but it maybe introduced at some future date, and many journalists see the existence of such a decree as a significant limitation on freedom of the press. The Nigerian Press Council (NPC) continued after Obasanjo's inauguration, and in 1999 former Minister of Information Dapo Sarumi expressed the view of the new civilian Government that the council would continue to operate, and said, "It is in line with journalists' demands." [3]

7.19. During 2000, there were cases of threats against and attacks on the press. In January police beat, arrested and detained Igha Oghole, a journalist with Radio Benue, Makurdi, after he insisted on conducting a scheduled interview with the police commissioner rather than interviewing his subordinate. In March 2000, 50-armed policemen entered the International Press Center (IPC) in Ogba, Lagos and arrested 4 journalists who they held for 5 hours and then released without charge. The police subsequently claimed that the attack was not directed at journalists but was to find members of a militant faction of the OPC, who had engaged in battles with the police. The police claimed that they were acting on information that militant members of the OPC were planning to address a press conference at the center. In March members of the NPF seized most of the print run of the 4 March 2000 edition of the Kaduna-based newspaper Today as well as its Hausa language affiliate newspaper, Ayaqu, and sealed off their offices. The police justified their action on the grounds that the publications carried headlines that could have engendered violence in the Sharia dispute. [3]

7.20. On 4 April 2000, an armed detachment of SSS sealed off for several hours the premises of Leaders and Company, the publishers of This Day newspaper in order to search the grounds for what the Government described as "subversive and incriminating documents" and to arrest the editor-in-chief, Nduka Obaigbena. Obaigbena was not on the premises at the time and was not arrested. The charges against him were dropped 1 week later, but Obaigbena was told to cease investigations of Obasanjo's national security adviser, Aliyu Gusau. In August police and security agents again sealed off the premises of This Day newspaper and ordered the staff to leave the premises. [3]

7.21. State governments have also threatened and detained journalists who have criticized their policies. According to the country's Media Rights Agenda, since May 1999 there were nine cases of arrests and detentions of journalists and vendors; state security personnel were the perpetrators in all of these incidents. In March Ebonyi state police detained two journalists with the Ebonyi Times, Emmanuel Okike-ogah and Ogbonaya Okorie, for publishing what the State Government described as "seditious articles in an unregistered newspaper." The articles claimed that the governor of Ebonyi State had bribed state legislators into approving a list of commissioners. Also in March, police in Aba, Abia state, arrested and detained Ademola Adegbamigbe of The News magazine, and a professional photographer who Adegbamigbe had hired to assist him, while covering the civil violence following the introduction of Sharia law in the north. On March 2 in Kaduna State, police raided the offices of the Nigerian Tribune in Ibadan after the publication of an article on Islamic law, and Zamfara State seized copies of the Nigerian Tribune, the Guardian, and Vanguard after they published articles critical on Sharia law. [3]

7.22. In January 2000, in Abuja, FCT police accompanied Yusuf Mamman, an Alliance for Democracy (AD) faction leader, to the AD headquarters in Abuja to prevent a rival faction leader, Adamu Song, from holding a press conference. Police attempted to seize the videocamera of an Africa Independence Television cameraman and the digital camera of a "This Day" newspaperman. Mamman asked police to arrest Song for "invading" AD offices; however, they failed to do so following the press conference. Police routinely are involved in political disputes under the guise of breach of the peace or assault. Nothing was ever done about

the potentially improper use of the police in this case. [3]

7.23. There are two national, government-owned daily newspapers in English, the New Nigerian and the Daily Times. The New Nigerian publishes an additional Hausa edition. Several states own daily or weekly newspapers that also are published in English. They tend to be poorly produced, have limited circulation, and require large state subsidies to continue operating. Several private newspapers and magazines have begun publication since the inauguration of the civilian government. Five major daily newspapers, one newsmagazine, and several sensational evening newspapers and tabloid publications had begun publication at year's end. [3]

7.24. Journalists and editors of state media reportedly no longer fear suspension for their editorial decisions, although some self-censorship lingered. State broadcasters and journalists remain important tools for civilian governors; these officials use the state-owned media to showcase the state's accomplishments and to stress the extent to which their states are in political accord with the Government. [3]

7.25. Since the May 1999 elections, foreign journalists who sought to enter the country to cover political developments generally have been able to obtain visas, and many of the obstacles that previously frustrated foreign journalists were removed. Officials within the Ministry of Information became more accommodating to requests from foreign journalists. [3]

Television and radio

7.26. As newspapers and television are relatively expensive and literacy is not universal, radio remains the most important medium of mass communication and information. There is a national radio broadcaster, the Federal Radio Corporation of Nigeria, which broadcasts in English, Hausa, Yoruba, Igbo, and other languages. Fifty-one state radio stations broadcast in English and local languages. For many years, the Government prohibited nationwide private radio broadcasting, but the Abacha regime granted broadcasting rights to local and regional private radio stations in 1994. There were six private radio stations operating at the beginning of the year. Several of these stations continue to struggle with financial difficulties, including Raypower FM, which ceased operations in September. The National Broadcasting Commission (NBC) issued no new private radio licenses during 2000. Ten applications are still awaiting NBC approval at year's end. [3]

7.27. The National Television Station, NTA, is federally owned, while 30 states also operate television stations. There are nine privately owned television stations that broadcast domestic news and political commentary. There are two private satellite television services. The 1993 Press Law requires local television stations to limit programming from other countries to 40 %. The 1993 Press Law also restricts the foreign content of satellite broadcasting to 20%, but the Government does not restrict access to, or reception of, international cable or satellite television. The Government did not restrict Internet access, although unreliable and costly digital telephone service limited access and hindered service providers. All Internet service providers were privately owned. [3]

7.28. In October 1999, the NBC, in cooperation with the Information Ministry, revoked the licenses of 20 private radio and television broadcasters for nonpayment of license fees. The Director General of NBC cited Decree 38 of 1992, which mandates the commission to revoke a license where the prescribed fee was not paid on the due date. Several major domestic broadcasters as well as affiliates of international broadcasters such as Voice of America and the British Broadcasting Corporation were among those affected. They were reported to owe a total of 70 million Naira. All 20 of the broadcasters paid the delinquent fees and continued broadcasting. While private television and radio broadcasters remained economically viable on advertising revenues alone, despite the restrictions that the Government imposed on them, government-sponsored broadcasters complained that government funding and advertising were inadequate for their needs. [3]

7.29. The Political Parties Registration and Activities Decree No 35 of 1998 was passed to ensure equal allocation of time and similarity of subject matter in political broadcasts by registered parties leading up to and during the period of the elections during the transition process. All stations were directed to set up a complaints committee to examine complaints and appeals from political parties.

[105]

FREEDOM OF RELIGION

7.30. The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance. However, the Government restricted these rights in practice in certain respects, but only to maintain order, for example where a religious meeting may cause unrest. [3]

7.31. The Constitution prohibits state and local governments from adopting an official religion; however, it also provides that states may elect to use Islamic (Sharia) customary law and courts. About half of the population is Muslim, mostly living in the north of the country, about 40% Christian, mostly living in the south of the country, and about 10% practice traditional indigenous religion or no religion. Since independence, the jurisdiction of Sharia courts has been limited to family or personal law cases involving Muslims, or to civil disputes between Muslims and non-Muslims who consent to the courts' jurisdiction. However, the Constitution states that a Sharia court of appeal may exercise "such other jurisdiction as may be conferred upon it by the law of the State." Some states have interpreted this language as granting them the right to expand the jurisdiction of existing Sharia courts to include criminal matters. Christians have alleged that, the adoption of an expanded Sharia law in several states, the continued use of state funds to fund the construction of mosques, teaching of Alkalis (Muslim judges), and pilgrimages to Mecca (Hajj), Islam has been adopted as the de facto state religion of several northern states. However, state funds also are been used to fund Christian pilgrimages to Jerusalem. In general states with a clear Christian or Muslim majority explicitly favor the majority faith. This is also the case in transaction between individuals and the local government, such as the awarding of contracts for example. There have also been accusations of that religious minorities in some States have been denied access to services and police protection in the areas where they live. The Constitution permits the Federal Government to establish a Federal Sharia Court of Appeal, but it has yet to established such court. [3]

7.32. The Government continued to enforce a ban on the existence of religious organizations on campuses of primary schools, although individual students retain the right to practice their religion in recognized places of worship. Many states allow the teaching of Koranic or Biblical knowledge in primary and secondary schools; however, in almost all states with religious minorities, there are reports that students are forced to take classes that violate their religious principles. Islam is a mandatory part of the curriculum in public schools in Zamfara and other northern states, to the exclusion of Christianity. State authorities claim that students are permitted to decline to attend these classes or to request a teacher of their own religion to provide alternative instruction. In practice the dominant religion of the state is taught in the school, and students cannot use these other mechanisms. There are reports that Christianity is taught in the same manner in Enugu and Edo states, and that Muslim students cannot access Koranic teaching in the public schools. [3]

7.33. Traditional religious beliefs are widespread in Nigeria, some of these are described as witchcraft or Ju-Ju. Nigerians are generally free to follows these traditional beliefs, but where these practises may have resulted in criminal activity, the Nigerian police have investigated them. As these practises are often secret and take a wide variety of forms, it is very difficult to obtain reliable information regarding the nature of these religious beliefs. [197] There have been isolated reports of ritualistic killings, which do not appear to be linked to organised traditional religious practises. When such rare events occur, they are investigated as crimes, and action taken against the perpetrators. There does not appear to be any widespread support for these practises, or their perpetrators. Such actions are view by society as criminal, they are investigated and dealt with in an appropriate manner. [198]

7.34. The traditional leader of Nigerian Muslims was dethroned by the government in April 1996 and investigated in connection with his business affairs. The removal of Ibrahim Dasuki as Sultan of Sokoto and his replacement by Mohammed Maccido was a cause of celebration in Sokoto. [62] There is a history of religious tension between Muslims and Christians particularly in Northern states, most notably Kano, Kaduna and Katsina. [63]

7.35. On 12 September 1996 radical Muslim leader Ibrahim El ZakZaky was arrested with other leaders. El ZakZaky's supporters were involved in a number of acts of violence protesting at his detention between 1996 and the end of 1998 when he was released from detention. [64][106] Although El ZakZaky was finally released at the end of 1998, his supporters continued to cause disturbances. In late 1998 some supporters were convicted and sentenced to imprisonment in northern Nigeria following the occupation of a university campus in which a security guard was killed. The Federal Government continued to settle property claims by Muslim Brotherhood leader Ibrahim El Zakzaky for compensation for his home and mosque, which were razed by law enforcement in 1997. All 96 of the Muslim Brotherhood followers jailed under the previous regime were released during 2000. [3]

i. The introduction of Sharia law, and subsequent events.

7.36. Nigeria's Constitution enshrines Nigeria as a secular state. Sharia Law has existed in Nigeria for many years, and the Constitution contains provision for Sharia courts to deal with issues of family law. However, on 27 October 1999 Zamfara State announced that they would introduce Sharia Law for criminal cases. This legislation contains provision that non-Muslims will not be subject to Sharia Law, but this has not assuaged the concerns of the Christian communities, who fear discrimination. Other northern states, with predominantly Muslim communities, have introduced, or are considering similar legislation. Zamfara's legislation came into force on 27 January 2000. Niger and Kebbi States signed similar laws in early February and Kano later the same month. The legislation cannot be formally introduced for at least three months after signature. There is a question over whether the introduction of the Sharia penal code is constitutional; this will have to be resolved by the Nigerian courts. [199][206][227] Ten States have now introduced the Sharian penal code: Zamfara Niger, Sokoto, Kebbi, Kano, Jigawa, Yobe, Katsina, Borno and Bauchi. Kaduna State has introduced a penal code that contains some elements of Sharia law. [2]

7.37. Violent riots broke out on 21 and 22 February 2000 in Kaduna, following a demonstration by the Christian community against the imposition of the Sharia penal code in Kaduna State. It is not clear who started the violence, but the situation quickly deteriorated into serious violence with Christians and Muslims burning each other's properties, businesses and places of worship. Hundreds of people were reported to have been killed during this violence. [2][200][201] [227] Retaliatory violence against Muslim communities broke out in Abia, Imo and Akwa Ibom States when some of the bodies of the Kaduna victims were returned to their home states. Over four hundred people were killed. [200][202][206][227] In late May there was further rioting in Kaduna, following a demonstration where Christians clashed with Muslim youths. This violence lasted for two days and it is reported that three hundred people were killed. Security forces restored order, and this violence was limited to the Kaduna area. [228][229] The immediate cause of this violence is unclear, but it is not thought to be directly related to Sharia.

7.38. Following the Kaduna riots in February, President Obasanjo called a crisis meeting of the National Council of States, a body which includes the President, Vice-President, former Heads of State and the governors of all the States. After this meeting, Vice-President Abubakar announced that the introduction of Sharia would be suspended. However, some of the States have not implemented this, and Zamfara State carried out the first judicial amputation under Sharia on 23 March 2000, and further sentences have subsequently been carried out. [204] [205][207][227]

7.39. An inter-religious council covering all northern Nigeria has been established to try and reduce tensions. Similar organisations have also been set up by individual States. On 4 April 2000 the governors of all 19 northern states agreed to establish a panel of Christian and Muslim leaders to examine how Sharia Law can operate under Nigeria's existing penal code. [2][203][206][207][227]

7.40. However, in spite of these attempts at reaching an agreement, there is still a lack of trust between the Muslim and Christian communities in the North, which can lead to outbreaks of violence. In August 2001 there were renewed fighting between Christians and Muslims in Bauchi State over plans by the local government to introduce strict Islamic law. Violence also occurred in Tafawa Balewa between two communities, the mainly Christian Kutaru and the predominantly Muslim Zwall, 15 people are reported to have been killed while

many more have been injured. This new unrest follows an outbreak of violence in Tafawa Balewa in June and July. When fighting between Christian Jarawas and Sayawas and Hausa-Fulani Muslims left more than 400 people dead and more than 22,000 displaced. The tense situation was just being brought under control when the latest clashes erupted. The root cause of many of these clashes, are long-standing interethnic rivalry, over land and resources. [39][40]

7.41. Also in August, The Northern Christian Elders Forum (NORCEF) held a general meeting in Kaduna. NORCEF Chairman Adamu Baikie said the group was very concerned that churches were being destroyed, purportedly because they were built on land meant for homes. "There are many mosques built in residential areas ... even in cities, like in Kano, Zaria, Kebbi, Jigawa and Zamfara, and nothing has happened to them," 'The Guardian' reported Baikie as saying. He added, "NORCEF is dismayed that in spite of the solemn undertaking that Sharia is applicable to Moslems only, Christians continue to suffer deprivation and molestation in all the so-called Sharia states." [40]

ETHNIC GROUP

7.42. There are over 250 ethnic groups with different languages and dialects in Nigeria, which accounts for her cultural diversity. In descending order the Muslim Hausa-Fulani centred on the north, the Yoruba centred on the south-west, and the predominately Christian Ibo (or Igbo) centred on the south-east are the largest ethnic groups. Yet no single tribe encompasses a majority of the population. There is no federal policy of discrimination against any of Nigeria's ethnic groups and legislation is designed not to favour one group over another. This is largely respected provided that a group does not pursue secessionist demands. [1][3]

7.43. An alleged dominance in the military and government is occasionally levelled at Hausa-Fulanis, with the converse claim that other ethnic groups are discriminated against. Ibos formed the Biafran rebels during the 1967-70 civil war but have since regained prominence in the professions and commerce, and became government ministers, without encountering government repression. [1]

7.44. Violent clashes between the Hausa and Yoruba tribes occurred in Shagamu, A Yoruba dominated town, on 17 July 1999, it is reported that at least sixty people have been killed. This violence followed the death of a Hausa woman, who was killed when she was found watching a Yoruba religious ceremony, which was forbidden to outsiders. The Nigerian authorities deployed police reinforcements in the towns. [164] [165] This violence spread when Hausas fled to Kano, and the local population attacked Yorubas resident there. The violence was brought under control after a few days. [166][167][168][169][174]

7.45. There were reports of confrontations between two communities in the Osun state city of Ile-Ife (the home of the senior Yoruba traditional leader the Ooni of Ife). This was triggered on 16 August 1997 by the relocation of the local government headquarters from Modakeke to Oke-Igbo. This sudden outbreak of violence in Ife is similar to that which has affected Warri since March 1997 following relocation of local government headquarters there. The violence in Warri has continued throughout 1998 and 1999. Killings have occurred in clashes between the Itsekiris and Ijaw ethnic groups in early 1999. [170][171]

7.46. It is reported that twenty-eight people were killed in three separate ethnic clashes in Taraba State on 24 and 25 June 1999. Tivs fought with Fulanis, Kutebs fought with Jukuns and Wurukum farmers with Fulani herdsman, these conflicts are reported to be caused by land disputes. Clashes between Tiv and Jukuns in Benue and Taraba States continued throughout 1999 resulting in the deaths of several hundred people, this violence stems from long standing land disputes between these two groups. [3][173]

7.47. In the riots following the death of Moshood Abiola in July 1998 there was an indication that some of the violence took on an ethnic dimension. Abiola's tribe the Yoruba majority based in south west Nigeria attacked the Hausas from the north who have been politically dominant in the past, through their control of the military. [24][25] [26][27][28]

7.48. Ethnic violence recently occurred in Nigeria's central region. Fighting broke out in June between Tivs and their mainly Hausa-speaking neighbours in Nasarawa State. This violence resulted in at least 100 deaths, according to the police, but more than 200, according to other sources, and the displacement of

more than 50,000 people. The violence was caused, by the killing of Musa Ibrahim, the traditional ruler of the Azara people, on 12 June, together with four members of his entourage. The gunmen were not identified but Tivs were suspect, with whom there was a long-standing land dispute, and the Azaras launched reprisal attacks. This led to intense inter-ethnic fighting in several towns and settlements across the state. [116][117]

7.49. The Tiv, who are a minority in Nasarawa, fled in large numbers to neighbouring Benue State where they form the majority. Local newspapers citing Red Cross sources said more than 40,000 displaced were camped in and around the Benue capital, Makurdi. Many others sought refuge further north in Plateau State. The fighting quickly spread from Nasarawa to nearby Taraba State, where the Tiv, once again in the minority, were attacked by the Fulani and the Kutebs, with whom they had also had violent clashes in recent years, around the town of Wukari. The Nigerian police acted quickly to contain this violence, and have been even handed in their approach. However, those who were displaced have face health care and supply problems. [116][118]

7.50. Land and access to it has played a significant part in many of these ethnic conflicts. This recent violence may also have a longer-term consequence, in that the states affected are major agricultural areas, and this violence occurred during the peak harvest season. This may lead to an increase in food prices in the whole of Nigeria. [117]

7.51. In early September 2001 there were serious clashes in the central Nigerian City of Jos between Christians and Muslims. There are reports that 50 people were killed and that thousands fled the city. The unrest, was reported to have been triggered by an argument outside a mosque following Friday prayers, and had its roots in interethnic tensions, that were heightened by the recent appointment of a Muslim Hausa to head a state poverty reduction programme. Churches and a mosque were destroyed as Christian vigilantes took to the streets. They also set up roadblocks around the city, stopping cars and searching them for Muslims. The conflict was mostly between the Christian Berom tribe and Muslim Hausa Fulanis whom they regarded as "settlers" on "their land". Clashes spread to Taraba State, about 300 km south of Jos. There was also violence in Kano, and Churches were attacked. [119] There was further violence in Jos in September. [116][119]

7.52. The Nigerian authorities have acted rapidly to curb this violence, and in such conflicts are mostly even handed, trying to restore order and mediate between the groups in conflict.

FREEDOM OF MOVEMENT

7.53. The Constitution entitles citizens to move freely throughout the country, and to reside where they wish. In general, the Government respected this right, but the police occasionally restricted this right by setting up roadblocks and checkpoints where security and law enforcement officials routinely engaged in extortion, violence, and excessive use of force. An example of the occurred in March 2000, when the Governor of Niger State allegedly instructed state police to install roadblocks to prevent southerners from returning to their homes. The southerners, particularly Igbo traders, were attempting to return home because they feared violent reprisals in response to the deaths of Hausas in Aba and Owerri. [3]

7.54. The Constitution also prohibits the denial of exit or entry to any citizen, and the Government generally respected this law; however, the law also provides that women are required to obtain permission from a male family member before having an application for a passport processed. Some men take their wives' and children's passports and other identification documents with them while traveling abroad to prevent their family from leaving the country. [3]



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8: HUMAN RIGHTS: SPECIFIC GROUPS

POLITICAL GROUPS/PRO DEMOCRACY GROUPS/HUMAN RIGHTS ASSOCIATIONS

8.1. Under General Abubakar most of the political prisoners who were detained by General Abacha were released. These include: Dr Beko Ransome-Kuti, the leader of the Campaign for Democracy who was serving 15 years for involvement in the 1995 coup attempt, NADECO activists that were imprisoned under General Abacha Chief Olabiyi Durojaye, who had been in detention without charge since 1996, and Olu Falae. [19][69]

8.2. General Abubakar had talks with opposition parties/pressure groups including NADECO prior to the elections on how to manage the transition to civilian democratic rule. Political parties and human rights groups are now free to operate without fear of harassment, and many of those who have been released have participated freely in the process of transition to democracy. All charges have been dropped against 15 political exiles abroad and General Abubakar asked them to return to help with the process of transforming Nigeria into a democracy. Many exiles are reported to have returned home Air Commodore Dan Suleiman, Vice Chairman of NADECO and Wole Soyinka, and none appear to have been harassed on their return. [3][70]

O'ODUA PEOPLE'S CONGRESS

8.3. However, the Nigerian government has taken action against groups thought to be pursuing an agenda of independence for their particular ethnic group. The O'odua people's Congress (OPC) is a Yoruba group, led by Dr Frederick Fasheun. It was affiliated to JACON and widely believed to advocate an independent Yoruba state (although Fasheun has denied this). In early November 1998 it was reported that 5 members of the OPC were killed by police in Lagos. They were allegedly attacked by the police after finishing a meeting. Further clashes between police and OPC youths took place in February and early March 1999 following attacks, by elements of the OPC, on police stations in Lagos and Ogun State.

8.4. The OPC are believed to have triggered riots in Lagos port, in which a number of people were reported to have been killed. [107] On 9 September 1999 there was a serious riot at the port of Lagos, and it was reported that militants linked to the OPC were involved. The cause of this violence was an attempt by sacked workers to return to work, which was supported by the militants, but opposed by other workers. There was also an ethnic element to this violence as the rioters also sought to secure Yoruba domination over business conducted in the port. After several hours of fighting between the rival groups the police restored order, but it is reported that sixteen people were killed. [208]

8.5. In November 1999 in and around Lagos there were clashes between the OPC and Hausas over market trading, which resulted in the deaths of at least twenty seven people, and a vigorous police response. On 25 November 1999 President Obasanjo ordered that police shoot OPC members on sight if they did not surrender, as a result the police adopted a confrontational line with the OPC. There were also clashes between OPC and Ijaws in Lagos at around the same

time. [209][210]

8.6. The OPC has also split into two factions, one under the leadership of Dr Frederick Fasheun and the other under the leadership Mr Ganiyu Adams, and these factions clashed in January 2000, resulting in at least six deaths. In another incident in January 2000 a senior police officer in Lagos was kidnapped and killed by OPC members attempting to free a member accused of robbery. This incident resulted in a crackdown by the police in which one hundred people were killed, and over two hundred OPC members detained on criminal charges. The Adams faction has been identified as being involved in most of this criminal activity, and has also acted as a vigilante organisation in Lagos. On 13 January 2000 President Obasanjo complained about the Governor of Lagos Bola Tinubu's handling of these incidents in a letter. His comments were met with a robust defence from the Governor of his administration. The Nigerian government has set up an ad hoc Senate committee to investigate both factions of the OPC, and present proposals as to how this organisation should be dealt with in the future. [211][212][213][214][215][216]

8.7. The Committee for the Defense of Human Rights reports that 302 OPC members were arrested in January following clashes with the police in Lagos. Of those detainees, 95 were released during the year. The remaining detainees were not been able to obtain legal representation and either could not make bail or were not eligible for bail due to the charges brought against them. [3]

8.8. In August 2000, after a number of violent clashes, including attacks on the police, the Nigerian police announced a crackdown on OPC members involved in these crimes. The attitude of the public, in the Lagos area, to the OPC is ambivalent, as they are seen as attempting to impose order in areas where the police have been unsuccessful, and some Yorubas sympathises with their aims, if not their methods. The Nigerian police have targeted their action against members of the OPC involved in violence, and ordinary members generally appear to be able to express their views without harassment. [230][231][232]

8.9. The OPC continues to be involved in acts of violence. There was an upsurge in violence against the Hausa community in Lagos in October, in which over a hundred people died. In the same month the OPC protested against the expulsion of Nigerian from Libya. The OPC appears to be generally able to pursue its political objective without interference from the authorities. However, if any its members are involved in violence, the authorities have acted to curb this violence, and bring those suspected of responsibility to trial. An example of the OPC freedom to operate is that Dr Fasheun is taking action against the Nigerian authorities over President Obasanjo actions regarding the OPC, especially his directive that its members should be shot on sight. However, OPC members have been detained, where at all possible, and only then when suspected of committing a crime. [3][258][259]

8.10. The OPC continues to be involved in clashes with the police, and contributes to the difficulties in law enforcement in and around Lagos. In August 2001, Ganiyu Adams was arrested, and has denied 23 charges against him, which included murder, robbery and illegal possession of arms. The case has since been adjourned. He had been on the run for 20 months, after Police declared him wanted in November 1999, following the clashes, allegedly spearheaded by his group, between Yorubas and Hausas in Lagos. During this period he was able to hold rallies in several southwestern towns in a show of defiance and impunity. His faction of the OPC has recently stated that it will halt all vigilante activities. [260][261][261]

MINORITIES/ETHNIC GROUPS

THE OGONI

8.11. Many of the minority tribes of the Niger Delta have in recent years expressed their discontent over their local environmental, economic and social infrastructure problems. Much of the ethnic unrest has centred on Ogoniland, a densely populated area of approximately 400 square miles in River State on the Niger Delta. [1][71][172]

8.12. During the last few years the Ogonis have been involved in occasionally violent disputes with other local minority groups. This situation was heightened by demands from the Ogoni political movement founded in 1990, the Movement for

the Survival of the Ogoni People (MOSOP). In particular MOSOP has campaigned for political autonomy and a greater share of oil revenue in compensation for the environmental degradation allegedly caused by on-shore oil production in Ogoniland. Although MOSOP initially appeared to command strong support among the Ogoni it was clear by 1993 that some of its leaders were more disposed to compromise with the federal Military Government and the authorities of Rivers State than others. The renowned author Kenule ("Ken") Saro-Wiwa led the opposing faction. MOSOP demands became more uncompromising from 1993 onwards under his leadership. There is some evidence that some MOSOP activists and particularly those of its youth wing the National Youth Council of Ogoni People (NYCOP) resorted to intimidation of their fellow Ogonis. In April 1994, spurred by this escalation in unrest, the Abacha Government deployed an "Internal Security Unit" inside Ogoniland comprised of large numbers of police and military. [1][71][72]

8.13. On 21 May 1994 a meeting was held at the Palace of Gbenemene of Gokana (a traditional ruler) in Giokoo. A number of Saro-Wiwa's opponents attended. The meeting was attacked by a large mob and four chiefs were killed. In the days and weeks after the killings, the security forces arrested a large number of people. Among those arrested in late May were Saro-Wiwa, Ledum Mitee and Dr Kiobel. Fifteen members of the Ogoni ethnic minority were brought to trial before the Ogoni Civil Disturbance Special Tribunal for their alleged roles in the killings of the four Ogoni chiefs. On 31 October 1995, the Tribunal announced guilty verdicts and death sentences for Saro-Wiwa and eight other activists. The PRC confirmed this decision on 8 November 1995 and all nine were executed on 10 November 1995. [1][72][73]

8.14. MOSOP and NYCOP activists were subjected to harassment and persecution by the Nigerian authorities during the Abacha regime. After Abubakar became head of state in June 1998 the situation in Ogoniland improved. In early September 1998, 20 Ogoni political prisoners who had been in detention since 1994 for the murder of 4 Ogoni chiefs (the same charges as the late Ken Saro-Wiwa) were released after a High Court judge in Port Harcourt dropped all the charges. Their release was unconditional. [74]

8.15. General Abubakar withdrew the Internal Security Task Force from Ogoniland in the Rivers State of the Niger Delta. Free movement is now possible after years of restriction on travel in the area. Many Ogoni exiles have been able to return, and MOSOP have been able to hold rallies once again. Shell was driven from Ogoniland in 1993 after MOSOP activists sabotaged installations demanding compensation for pollution. MOSOP says Shell must meet their demands before they will permit its return. Abubakar promised reform of a commission which was set up to develop oil-producing areas but which local people believe has been ineffectual. [75]

8.16. President Obasanjo has attempted to deal with some of the underlying problems in Niger Delta region, and on 12 July 1999 he presented a bill to the National Assembly proposing to set up a development fund for the region together with a Commission to oversee development. [175] The oil companies operating in the region would contribute to this fund. This was rejected by MOSOP on 4 August 1999, after a meeting at Bori in Ogoniland, the proposals, in their opinion, would make the situation worse, and they believe that the proposed Commission would be a tool of the central government and not act in the interest of local people. [176] On 14 August 1999 it was reported that Ogoni leaders and MOSOP had attended a meeting with Royal Dutch Shell (RDS), the company that was forced out of the Ogoni region in 1993. This meeting was seen as a sign that both the Ogonis and RDS wished to reach an accommodation regarding the future development of the region. RDS has said that it will only return to the region with local approval, and in interim has offered to sponsor development projects. [177]

8.17. In April 2000 there were violent confrontations in K-Dere between rival factions of MOSOP, over a road building project in that village. Amnesty International has accused the police of using this violence as a means of harassing and detaining Ogoni activists. A house belonging to Ledum Mitee, the president of one of MOSOP's faction, was destroyed. He was also detained in connection with this violence and bailed, but there are charge still outstanding against him. [233][234][235][236] In May Nwibari Obani claimed leadership of a rival faction of MOSOP. Ledum Mitee has challenged the legitimacy of his election. [237] In July MOSOP reiterated its opposition to RDS operating in the region, and accused it of attempting to re-start operations clandestinely, without addressing the concerns of the local people or paying compensation. [238]

8.18. In February 2001, following the Oputa Panel hearings in Port Harcourt, the relatives of the 4 chiefs killed in 1994 signed an agreement with MOSOP, pledging themselves to the organisation. During the hearings, MOSOP and Shell also agreed to hold further talks. These have not yet started. [266]

General situation in the Niger Delta

8.19. The situation in the Niger Delta during the latter part of 1998 and early 1999, become increasingly volatile. Disaffected youths were involved in taking oil workers hostage and sabotaging pipelines, they have accused the oil companies of indifference to their economic plight and demanding compensation from the oil companies for the environmental impact of their operations. [86] Many Ijaw youths have been arrested for involvement in criminal activity, although concern has been expressed by some Ijaw groups that innocent Ijaws have also been arrested. [108] During 1999 the Security Forces operating in the Delta were again accused of using excessive, and sometime lethal force on a number of occasions, which has been a long-standing problem in the area. [3][104]

8.20. President Obasanjo has attempted to address the situation in the Niger Delta, on 25 June he negotiated a cessation of hostilities between the Itsekiris, Ijaw and Urhobos, and has proposed legislation to assist in the regions development (as detailed above). [178] However, the Ijaw, Urhobo, Isoko and Ndokwa communities have rejected this initiative, and the Ijaje community has requested amendments. [179][180] There have also been ethnic clash in the region is between Ijaje and Ijaw communities in Ondo State. [181][182] The National Assembly has passed the Niger Delta Development Commission Bill. [137]

8.21. In early November 1999 there were clashes between Ijaws of the Egbesu cult and the OPC in Ajegunle district of Lagos. The OPC, were acting in support of the Ijajes, a Yoruba sub-group tribe in the Delta State, who have been involved in a violent conflict with the Ijaw for the past two years. Fifteen people were reported to have been killed in this violence and over fifty-six arrested. [217] Twelve policemen were reported to have been killed by Ijaw youths, in retaliation for the large number of Ijaws arrested by the police during the Lagos riots. [218] On 20 November 1999 in response to this incident, the Nigerian armies were order by the civilian governor to surround the town of Odi in Bayelsa State. This was the town in which the policemen were killed, and where it was believed that the Ijaws responsible were hiding. The military came under fire and over-reacted, severely damaging the town. It is not known how many people were killed, but the local residents claim that over 500 died. Over 2000 people were detained, but it is not known if those responsible for the deaths of the police officer were among those detained or killed. An inconclusive investigation was launched into this incident. President Obasanjo later apologised for the excessive force used by the military, but no action has yet to be taken against any of the soldiers involved. [3][219] [220] President Obasanjo visited Odi in March 2001, but did not offer more apologise or assistance. [267]

8.22. On 1 February 2000 a peace agreement was reached between the Ijaw and Itsekiri. The Delta State Government were commended for its part in brokering this peace agreement, and it is hope that this agreement may result in a general peace in the Warri region. [221]

8.23. Disruption of oil production and kidnapping of employees of oil companies has continued in the region, most of those kidnapped are released unharmed after a short period of time. Oil pipeline have also been vandalised, either by local people or by criminals intent on stealing oil. These incidents have resulted in a number of recent explosions and fires, which have killed or injured many local people. The Nigerian government is attempting to address this problem and has expressed its intentions to deploy security force to protect pipelines. [3][183][184] [239][240]

8.24. In September 2000 MOSOP called on the Nigerian government to drop charges against those accused of damaging pipelines, stating that lack of pipeline maintenance, rather than organised criminal activity was the cause of this problem. MOSOP stated that the oil companies failure to abide by international standards had resulted in pipeline leakage, and that their activities they were responsible for this problem. [241]

WOMEN

8.25. Freedom from discrimination based on gender is specifically provided for by the 1999 Constitution. Customary and religious discrimination against women persist in many communities and the police do not usually intervene in domestic disputes, except where alleged physical abuse exceeds customary norms. This failure to provide adequate legal protection, was criticised in a recent report by World Organisation against Torture a Swiss based organisation. [185] Women are not barred from seeking redress through the courts, although the expense precludes many. There are no legal impediments relating to either female employment or political participation, although women frequently have to encounter prejudice in male dominated fields such as law and politics. While some women have made considerable individual progress, both in the academic and business world, women remain underprivileged. Although women are not barred legally from owning land, under some customary land tenure systems only men can own land and women can gain access to land only through marriage or family. In addition many customary practices do not recognize a women's right to inherit her husband's property, and many widows were rendered destitute when their in-laws take virtually all of the deceased husband's property. Widows are subjected to unfavorable conditions as a result of discriminatory traditional customs and economic deprivation. "Confinement" is the most common rite of deprivation to which widows are subjected, this practise occurs predominately in eastern Nigeria. [3]

8.26. Women are underrepresented in government and politics, although there were no legal impediments to political participation or voting by women. Men continued to dominate the political arena. NGO's continued to protest the underrepresentation of women in the political process, and women were underrepresented in the civilian government. In President Obasanjo's first cabinet, only 6 women were appointed as ministers out of a total of 56 positions. There were 3 women among the Senate's 109 members, and only 12 women were elected to the 360-member House of Representatives. Women's rights groups pushed local, state, and the Federal Government (and local levels as well) to adopt a 30% affirmative action program; however, these efforts were unsuccessful. [3]

8.27. Reports of abuse are common, especially those of wife beating. Police normally do not intervene in domestic disputes, which seldom are discussed publicly. The Penal Code permits husbands to use physical means to chastise their wives as long as it does not result in "grievous harm," which is defined as loss of sight, hearing, power of speech, facial disfigurement, or other life threatening injuries. A Women's rights group has estimated that spousal abuse occurs in 20% of relationships. In more traditional areas of the country, courts and police are reluctant to intervene to protect women who accuse their husbands formally if the level of alleged abuse does not exceed customary norms in the areas. Rape and sexual harassment continue to be problems. Prostitution is rampant, particularly in urban areas. A number of states, including most northern states that have begun the enforcement of Sharia law, have begun to enforce existing laws or to introduce new laws to combat prostitution. Katsina, Jigawa, and Edo states have recently criminalized prostitution but it is not illegal in Lagos State; however, authorities can use statutes that outlaw pandering as a justification for arresting prostitutes. The adoption of Sharia-based legal systems by northern states has led to the strong enforcement of laws against prostitution for both adults and children. Southern states, like Edo, also are criminalizing prostitution and raising the legal age for marriage from 16 to 18. There is an active market for trafficking in women to Europe, and elsewhere. In some parts of the country, women continue to be harassed for social and religious reasons. Purdah, the Islamic practice of keeping girls and women in seclusion from men outside the family, continued in parts of the far north. [3]

8.28. A growing problem is the cross border trafficking of Nigerian women for the purpose of forced prostitution in Europe. Mrs Titi Abubakar, wife of the Vice-President Atiku Abubakar, has set up the Women-trafficking and Child Labour Eradication Foundation (WOTCLEF). This organisation intends to combat this trade and help rehabilitate victims of this traffic who have been deported back to Nigeria, by providing vocational training, and financial assistance to set up businesses at the end of this training. The Nigerian authorities are aware of this exploitation and are attempting to stop this trade, they are also seeking international assistance to address this problem. [243] Human Rights Watch reported that according to women's rights organizations, hundreds of women and

young girls migrated to Europe in response to job offers as domestic workers or waitresses. Upon arrival, many were forced into prostitution in order to pay off debts. In addition, there is evidence that Nigerian crime syndicates may use indebtedness, threats of beatings and rape, physical injury to the victim's family, arrest, and deportation to persuade those forced into sex work from attempting to escape. While the government deplores this trade, and is looking at ways to prevent it, the police reported that the women's families often condoned their entry into the trade. The Nigerian police attempts to stem the trafficking of persons include extended jail sentences and public humiliation; however, such actions focused primarily on victims, and traffickers have not been punished. Awareness campaigns, often conducted by NGO's and others, have only recently begun to generate widespread attention. [3]

President Obasanjo has set up a committee to address this problem, to receive those who are victims of this abuse, and provide rehabilitation and assistance. The Nigerian authorities are taking this abuse seriously, and are attempting to arrest those who organise and profit from it. [157][158]

8.29. There are no legal provisions barring women from testifying in a civil court of law. However the testimony of women is given less weight in a Muslim Sharia court, and this may have implications in States where a Sharia legal code has been introduced. However, as this code is still being introduced, its long term effects remain to be seen. [3]

8.30. In July 2000, it was reported that the UNICEF representative for Nigeria had praised Nigeria's efforts to improve the lot of women. She cited the appointment of women to ministerial posts and the encouragement of girls to enrol in school. The Legal Defence and Assistance Project, an NGO of lawyers and human rights workers also commended the Nigerian government's efforts to address women's rights. [242][244]

1. Female Genital Mutilation (FGM)

8.31. The government publicly opposes female genital mutilation (FGM). Nigeria co-sponsored a resolution at the Fourth World Health Assembly urging states to eliminate harmful health practices, including FGM. In 1984, a Nigerian National Committee was founded to campaign against FGM and it has subsequently obtained the collaboration and limited financial support from the Ministries of Health, Education and Information. The Ministry of Health and non-governmental organisations has sponsored public awareness and education projects informing communities of the health hazards associated with FGM. FGM is a traditional practice within local communities, and consequently it has proved difficult for federal government to effectively confront. However, the cultural nature of the practice in Nigeria determines that the mothers of young daughters are able to veto treatment if they oppose it. Communities from all of Nigeria's major ethnic groups and religions practise FGM, although adherence is neither universal nor nationwide. A 1985-6 survey found that it was not practised at all in 6 of the 19 states surveyed. [3][76][242]

8.32. The Nigerian Government does not approve of FGM, but there are no federal laws banning this practise, and it has taken no legal action to curb it. As this is view by some communities as a long-standing tradition, the government may have difficulty in discouraging FGM, while being seen to respect the traditions of the groups involved. Anti-FGM groups, because of the inability to take action at the federal level, are attempting to challenge FGM at the state and local government area (LGA) level. Edo State banned FGM in October 2000. Ogun, Cross River, Osun, Rivers, and Bayelsa states also banned FGM during the year. However, the punishments imposed are minimal, in Edo State the punishment is a 1,000 Naira fine and 6 months imprisonment. In addition once a state legislature criminalizes FGM, NGO's have found that they must convince the LGA authorities that state laws are applicable in their districts. [3]

8.33. The Women's Centre for Peace and Development (WOPED) estimated that at least 50% of women are mutilated. Studies conducted by the U.N. Development Systems and the World Health Organization estimated the FGM rate at approximately 60% among the nation's female population. However, according to local experts, the actual prevalence may be as high as 100% in some ethnic conclaves in the south. While practiced in all parts of the country, FGM is more predominant in southern and eastern areas. Women from Northern states are less likely to be mutilated; however, those affected are more likely to undergo the

severe type of FGM known as infibulation. WOPED believes that the practice is perpetuated because of a cultural belief that uncircumcised women are promiscuous, unclean, unsuitable for marriage, physically undesirable, or potential health risks to themselves and their children, especially during childbirth. The National Association of Nigerian Nurses and Midwives, The Nigerian Women's Association, and the Nigerian Medical Association worked to eradicate the practice and to train health care workers on the medical effects of FGM; however, contact with health care workers remains limited. Nevertheless, most observers agree that the number of women and girls who are subjected to FGM is declining. [3]

CHILDREN

8.34. While the Nigerian Government has increased spending on children's health in recent years, it seldom enforced even the inadequate laws designed to protect the rights of children. Cases of child abuse, abandoned infants, child prostitution, and physically harmful child labour practices remained common throughout the country. The Government only occasionally criticized child abuse and neglect, and it made little effort to stop customary practices harmful to children, such as the sale of young girls into marriage. There were credible reports that poor families sell their daughters into marriage as a means of supplementing their income. Young girls often are forced into marriage as soon as they reach puberty, regardless of age, in order to prevent the "indecentcy" associated with premarital sex. [3]

8.35. As referred to above, UNICEF have urged the new Nigerian government to adopt a draft bill on children's rights drafted in 1993, which made provisions for support of education, the elimination of child labour and early marriage. This bill also proposed a ban on FGM and skin scarification or tattoos, which are used by some tribal groups to show affiliation. [159] Private and government initiatives to stem the growing incidence of child employment continue but have not been effective. UNICEF operated a program in Kaduna that sought to remove young girls from the streets where they hawked petty goods and relocate them to an informal educational setting. UNICEF reported that despite the narrow focus on young girls, the program only began to address the problem during the year. In conjunction with the ILO, the Government formulated a national program of action in support of child rights, survival, protection, development, and participation. In August a formal agreement between the ILO and the Labour ministry established the program; however, it has yet to show results due to logistical problems and changing personnel in the Ministry. [3]

8.36. The ILO reported that, based on a nationwide survey of child trafficking, approximately 19% of school children and 40% of street children have been trafficked for forced labor. The economic strategies that underlie child trafficking may be reflected in the fact that families who employ them also pay their school fees. Child traffickers also take advantage of a cultural tradition of "fostering" under which it is culturally accepted to send one's child to live and work with a family in an urban center for educational and employment purposes. Often the children in these situations only work and do not get any formal education. They are forced to serve as domestics or to become street hawkers selling nuts, fruits, or other items. According to reports from the media and the ILO, there is also an active trade in child labourers, some are sent to Cameroon, Gabon, Benin, and Equatorial Guinea to work in agricultural enterprises, others are coerced into prostitution. Authorities also have identified a trade route for traffickers of children for labour through Katsina and Sokoto to the Middle East and East Africa. The eastern part of the country and some southern states such as Cross River and Akwa Ibom have been the focus of trafficking of children for labour and, in some cases, it is claimed for human sacrifice. The country remains a destination point for the trafficking of Togolese children to serve as domestic or agricultural workers. The Government is investigating allegations of the collusion of customs officials in trafficking. Some of the returnees have alleged that immigration officials actively connive with syndicates; however, there were no arrests of immigration officials for trafficking offenses during the year. The Assistant Inspector General of Police is investigating allegations of the collusion of customs officials in trafficking. [3]

8.37. There have also been reports of young Nigerian women been trafficked to the continent through the United Kingdom, to mostly Italy, to be exploited for the purposes of prostitution. This abuse is increasing in some European countries. Some of these girls, who have been rescued, complain that violence, intimidation, threats against them or their families, and the use of voodoo practises, have all being used to control them. The United Kingdom authorities are attempting to

address this problem, by taking action against those involved in this trade. [155]
[156]

8.38. The Nigerian authorities have taken action when suspected cases of child trafficking have occurred. President Obasanjo has recently set up two commissions to investigate these crimes. Their remit is to look into both the trafficking of women and that of children, and will examine issues related to repatriation and rehabilitation. [157][158]

i. Education

8.39. Public schools continued to be inadequate, and limited facilities precluded access to education for many children. The Constitution's general provisions call for the Government, "when practical," to provide free, compulsory, and universal primary education; however, despite the President's commitment to compulsory education, compulsory primary education rarely was provided, particularly in the north. Girls are discriminated against in access to education for social and economic reasons. The literacy rate for males is 58% but only 41% for females. Rural girls are even more disadvantaged than their urban counterparts. Only 42% of rural girls are enrolled in school compared with 72% of urban girls. In the north, Muslim communities favour boys over girls in deciding which children to enroll in secondary and elementary schools. In the south, economic hardship also restricts many families' ability to send girls to school and, instead, they are directed into commercial activities such as trading and street vending. [3]

STUDENT CULTS

8.40. Student cults, secret societies based on student fraternities, have been responsible for many crimes in Nigerian universities. However, the Nigerian police have made efforts to investigate these crimes, and convict cult members involved.

8.41. Following the murder, by cult members, of students at Obafemi Awolowo University in July 1999, the Nigerian authorities took action to suppress these cults. In August 1999 the Nigerian government ordered Chancellors to eradicate cults from their campus. The government said that it would hold Chancellors responsible for failures to maintain order amongst their students. The universities have since been having some success in encouraging students to renounce cult membership. [222][223][224][225]

8.42. On 10 March 2000 President Obasanjo commented on a report from Justice Okoi Iam into the events at Obafemi Awolowo University, he re-affirmed his government's commitment to eradicating student cults, which he described as undermining both education institutions and society in general. Justice Iam stated that the government must provide funds to implement the recommendations of his report, and also deal with the problem of Cults in both Federal and State educational institutions. He also reminded University authorities that they should monitor their students and staff for cult related activities. [226]

8.43. In September 2001 there was a serious outbreak of cult-related violence in Enugu State University of Science, when 8 students were killed in clashes. Police were deployed to investigate this incident. While cult-related violence still occurs, the Nigerian authorities have had some success in reducing it, and have made efforts to eradicate cults from Universities. [263]

HOMOSEXUALS

8.44. Male homosexual conduct is prohibited by Nigerian law. Homosexuals can be subject to prosecution. The penalty for convicted homosexual behaviour varies from 3 months to 3 years imprisonment or a fine and/or corporal punishment. The justice system considers homosexual behaviour with a varying degree of statutory punishment.

8.45. Homosexual males in Nigeria are likely to face discrimination and occasional violence if they are overt about their sexual orientation, but not on an organised or systematic scale. Society is not openly hostile but homosexuals can be subject to ridicule. There are some areas in Nigeria where it is possible to live openly as a homosexual - such as in a large city like Lagos. There have been instances of homosexuals being subjected to violence, but they usually keep themselves to

themselves and are usually left alone. [109]

THE OGBONI

9.1. There are many cults in Nigeria. Probably the best known is the Ogboni. The Ogboni are a secret society of the Yoruba tribe, and it is therefore hard to obtain reliable information about them. [110][111] As a secret society it has been banned in Nigeria, and its power curtailed. However this ban is hard to enforce, and it is still active and alleged to be involved in satanic practices. [111][112]

9.2. The title Ogboni is only conferred on the elders, i.e. senior members of the society. These are usually men but women, usually six in number, were traditionally included to represent the interests of women in the community. Membership of the society is usually, but not always, passed through patrilineal descent. [110][111]

9.3. The Ogboni traditionally played a significant role in Yoruba religion and society, and were involved in the installation of new kings. Historically an Ogboni could be said to have combined the powers of a local magistrate, with those of a member of the local government and a religious leader. [110][111]

9.4. The Ogboni engaged in animal sacrifice. There is no firm evidence to suggest that they engaged in human sacrifice. However, in the event that a king abused his power they could compel him to commit suicide. They could also impose sanctions against other members of the community if they believed that these were justified. The Ogboni are reputed to threaten its members with death should they break their oath of secrecy regarding its rituals and beliefs. It is still regarded as being a powerful organisation throughout Nigeria. [110][111][112]

9.5. It is believed that the Ogboni is a purely Yoruba cult, but there are a number of Yoruba sub tribes who also may be involved. [110]

The Reformed Ogboni Fraternity (ROF)

9.6. This was founded in 1914, and is not a religious organisation, although the members believe in God. The ROF is not a secret organisation, it is not banned, and is open to men and women regardless of race, colour, creed, religion, or political opinion.

9.7. The ROF is an indigenous African organisation that promotes African culture, advocates charitable and good works, believes in the brotherhood of man and self-improvement. It disassociates itself from cults, specifically the Ogboni, and does not participate in politics. However, it should be noted that members of the ROF can also be Ogboni, due to their position within Yoruba society, as was the case with the late leader **Sir Adetokunbo Ademola**, which may imply that the reputation of the Ogboni as a sinister cult has been exaggerated. [113]

MONITORING

9.8. International human rights organisations are active in Nigeria and regularly reported allegations of human rights abuses.

9.9. General Abubakar attempted to improve relations with the international community while Head of State, and appeared to be more receptive to criticisms about human rights issues than his predecessor. He addressed the United Nations General Assembly, and allowed a UN Special Rapporteur to visit Nigeria in November 1998. [77] There are no reports of the present government obstructing or preventing the activities of international human rights organisations in Nigeria.

INTERNAL FLIGHT

9.10. Individuals who fear persecution by non state entities, for example, those involved in tribal disputes, problems with cult membership, religious difficulties and so forth, the option of internal flight is a real possibility in Nigeria, taking into account its size and population (for details see section on geography).

9.11. More than 280,000 Nigerians have at one time or another been displaced by

conflicts or natural disasters over the past two years, according to figures from humanitarian organisations and the media. Religious and ethnic clashes being the main cause of internal displacement. There are few restrictions on internal movement within Nigeria, and many either return to their homes after a short period, or are re-settled. [187][188]

9.12. However, problems encountered by those displaced include threats to their health, shelter and security. Displacement also creates a need for food aid. Camps are often overcrowded, and as they are in school buildings or open spaces, they are also unsuitable. The lack of access to potable water expose those displaced to an increased risk to health, with diseases such as diarrhoea, cholera and typhoid fever being common. Camps are sometimes poorly secured from attacks by wild animals, bandits or rival groups. While government, UN and other international organisations, NGOs and embassies often provide assistance, this is seldom sufficient to deal with the numbers who are displaced. [187][188]



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Nigeria

ANNEX A

INTERNATIONAL OBLIGATIONS

A. Formal obligations

1. Of the 14 human rights instruments that the United Nations (UN) is depositary to, Nigeria has acceded to 9 and signed 1 other.

Acceded to:

- i. International Covenant on Civil and Political Rights.
- ii. Convention on the Suppression and Punishment of the Crime of Apartheid.
- iii. Convention on the Elimination of all forms of Racial Discrimination.
- iv. International Covenant on Economic, Social and Cultural Rights
- v. 1951 Convention relating to the Status of Refugees
- vi. 1967 Protocol relating to the Status of Refugees
- vii. Convention on the non-applicability of Statutory Limitations to War Crimes and crimes against humanity
- viii. Convention on the Elimination of all forms of Discrimination against Women
- ix. Convention on the rights of the child

Signed but not ratified:

- i. Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

2. Nigeria has signed and ratified the Organisation of African Unity's (OAU) African Charter on Human and Peoples' Rights and is a member of the International Labour Organisation (ILO). Nigeria is also the only country in Africa that has domesticated the application of the African Charter on the human and peoples' rights by transforming it into its local legislation.

2000 treaty ratifications/signatures:

- Optional Protocol to the UN Children's Convention on the involvement of

- children in armed conflict
- Optional Protocol to the UN Women's Convention
- Rome Statute of the International Criminal Court



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Nigeria

ANNEX B

MAIN POLITICAL PARTIES/PRO-DEMOCRACY GROUPS/HUMAN RIGHTS GROUPS

Social Democratic Party (SDP) and National Republican Convention (NRC)

The SDP and NRC were created by the Babangida regime in October 1989 following the lifting of the ban on political parties in May 1989 and in March 1990 membership registration began for both parties. Chief Tom Ikimi and Baba Gana Kingibe were elected as chairmen of the NRC and SDP respectively in July 1990. In March 1993 following the National party congresses Chief Moshood Abiola and Alhaji Bashir Tofa were selected to stand in the Presidential elections which took place on 12 June 1993. Initial results indicated that Abiola had won the majority of the vote however on 23 June the results of the election were declared invalid which led to unrest. General Abacha the newly installed military ruler dissolved all democratically elected institutions and banned both parties in November 1994. Abiola declared himself President in a symbolic ceremony on 11 June and was arrested on 23 June on charges of treason. He died in prison in July 1998 whilst still awaiting trial, and just when it was widely believed that he was about to be released. Following the return to civilian rule, political parties are now allowed to function and register as political organisations.

Parties

After political parties were declared legal on 27.6.95, a multitude of newly founded political organisations sprang up. They are mostly only listed by their titles in literature. Only five parties qualified for registration:-

United Nigeria Congress Party (UNCP)

Committee for National Consensus (CNC)

National Centre Party of Nigeria (UCPN)

Democratic Party of Nigeria (DPN)

Grassroot Democratic Movement (GDM)

These parties were dissolved by Abubakar in July 1998. There were viewed as being vehicles to secure Abacha's candidacy for the presidential elections that were to have taken place in August 1998.

Campaign for Democracy (CD)

This group was founded in November 1991 and involves an alliance of 25 human rights organisations, which oppose the present military regime. CD was established in advance of the 1993 elections and raised many criticisms of the weakness of the two-party system. Dr Beko Ransome-Kuti is the Chairman of the

organisation and was re-elected at a conference in Ibadan at the beginning of February 1994. On 27.7.95 Dr Ransome-Kuti was arrested in connection with the alleged March 1995 conspiracy against the Abacha Government. He was later convicted by the Aziza Tribunal and finally sentenced to fifteen years' imprisonment on 1 October 1995. He was released from detention by Abubakar on 16 June 1998. On 25 June 1998 Frederick Fasehun, who had been imprisoned by the Abacha regime, was also released from prison. The CD's General Secretary, Sylvester Odion Akhaine, was released from detention at the beginning of 1996 during which time Ms Joe Okei had taken the role of Acting General Secretary. On his release from detention Mr Odion-Akhaine assumed that Ms Okei would hand over the running of the organisation to him but what followed was a leadership struggle which led to the expulsion of Ms Okei and two others in the light of alleged corruption charges.

Committee for the Defence of Human Rights (CDHR)

A human rights group with a strong record of criticizing government abuses. Dr Beko Ransome-Kuti is the Chairman of this organisation. He was imprisoned by General Abacha but released by General Abubakar in June 1998.

National Democratic Coalition (NADECO)

NADECO is a political pressure group. The organisation was founded on 15.5.94. In 1994 Chief Michael Ajasin was Chairman of the organisation, General Secretary was Oyo Opadokun. In 1995 Chief Ajasin was joined by Chief Anthony Enahoro as co Chairman and who fled into exile in 1996. Following the death of Ajasin on 3 October 1997 Abraham Adesanya was promoted from his role of acting chairman to lead the organisation. Ayo Adebajo is regarded as another leader of the organisation. In June 1998 Abubakar released two members of NADECO from prison. Chief Olabiyi Durojaye who had been in detention without charge since 1996, and Olu Falae who is a leading member of NADECO.

General Abubakar had several meetings with NADECO to discuss the transition plans leading to a handover to a democratically elected civilian government, prior to the transfer of power on 29 May 1999. Several prominent NADECO exiles have now returned from abroad.

Civil Liberties Organisation (CLO)

The CLO is one of the most vocal groups involved in the promotion of human rights in Nigeria. It has been active in documenting human rights issues including prison conditions, refugee rights and abuses of the legal process. The CLO began its activities in 1987. The president from this time was Olisa Agbakoba who has now been replaced by Ayo Obe.

National Democratic Alliance (NDA) of Association for a Better Nigeria (ABN)

The ABN was founded in 1993 at the time of the 1993 elections and advocates the continuation of military rule. The leader is Chief Francis Arthur Nzeribe and it has recently changed its name to the NDA.

Movement for the Survival of Ogoni People (MOSOP)

MOSOP was formed in 1990 and has campaigned for political autonomy and a greater share of the oil revenue derived from their land. It has its origins in the Ogoni Bill of Rights produced in 1990. MOSOP has been led since 1993 by Ken Saro Wiwa however he was arrested in 1994 for his involvement in the murder of 4 Ogoni chiefs. On 10 November 1995 he and 8 others were executed following a highly criticised trial. Ledum Mitee, acquitted at the trial in which Saro Wiwa was convicted is acting President of MOSOP. He has recently returned to Nigeria after a period in exile in the United Kingdom. The twenty Ogonis who were convicted with Saro-Wiwa and sentenced to prison sentences were released from prison in September 1998, and all charges against them were dropped.

MOSOP (UK)

Originally called the Ogoni Community Association (UK) this organisation was set up in 1993 by Ogoni people living in Britain. MOSOP (UK) is an affiliate of MOSOP

and aims to focus world attention on the plight of the Ogoni's.

National Conscience Party (NCP)

Although named party this organisation is unregistered. It was formed on 1.10.94 and is led by the radical lawyer Gani Fawehinmi.

Constitutional Rights Project (CRP)

The CRP was established in November 1990 and is registered as a nongovernmental organisation. It produces a journal and newsletter and is especially concerned about constitutional questions and the independence of the courts. It's executive director is Clement Nwankwo.

National Liberation Council (NALICON)

Founded by Wole Soyinka in June 1995 regarded as the militant section of NADECO. The treason charges against Soyinka have now been dropped and on 14 October he returned to Nigeria for a visit following a period spent in exile abroad.

United Action for Democracy

An umbrella movement for approximately 30 Nigeria-based human rights/pro democracy groups opposed to the regime. The UAD was inaugurated in May 1997. Its leaders are the human rights lawyer, Olisa Agbakoba, CD General-Secretary Sylvester Odion Akhaine and pro democracy activist Chima Ubani.

Olisa Agbakoba had been imprisoned under Abacha on 8 May 1998 but was released by General Abubakar on 25 June 1998.

Joint Action Committee of Nigeria (JACON)

This is an alliance of human rights and pro-democracy groups that formed a coalition in April 1998 to campaign against continued military rule. It is led by Gani Fawehinmi. Twenty six anti military rule groups signed a communique calling for an end to military rule including United Action for Democracy (UAD), National Democratic Coalition (NADECO), National Conscience Party, Civil Liberties Organisation, Committee for the Defence of Human Rights (CDHR), Eastern Mandate Union and Campaign for Democracy (CD).

Movement for Justice in Nigeria (MOJIN)

The President is Abdulkarim Daiyabu. This group believes in the 12 June 1993 mandate given to Mashood Abiola in the Presidential elections.

Nigeria Labour Congress

An affiliation of trade unions. Taken over in August 1995 by the Abacha regime. Handed back to the Nigerian unions in September 1998 by the Abubakar regime.

Youths Earnestly Ask for Abacha

A group supporting Abacha in the Presidential election of August 1998 - which was cancelled following Abacha's death on 8 June 1998. This party has now become the

Mass Democratic Party.

There are three registered parties that contested the 1999 election: -

Alliance for Democracy (AD)

All People's Party (APP)

People's Democratic Party (PDP)

NB: The AD and the APP contested the 1999 elections in coalition.



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Nigeria

ANNEX C

PROMINENT PEOPLE (PAST AND PRESENT)

Nnamdi Azikiwe - leader of National Council for Nigeria and the Cameroons (NCNC). Following independence became first President of Nigeria in 1963 deposed in coup 1966, now deceased.

Chief Yabuku Gowon - army chief of staff chosen to head government (1966-75) overthrown in peaceful coup on 29 July 1975.

General Murtala Mohammed - succeeded Gowon, died as result of attempted coup on 13 February 1976.

General Olusegun Obasanjo - as chief of army staff succeeded Mohammed. Returned country to civilian rule in 1979. Arrested on 13 March 1995 and sentenced to life for concealment later commuted to 15 years. Released by General Abubakar in June 1998. Won 27 February 1999 presidential election, and took office on 29 May 1999.

Shehu Shagari - leader of National Party of Nigeria (NPN) and last civilian President of Nigeria (1979-83).

Major General Mohammed Buhari - took power following coup on 31 December 1983.

General Ibrahim Babangida - succeeded Buhari on 27 August 1985.

Chief Ernest Shonekan - head of ING installed on 27 August 1993.

General Sani Abacha - army chief of staff in Babangida's regime. Took power on 17 November 1993. Died 8 June 1998

Chief Moshood Abiola - presidential candidate for Social Democratic Party (SDP). Arrested 24 June 1994 after he declared himself President of Nigeria on 11 June 1994. Died whilst still in custody on 7 July 1998.

Alhaji Ismailab Gwarzo - former security adviser under Abacha regime. Currently detained for allegedly misappropriating 2.5 bn dollars of public money.

Dr Frederick Fasehun - Chairman of Movement for Economic and Social Justice and self proclaimed chairman of CD in Boko Ransome Kuti's absence. Arrested 18 December 1996 in connection with recent bombings. Abubakar ordered his release on 25 June 1998.

Chief Olu Falae - former finance minister and SDP presidential aspirant. Arrested on 10 January 1997 also in connection with bombings. Released 25 June 1998.

Major General (rtd) Shehu Musa Yar'adua - Obasanjo's number 2 and leading light in SDP and leader of now defunct People's Democratic Movement. Arrested on 9 March 1995 and sentenced to death for conspiracy to commit treason. Later commuted to 25 years. Died in detention on 8 December 1997. Granted posthumous pardon by General Abubakar.

Chief Frank Kokori - secretary general of National Union of Petroleum and Natural Gas Workers (NUPENG). Arrested on 20 August 1994 for leading the July/August 1994 oil workers strike. Released 16 June 1998.

Major Gideon Orkar - leader of 22 April 1990 attempted coup. Was executed for his involvement on 27 July 1990 along with 42 others.

Milton Dabibi - General secretary of Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN). Arrested on 21 January 1996 for his role in 1994 oil workers strike.

Released 16 June 1998.

Chief Olabiyi Durojaiye - former presidential aspirant for SDP and NADECO chieftain. Arrested on 3 December 1996 in connection with recent bombings in Lagos. Released 16 June 1998.

Umaru Dikko - former minister of transport under Shagari. Declared wanted by Buhari regime. Was in self imposed exile until invited to be a delegate at National Constitutional Conference.

Chief Michael Adekunle Ajasin - part of National Democratic Coalition (NADECO) leadership and regarded by many as the leader. Also leader of a Yoruba group named Afenifere. Died from natural causes on 3 October 1997.

Chief Gani Fawehinmi - radical lawyer and leader of National Conscience Party (NCP). Arrested on several occasions under the Abacha regime. Has acted as counsel for other prominent people including Dele Giwa and Ken Saro Wiwa.

Femi Falana - leader of National Association of Democratic Lawyers. Detained on a number of occasions the last being on 14 February when he was held until 20 November 1996.

Sylvester Odion Akhaine - General secretary of CD released from detention without charge on 31 December 1995 following his arrest on 17 January.

Beko Ransome Kuti - Chairman of Campaign for Democracy (CD) and president of CDHR. Arrested on numerous occasions the last being on 27 July 1995 when he was found guilty of committing an act sub judicial to the Aziza Tribunal. Sentenced to life imprisonment which in October was commuted to 15 years. Released 16 June 1998.

Colonel Lawan Gwadabe - regarded as key figure in 1995 coup plot. Convicted of treason and sentenced to death later commuted to life. Ordered to be released in March 1999.

Ken Saro Wiwa - President of Movement for the Survival of the Ogoni People (MOSOP). Arrested on 22 May 1994 in connection with murder of 4 Ogoni chiefs. Executed on 10 November 1995 along with 8 other MOSOP members.

Ledum Mitee - vice president of MOSOP prior to Ken Saro Wiwa's death. Now Acting President was acquitted at the same trial as Saro Wiwa. Ledum Mitee returned to Nigeria from exile in London in late 1998.

Wole Soyinka - on 16 June 1995 founded National Liberation Council (NALICON) allied to NADECO. Left Nigeria in November 1994. Charges that had been made against him by General Abacha were dropped by General Abubakar. Returned to Nigeria for a visit in October 1998.

Babafemi Ojuda - Managing Editor of THE NEWS- imprisoned for 8 months by

Abacha. Freed 24 July 1998.

Kunle Ajibade - Executive Editor - THE NEWS - Imprisoned 1995 for "an accessory after the fact of treason". He was released in July 1998.

Baba Gana Kingibe - National Chairman of SDP and running mate of Abiola in 1993 elections. Was power and steel minister in Abacha's Federal Executive Council (FEC).

Chief Tom Ikimi - ex NRC chairman held position of Foreign Minister in FEC under Abacha.

Alhaji Bashir Othman Tofa - 1993 presidential candidate for NRC.

Chief Francis Arthur Nzeribe - leader of Association for a Better Nigeria founded in 1993.

Ayo Obe - President of Civil Liberties Organisation (CLO)

Olisa Agbakoba - ex President of CLO.

Abdul Oroh - executive director of CLO.

Clement Nwankwo - co founder of CLO executive director of CRP.

Malam Ibrahim El ZakZaky - leader of militant group the Islamic Liberation Movement which was involved in the Katsina religious disturbances in April 1991. Imprisoned from 1996 until late 1998.

Kudirat Abiola - senior wife of Chief Abiola. Vociferous in calls for her husbands release and for him to be President. Arrested in May 1996 just prior to her assassination on 4 June 1996.

Chief Anthony Enahoro - vice chairman of NADECO. Arrested on a number of occasions and fled to US in May 1996.

Ayo Opadokun - Secretary General of NADECO.

Dele Giwa - founding editor in chief of Newswatch magazine. Killed on 19 October 1986 by a parcel bomb delivered to his home. It is widely believed that the government had a hand in his death

Abraham Adesanya - chairman of NADECO. Detained in 1996 and survived an attempt on his life in 1997.

Alfred Rewane - former secretary to Obafemi Awolowo, regarded as financial pillar of NADECO. Assassinated on 6 October 1995 following appearance of an advert in the national press placed by Rewane deriding Babangida's regime.

Joe Okei - in opposition with Odion-Akhaine with regard to position of general secretary of CD.

Alhaji Ibrahim Dasuki - deposed as Sultan of Sokoto (premier traditional ruler of Nigeria and leader of Muslim community) on 20 April 1996 for alleged financial irregularities.

Alhaji Muhammadu Maccido - replaced Dasuki as Sultan of Sokoto on 21 April 1996.

General Abdusalam Abubakar head of state between 8 June 1998 until 29 May 1999.

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PART 4

July 1999-October 2001

JULY - The Nigerian government cancels all crude oil contracts on 2 July, pending re-negotiation, as some of the companies involved are linked to ex-army officer. On the 6 July the Nigerian government outlines its guidelines for future oil contract, these include a commitment to development in Nigeria and a performance bond of one million dollars, which will be forfeited in the event of failure to invest in development. The oil companies agreed to a 0.5% levy for the development of the Niger Delta region on the same day.

The International Court of Justice allows a counterclaim from Nigeria regarding the Bakassi peninsula on 3 July.

Ten Nigerian POW in Sierra Leone, are released by the Revolutionary United Front, and arrive back in Nigeria on 3 July.

On the 7 July the first anniversary of the death of Chief Kashimawo Abiola passes without any serious incidents being reported.

On 8 July President Obasanjo recalls all recently appointed diplomats and place them on compulsory leave. On the same day the full Nigerian cabinet is appointed after, with the approval of the Senate.

The Nigerian intends to begin a phased withdrawal from Sierra Leone, following the implementation of the Lome peace agreement. However, some of its force will remain as part of Ecomog (Economic Community of West African States Cease-Fire Monitoring Group), and will help with reconstruction.

On 9 July, President Obasanjo swears in eight advisors to assist him and his government.

On 11 July five students were killed during an attack on a hostel at Obafemi Awolowo Teaching Hospital. Members of an unidentified cult were involved in this incident, and three other students later died as a result of their injuries. Mr Wale Omole, the Vice Chancellor of the University, was indefinitely suspended from his post, because of his failure to address the problems of cults in the University, and a number of suspected cult members were detained. However, this failed to satisfy many of the students, and on 14 July they stormed a police station where the suspected cult members were being held and removed one suspect. Students kidnapped Mr Omole's wife, in an attempt to discover his whereabouts; they also blocked roads to the University, and boycotted lectures. The Nigerian government has said it will take measures to address the problems of cults in Universities.

On 13 July, President Obasanjo presents a bill for development in the Niger Delta, he proposes that a Commission be set up to oversee development in the region, financed, in part, by contributions from the oil companies. The Ijaw Youth Council rejected this proposal on 15 July.

On 17 July Alhaji Muhammad Waziri, one of President Obasanjo's recently appointed special advisors, escaped an assassination attempt at his home in Abuja. However, he suffered serious injuries as a result of the attack.

There were serious clashes between Hausas and Yorubas in Shagamu on 17 July following the murder of a Hausa woman who had observed a secret Yoruba religious ceremony. Over sixty people are reported to have been killed, before order is restored.

These clashes trigger further clashes between Hausas and Yorubas in Kano on 22 July. Over seventy people are reported to have been killed before order is restored, but accounts of the exact number vary. One hundred and fifty people are subsequently arrested.

On 24 July the speaker of the House of Representative Alhaji Ibrahim Salisu Buhari is required to resign his post, because he had misrepresented his academic qualifications.

On 26 July Isoko youths free sixty oil workers who had been held for two days.

On 29 July it is reported that over one hundred and twenty people have died in clashes between two communities in Anambra State, the cause is a long-standing land dispute.

The former minister of sport, Air Commodore Anthony Ikazoboh was shot and killed at his home in Lagos on 29 July.

MOSOP said it identifies with the Nigerian government's efforts to resolve the problems in the Niger Delta on 29 July.

There were clashes between Ijaws and Ilajes in Ondo State in late July, over a land dispute, at least fifty people were reported killed.

AUGUST - On 4 August Ex-speaker Alhaji Ibrahim Salisu Buhari is sentenced to one year in prison, on two counts of perjury and forgery, but is given the option of a 2,000 Naira fine.

Communities in the Ilaje local government area, make proposed amendments to the Niger Delta bill on 6 August. They want an ambiguity in representation of local people clarified.

On 7 August MOSOP reject the bill, as they believe that the commission would not be able to assist in development, and it also objects to the government definition of the states in the Niger region.

On 9 August soldiers are sent to Ondo State to restore order. Both the Ijaws and Ilajes had failed to abide by the terms of a peace agreement, and thousands of Ijaws have fled the fighting, and hundreds are reported killed.

On the 10 August there were demonstrations at the National Assembly against the allowances given to legislators.

It is reported that two hundred people were killed by Nigerian troops in the village of Lebambo in Taraba State. The soldiers had retaliated against the ethnic Kutebs after they had been attacked. Taraba State has been the scene of many ethnic clashes, because of dispute about grazing and land.

Five kidnapped oil workers were freed on 12 August.

On 14 August Ogoni leaders met with representatives of Royal Dutch Shell to discuss their differences, and to attempt to agree a formula for Shell to return to the Ogoni Region.

On 18 August the death of a British Oil worker Mr Richard Lintot was reported. He died on 15 August, as a result of injuries sustained during a robbery at Sapele in the Niger Delta on 9 August.

On 18 August Ijaw youths attacked the regional parliament in Bayelsa State, and two MPs were stabbed. The Ijaws were protesting against the parliamentary

speakers and other officials involvement in an oil compensation bill.

Texaco said in a statement on 19 August, that one hundred and fifty youths occupied its offices in Warri.

President Obasanjo submitted a list of one hundred and three ambassadorial nominees for the Senate's consideration on 19 August.

The United Nations Development Programme (UNDP) has express its approval of Nigeria's government, and intends to send a special mission to Nigeria in September to discuss development and co-operation. UNDP hope to assist in area relating to job development, national planning, social development and food security. The UNDP already have approximately three hundred projects in Nigeria.

On 21 August, Shi'ites burn down hotels in Katsina, in a protest over an application to repeal a ban on alcohol.

President Obasanjo announced a wide-ranging program of poverty relief on 23 August, addressing health care and education provisions. He also stated that agricultural reform was also a high priority.

Taraba and Benue states were reported to be clam after a two-year period of ethnic clashes.

On 22 August students at Osum State Polytechnic rioted after the police allegedly killed five students, a local radio station was closed briefly for fear that the students would occupy it.

President Obasanjo approved the release of one thousand four hundred prisoners on 27 August.

SEPTEMBER - The army denied that it had maltreated civilian in Ondo State during operations to quell disturbances between Ijaw and Ilahe tribal groups. On 4 September the army suspends its withdrawal from Sierra Leone.

On 7 September Mr Justice Oputa requested more time to examine the cases submitted to his human rights panel for consideration. The panel is sworn in on 16 September, with the support of President Obasanjo.

Bandits in Northern Nigeria killed at least twenty people including a police officer during a robbery on 8 September.

On 9 September there was a serious riot at the port of Lagos, and it was reported that militants linked to the OPC were involved. The cause of this violence was an attempt by sacked workers to return to work, which was supported by the militants, but opposed by other workers. After several hours of fighting between the rival groups, the police used live ammunition to restored order, and it is reported that sixteen people were killed. In an unrelated incident, Hausa and Yoruba traders clashed in Abuja, two people are reported to have been killed. On the same day the high court rule that the cancellation of a contract with Heritage Oil and Gas Co was legal.

On 13 September it was reported that police had killed fifty Ijaw youths in the Niger Delta, all were supposed to be members of the Egbesu cult. The police have subsequently denied involvement in these deaths.

On 17 September it is report that two hundred people had died from Cholera in Borno State.

Disturbances continue in the Niger Delta, with attacks on oil installations and ethnic unrest. On 15 September two oil workers were kidnapped, but were later released. The most serious incident occurred on 20 September, when a crowd of local residents attacked a Liquefied Natural Gas (LNG) plant at Finima in the Bonny Rivers State. Production was resumed by 28 September, after an agreement was reached between the company Nigerian Liquefied Natural Gas Ltd and the local community. President Obasanjo visited the region on a fact-finding mission.

23 September President Obasanjo addressed the U.N. General Assembly, and requested international assistance in recovering funds misappropriated by previous Nigerian and other African regimes. He said that this and debt relief would assist in African development.

OCTOBER - 4 October, members of Okrika and Ogonis communities in Port Harcourt, clashed in a dispute over the ownership of a refinery site, the police restored order

On 5 October President Obasanjo order the human rights commission, under Mr Justice Oputa, to cover events back to the first military government in 1966.

Twenty broadcast licenses held by TV companies are revoked for failure to pay licensing fees.

Zamfara State takes measures to introduce Shia'ra law on 27 October. It was anticipated that the trained personnel and courts necessary to support this law would be in place by January 2000.

NOVEMBER - In early November there were clashes between Ijaws of the Egbesu cult and the OPC in Ajegunle district of Lagos. The OPC, were acting in support of the Ilajes who have been involved in a violent conflict with the Ijaw for the past two years. Fifteen people were reported to have been killed in this violence and over fifty-six arrested. It was reported that twelve policemen were later killed by Ijaw youths, in retaliation for the large number of Ijaws arrested by the police during the Lagos riots.

Itshekeris and Ijaws were reported to have been involved in clashes in the Niger Delta in early November. In Bayelsa State ten soldiers guarding an oil instillation were reported to have been killed.

17 November former army chief General Ishaya Bamaïyi was released from house arrest, he was under investigation by the human rights commission. On the same day Mohammed Abacha appeared in court charged with the murder Kudirat Abiola.

On 18 November it was reported that more than forty people had been killed in clashes between two Isoko communities in the Niger Delta. The dispute was over the allocation of oil pipes donated to local people by RDS. On the same day the Senate President Evan Enwerem was removed from office.

On 20 November 1999, in response to the killing of police officers in early November, the Nigerian army surrounded the town of Odi in Bayelsa State. This was the town in which the policemen were killed, and where it was believed that the Ijaws responsible were hiding. In the ensuing operation it is claimed by the local community that over five hundred residents were killed, and two thousand detained, it is not known if those responsible for the deaths of the police officer were among those detained or killed. An inconclusive investigation was launched into this incident. President Obasanjo later apologised for the excessive force used by the military.

Barnabas Gemade is elected chairman of the ruling Peoples Democratic Party.

Former army chief General Ishaya Bamaïyi appear in Lagos Chief Magistrates court on 24 November, charged with conspiracy to murder former newspaper publisher Alex Ibru. His co-defendants Maj. Hamza Al-Mustapha and police supt. Mohammed Rabo Lawal, are also charged with involvement in the death of Kudirat Abiola.

In late November 1999 in and around Lagos there were clashed between the OPC and Hausas over market trading, which resulted in the deaths of at least twenty-seven people, many Hausas fled Lagos because of this violence. On 25 November 1999 President Obasanjo ordered that police shoot OPC members on sight if they did not surrender.

DECEMBER - On 8 December the trial of Mohammed Abacha is adjourned, as his defences require time to study new charges against him.

There were riots in Ilorin on 18 December 1999, no deaths were reported, but eighteen churches were destroyed.

On 21 December, police dispersed Trade Unionist protesting outside the national parliament in Abuja against the repeal of fuel subsidies.

JANUARY 2000 - The Nigerian government announced that prisoners who had been on death row for twenty years or more would be pardon. Others who have been on death row for over ten years would have their sentences commuted to life imprisonment.

On 5 January violence flared in Ibadan between local Yorubas and Hausas, when a Hausa lorry driver collided with a taxi carrying Yorubas, and then fled the scene. Seven people were killed in the accident, and four died in the ensuing violence.

The OPC has split into two factions, one under the leadership of Dr Frederick Fasheun and the other under the leadership Mr Ganiyu Adams. Mr Adams' faction is seen as being more hard line and less willing to compromise with the Nigerian authorities. These two factions clashed on 6 January 2000, resulting in at least six deaths. In another incident a senior police officer in Lagos was kidnapped and killed by OPC members attempting to free a member accused of robbery. Mr Ganiyu Adams remains wanted because of his suspected involvement in the Lagos clashes in November 1999.

The Ganiyu Adams' faction of the OPC was believed to have been involved in vigilante violence in the Mushin area of Lagos. The police attempted to curb this violence, but these vigilantes killed at least forty people, before order was restored on 7 January

There were reports of an increase in tension between Nigeria and Cameroon over the disputed Bakassi peninsula. The Nigerian military authorities denied this, but the possible cause of any rise in tensions, is the military assistance Cameroon has been receiving from France.

Charges against Former army chief General Ishaya Barnaiyi, Police Commissioner James Danbaba, former Zamfara State Administrator Col. Bala Yakubu, Chief Supt. Of Police Mohammed Rabo Lawal and the late General Abacha Chief of Security Maj. Hamza Al-Mustapha were withdrawn on 13 January. These charges related to the attempted murder of Mr Alex Ibru. However, the charges against Al-Mustapha, Rabo Lawal, Mohammed Abacha and Lateef Shofolahan arising from the murder of Kudirat Abiola remain. As do charges against Al-Mustapha and Col. Frank Yakassai arising from the murder of Maj-Gen Shehu Musa Yar'Adua. General Barnaiyi remain in detention as there are other charges outstanding against him.

14 January thousands of Christians in Kaduna State protest against plans to introduce a Sharia law code.

Two hundred members of the OPC were detained by the police, and charged with crimes connected to the recent violence in Lagos. There are reports that as many as one thousand members of Ganiyu Adams' OPC faction may have been detained.

Ogonis and RDS continue discussions aimed at reaching agreement about RDS returning to Ogoniland.

Fulani herders fought with villagers in central Nigeria, ten people were killed including two policemen.

Youth in Imo State seized some oil production installation on 18 January, in protest at Imo being excluded from the Niger Delta Development Commission Bill.

On 22 January the city of Kano approves Sharia law, subject to the consent of the State's Governor. On the 27 January Zamafara formally introduced the Sharia penal code, and the first punishments under this code were carried out from that date.

FEBRUARY - On 4 February police occupy the office of the Alliance for Democracy, as this party had split into two factions and the police feared a violent confrontation.

On 21 February there were marches against the introduction of Shir'ia law by Christians in Kaduna, during these marches serious disturbances were reported as Muslims and Christians clashed. On 22 February there was extensive rioting in Kaduna, and it is reported that more than three hundred people were killed over a three-day period. On the same day Sokoto became the third state to adopt a Sharia based penal code.

The residence of the Sultan of Sokoto was also attacked on the 21 February. The attackers belonged to two rival Muslim factions who were disputing the leadership the Sultan Bello Mosque.

On 28 February violence spread to Aba, as youths from the mainly Christian Igbo tribe attacked local Muslims in reprisals for attacks on Christians living in Kaduna. The Central Mosque in the town was torched during this riot and around fifty people killed. In both incidents the police imposed a curfew. The army was also called in to support the police.

In light of the Constitutional implications of this law, a human rights group led by Olisa Agbokoba has made a legal challenge against this law.

On 29 February Vice-President Atiku Abubakar announced that as a result of a meeting of all state governors Sharia law would be suspended. The response from the three states involve has been ambiguous, and they have been reluctant to confirm unequivocal that they would abide by the decision of the council. A number of other northern states have re-affirmed their intention to introduce a Shia'ra based legal system.

MARCH - President Obasanjo appealed for calm and understanding in a national television broadcast on 2 March 2000.

There were clashes between two Yoruba communities in Ife on 5 March, over a long-standing land dispute.

On 7 March violence spread to Sokoto, when students rioted and demanded the immediate introduction of Sharia, order was restored after a curfew was imposed. Unrest was also reported in Lagos after a Hausa lorry driver lost control of his truck and killed twenty people. Local Yorubas clashed with Hausas, and a curfew was imposed. There have been conflicting reports on the total death toll in February and March due to religious based unrest, and a true figure is hard to determined.

On 13 March thirty-two oil workers and two soldiers were abducted from a gas plant at Utorogu near Warri. On 14 March at least fifty people were killed in Umuichieichi-Umungbede village in a pipeline explosion.

APRIL - Dr Fredrick Fasheun president of the OPC was briefly detained by the SSS, who were enquiring into the activities of the OPC.

Around 11 April There were violent confrontations in K-Dere between rival factions of MOSOP, over a road building project. Amnesty International has accused the police of using this violence as a means of harassing and detaining Ogoni activists. A house belonging to Ledum Mitee, the president of one of MOSOP's faction, was destroyed. He was also detained in connection with this violence and bailed, but there are charge still outstanding against him.

MAY - On 7 May Nwibari Obani claimed leadership of a rival faction of MOSOP. Ledum Mitee has challenged the legitimacy of his election.

In Late May there was further rioting in Kaduna. This violence lasted for two days and it is reported that three hundred people were killed. The security forces restored order, and this violence was limited to the Kaduna area

JUNE - On 8 June Nigerians went on a stay-at-home strike in answer to a call from the umbrella Nigeria Labour Congress (NLC) to protest against a 50% increase in fuel prices announced a week ago by the government. News organisations reported that all private businesses were closed and transport vehicles were off the streets after the talks between the government and the NLC, which wants the increases scrapped, proved inconclusive. There had been a number of protest in Lagos and other cities against the price hike, which was also opposed by the Senate and the governments of some states.

There were four separate incidents of pipeline sabotage on 3 June on the Warri-kadunna pipeline, a number of suspects were detained. An undetermined number of people died in the fires caused by this damage.

On 13 June the NLC called off a week-long strike after reaching agreement with government to scale down the fuel-price rise decreed last week.

On 20 June there was a pipeline explosion at Okuedjegba near Warri the number of killed and injured is not known.

The northern city of Kano on issued an official proclamation of Sharia in that state on 21 June.

Two oil workers were kidnapped while working on a boat on 21 June, but were later released when the Nigerian navy stormed the boat.

JULY - On the 5 July a Kano court imposed a sentence of eighty strokes of the cane and fifteen months in prison on a man convicted of drinking alcohol. In Zamfara a man was sentenced to eighty strokes of the cane for falsely accusing his wife of adultery.

On 6 July The authorities in Ondo state imposed a dusk-to-dawn curfew in the town of Ikare-Akoko following 20 deaths resulting from clashes between supporters of two rival monarchs there. The violence, which began last weekend, dates back to 1992 when the Owaale, one of the monarchs in question, was recognised by the government even though the Olukare was reportedly already the traditional ruler.

On 10 July two hundred and fifty people were killed in an oil pipeline explosion in Adeje near Warri.

Civil servants in Lagos State suspended a three-week-old wage strike on 11 July to restart negotiations with the state government over the disputed minimum wage. Adams Oshiomhole, president of the Nigeria NLC announced the suspension of the strike after talks with Lagos State Governor Bola Tinubu. Oshiomhole said that the strike would only be called off when an agreement had been reached.

On 16 July there were clashes in Lagos between police and OPC, twenty people were killed including two police officers. Thirty people were killed in a pipeline explosion in Warri.

On 20 July FGM was declared illegal in southeastern Cross River State.

On 31 July, Ijaw militants held one hundred and sixty five oil workers hostage. They were released in early August.

AUGUST - Katsina becomes the fifth state to adopt Sharia law on 1 August. Jigawa adopts Sharia law on 2 August.

There is agitation in the Southern states, to prevent young people from the South serving in the National Youth Service Corp in North. This is a compulsory form of non-military national service, and this action has been taking because of a fear for their safety following the introduction of Sharia law in some Northern states. Many Southern Christian youths are reported to have refused to be sent to serve in states that have adopted Islamic law.

President Clinton paid a visit to Nigeria and expressed his support for the civilian

government, and pledged \$ 20 Million to support efforts to combat AIDS, Malaria and polio.

SEPTEMBER - Ten people died in clashes between Christians and Muslims in Gombe state on 11 September, following protest against the proposal to introduce Sharia law into that state.

President Obasanjo paid a short visit to the United Kingdom on 13 September, and amongst the subjects discussed, were debt relief and the recovery of funds looted under previous regimes.

OCTOBER - There were clashes between the OPC and Hausas in Ilorin and Lagos. As a result of this violence, military units were deployed in Lagos State.

In October the Human Rights Violations Investigation Panel (HRVIP), began hearings into 150 cases of killings by members of the security forces.

In October an OPC demonstration against Libya's expulsion of several Nigerian citizens resulted in a number of injuries and the death of a guard at a foreign embassy.

On 14 October, clashes broke out between members of the OPC and police in Ilorin. The violence spread to Lagos over the following 2 days. The fighting in Lagos was between members of the OPC and members of the Hausa ethnic group and originated in a dispute over the capture and killing of alleged robbers of the Hausa ethnic group by members of the OPC. The rioting resulted in the deaths of over 100 persons, the destruction of buildings in Lagos and the outlawing of the OPC by the Government

NOVEMBER- 30 November, dozens of people were killed when a ruptured fuel pipeline exploded near Nigeria's commercial capital, Lagos. Officials of the state-owned Nigerian National Petroleum Corporation (NNPC) said the fire erupted at a vandalised point on its pipeline. NNPC's Atlas Cove jetty, used for delivering imported fuel, is located some 500 metres from the scene. The fire damaged the jetty and adjacent depots.

Dr Frederick Fasheun leader of the OPC was briefly detained in November 2000, but later released without charge.

DECEMBER - Nigeria's National Association of Resident Doctors ended a four-month strike after officials pledged to meet its demands. The doctors started their action on 13 September to demand higher pay, welfare packages and better working conditions.

4 December - Several people were injured in the southeastern town of Okigwe after the Nigerian government deployed soldiers to curb the activities of a secessionist movement allegedly usurping law enforcement duties in the area. Heavily armed soldiers, arrived in Okigwe on 1 December, and were apparently pursuing Ralph Uwazurike, leader of the Movement for the Actualisation of the Sovereign State of Biafra (MASSOB). His followers were said to have been enforcing the sale of fuel at controlled prices.

19 December - At least 500 people suspected of involvement in vandalizing pipelines to steal fuel were arrested by the police across Nigeria.

JANUARY 2001

9 January At least 20 people have been taken hostage following clashes between neighbouring communities in Nigeria's southern Niger Delta oil region. The dispute was over the location of a key oil company facility, that was considered lucrative, and pitted the Ke and Krakrama communities on one side against the neighbouring community of Bille on the other. All the communities are within the Degema District of Rivers State.

9 January Muslim youths went on the rampage in the northern Nigerian City of Maiduguri, burning down several churches and bars. Hundreds of youths had gathered to pray after sighting the eclipse, which they interpreted as a consequence of widespread sins. Then they became uncontrollable attacking

churches and bars, and forcing non-Muslims to flee to a military barrack.

Late January President Obasanjo announced a cabinet re-shuffle.

FEBRUARY-1 February the Archbishop of Canterbury, George Carey, arrived in Nigeria on Wednesday on a two-week pastoral visit, media organisations reported. During his visit he highlights concerns regarding the introduction of Sharia law in the North.

5 February Militant Ijaw protesters have ended their occupation of three crude oil production facilities of Royal/Dutch Shell near the southern Nigerian oil town of Warri, the French news agency.

8 February Nigerian police destroyed the headquarters of a separatist movement in the southeastern town of Okigwe and arrested several of its leaders, area residents and media organisations said on Thursday. It is claimed that six people were killed by policemen, who also flattened the building that served as the headquarters of MASSOB. The group is campaigning for the resuscitation of the defunct Republic of Biafra. The group are accused of public disturbance, incitement and the unauthorised use of firearms and attempting to set up an illegal republic.

8 February Ten ministerial nominees submitted by President Olusegun Obasanjo to Nigeria's Senate for consideration, following a re-shuffle have been approved. The re-shuffle was the first major change in the composition of the federal cabinet since Obasanjo became president. Reuters news agency said the approval of the nominees without much delay was a sign that Obasanjo's previously difficult relations with the legislature had improved significantly.

9 February Kaduna has passed a modified Islamic code aimed at averting further religious violence. Under the new law the application of the Sharia for criminal matters will be limited to lower courts and localities where Muslims are predominant. Traditional or customary law will be applicable at the same level in areas inhabited by non-Muslims. It is reported that civil law will remain applicable in the state's higher courts, responsible for trying criminal offences.

MARCH - Bauchi State announced its intention to introduce Sharia from end of the month.

5 March At least 23 girls died on Monday when a fire broke out in a secondary school hostel in Plateau State, central Nigeria, media organisations reported. The victims were among 165 girls staying at the hostel, located in the town of Gindiri. They were trapped in their rooms because doors and windows had been locked to prevent them from going out at night.

JUNE/JULY - Fighting in in Nasarawa State between Christian Tiv and Muslims Hausa-Fulanileft more than 400 people dead and more than 22,000 displaced.

AUGUST - There was renewed fighting between Christians and Muslims in Bauchi State over plans by the government to introduce strict Islamic law. The latest outbreak of violence in the Tafawa Balewa involved two communities, the mainly Christian Kutaru and the predominantly Muslim Zwall, 15 people are reported to have been killed while many more have been injured.

Ganiyu Adams was arrested, and has denied 23 charges against him, which included murder, robbery and illegal possession of arms. The case has since been adjourned.

In early September 2001 there were serious clashes in the central Nigerian City of Jos between Christians and Muslims. Fighting spread to other areas of the country.

OCTOBER - Clashes were reported in Benue and Taraba States between Tivs and Jukun, due to long standing land disputes. A number of troops, who were sent to restore order are reported to have been killed. Tiv communities, which were suspected of being linked to these deaths, were later attacked. A number of people were killed in these attacks, but the identity of the attackers has yet to be determined.



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